

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

9/8/20

Name: Walter L. Evans, II

Office Address: Law Office of Walter L. Evans, II
2185 Democrat Road, Suite 118
Memphis, Shelby County, Tennessee 38132

(including county) 901-577-7770 901-577-7759

Office Phone: _____ Facsimile: _____
[REDACTED]

Email Address: _____
[REDACTED]
Memphis, Shelby County, Tennessee 38103

Home Address: _____
(including county) _____

Home Phone: [REDACTED] Cellular Phone: [REDACTED]

INTRODUCTION

Tennessee Code Annotated section 17-4-301 et seq. charges the Trial Court Vacancy Commission with assisting the Governor and the People of Tennessee in finding and appointing the best qualified candidates for judicial offices in this State. Please consider the Commission's responsibility in answering the questions in this application questionnaire. For example, when a question asks you to "describe" certain things, please provide a description that contains relevant information about the subject of the question and, especially, that contains detailed information that demonstrates that you are qualified for the judicial office you seek. In order to properly evaluate your application, the Commission needs information about the range of your experience, the depth and breadth of your legal knowledge, and your personal traits such as integrity, fairness, and work habits.

This document is available in Microsoft Word format from the Administrative Office of the Courts (telephone 800.448.7970 or 615.741.2687; website www.tncourts.gov). The Commission requests that applicants obtain the Microsoft Word form and respond directly on the form. Respond in the box provided below each question. (The box will expand as you type in the document.) **Review the separate instruction sheet prior to completing this document. Submit by the noon deadline date an original (unbound) completed application (with ink signature) to the Administrative Office of the Courts.** In addition, submit a digital copy with electronic or scanned signature via email to ceesha.lofton@tncourts.gov, or via another digital

storage device such as a flash drive. See section 1(g) of the application instructions for additional information related to hand-delivery of application packages.

THIS APPLICATION IS OPEN TO PUBLIC INSPECTION AFTER YOU SUBMIT IT.

PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

I am employed at the Law Office of Walter L. Evans, II, Esq. I am also employed by Shelby County Government, as a part time Assistant County Attorney.

2. State the year you were licensed to practice law in Tennessee and give your Tennessee Board of Professional Responsibility number.

2003 – BPR# 022779

3. List all states in which you have been licensed to practice law and include your bar number or identifying number for each state of admission. Indicate the date of licensure and whether the license is currently active. If not active, explain.

Maryland – 0212170259 – 12/17/2002 – Currently active

District of Columbia – 488152 – 07/9/2004 – Currently active

Tennessee – 022779 – 10/17/2003 – Currently active

4. Have you ever been denied admission to, suspended or placed on inactive status by the Bar of any State? If so, explain. (This applies even if the denial was temporary).

No

5. List your professional or business employment/experience since the completion of your legal education. Also include here a description of any occupation, business, or profession other than the practice of law in which you have ever been engaged (excluding military service, which is covered by a separate question).

- 2003 – 2005 - FedEx Express – Human Resources (HR) Compliance Advisor
- 2003 – Present - Law Office of Walter L. Evans, II – Attorney (Private Practice)

- *2007 – Present* - Shelby County Government – Assistant County Attorney (Part Time)
 - ** *2012 – Present* – Shelby County Government – Chief Policy Advisor – Sheriff’s Civil/Levy Division
 - ** *2016 – Present* - Shelby County Government – Assistant Shelby County Divorce Referee (Chancery Court and Circuit Court)
- *2015* - Thomson Reuters (Practical Law Division) – Associate Editor (Contractor) – Labor and Employment Law Department

6. Describe the nature of your present law practice, listing the major areas of law in which you practice and the percentage each constitutes of your total practice.

My present law practice is 100% civil based. I presently, have a general business law practice that focuses on business law/litigation (20%), contract negotiation/drafting (20%), entity formation (10%), government (20%), personal injury (10%), and probate law (20%).

7. Describe generally your experience (over your entire time as a licensed attorney) in trial courts, appellate courts, administrative bodies, legislative or regulatory bodies, other forums, and/or transactional matters.

Over the span of my almost 18 years practicing law, I have grown to become a highly successful attorney. During my career as a solo practitioner, I have successfully handled over 400 cases ranging from probate matters, to contract disputes, divorces, being a divorce referee in Shelby County Chancery and Circuit Court, handling criminal and civil court appointed matters, mental health institutional hearings, administrative law hearings for Shelby County, mediations, and many depositions.

I have tried cases in General Sessions Court, Circuit Court, as well as in Chancery Court for almost 18 years. I understand that preparation is key in law, and I have always been prepared.

As an assistant Shelby County Attorney (part – time), I have been appointed to serve as 1st chair on many litigation cases.

I thrive as it relates to transactional matters because documentation allows lawyers, and the trier of fact to understand the issues in a specific case without being swayed by intangible emotions or circumstances. Facts are facts. The trier of fact’s role is to make a determination based on facts.

8. Describe any matters of special note involving your practice in trial courts, appellate courts, and administrative bodies.

Matters of special note include the following:

- Successfully defended Shelby County Government in a Governmental Tort Liability Lawsuit worth \$329,000. (Verdict – Shelby County – Not Liable). (CT-001221-12 – Phyllis Smith vs. Shelby County, Tennessee).
- Successfully handling over 60 cases before administrative law panels during my work history in the private sector (Fed-Ex), private practice (for private clients), as well as public sector (Shelby County Government).

9. Describe any other legal experience, not stated above, that you would like to bring to the attention of the Commission.

- I have been a panelist at the 2018 Memphis Bar Association - Bench Bar Conference – in St. Louis, MO. “Do’s and Don’ts for Handling Divorce Cases.” (Shelby County Divorce Referee).

10. List and describe all prior occasions on which you have submitted an application for any state or federal judicial position.

I have never submitted an application for any judicial position before.

EDUCATION

11. List each college, law school, and other graduate school which you have attended, including dates of attendance, degree awarded, major, any form of recognition or other aspects of your education you believe are relevant, and your reason for leaving each school if no degree was awarded.

- Hampton University – Attended 1995 – Degree sought: Bachelor of Science; Major: Business Administration (transferred to Florida A&M University, because I believed the Florida A&M University - School of Business and Industry (SBI) had a solid business program).
- Florida Agricultural and Mechanical University (School of Business and Industry) – 1996-1999 – Degree Awarded: Bachelor of Science; Major: Business Administration.
****Swim Team - Member
- Howard University – School of Law – 1999 – 2002 - Degree Awarded: Juris Doctor; Major: Law

PERSONAL INFORMATION

12. State your date of birth.

██████ 1977

13. How long have you lived continuously in the State of Tennessee?

Almost 18 years – Since December 2002

14. How long have you lived continuously in the county where you are now living?

Almost 18 years – Since December 2002

15. State the county in which you are registered to vote.

Shelby County

16. Describe your military service, if applicable, including branch of service, dates of active duty, rank at separation, and decorations, honors, or achievements. Please also state whether you received an honorable discharge and, if not, describe why not.

I did not have the pleasure of serving in the military.

17. Have you ever pled guilty or been convicted or are now on diversion for violation of any law, regulation or ordinance other than minor traffic offenses? If so, state the approximate date, charge and disposition of the case.

No

18. To your knowledge, are you now under federal, state or local investigation for possible violation of a criminal statute or disciplinary rule? If so, give details.

No

19. Please identify the number of formal complaints you have responded to that were filed

against you with any supervisory authority, including but not limited to a court, a board of professional responsibility, or a board of judicial conduct, alleging any breach of ethics or unprofessional conduct by you. Please provide any relevant details on any such complaint if the complaint was not dismissed by the court or board receiving the complaint. You may wish to request a report from the appropriate supervisory authority (or authorities) for a complete history.

1 formal complaint – Dismissed 9/12/2012 – File No. 34747-9-RW/CL-31149 – TN board of professional responsibility.

20. Has a tax lien or other collection procedure been instituted against you by federal, state, or local authorities or creditors within the last five (5) years? If so, give details.

No

21. Have you ever filed bankruptcy (including personally or as part of any partnership, LLC, corporation, or other business organization)?

No

22. Have you ever been a party in any legal proceedings (including divorces, domestic proceedings, and other types of proceedings)? If so, give details including the date, court and docket number and disposition. Provide a brief description of the case. This question does not seek, and you may exclude from your response, any matter where you were involved only as a nominal party, such as if you were the trustee under a deed of trust in a foreclosure proceeding.

Yes.

* 4/16/2008 - *CT-001866-08* – Walter Evans vs. James Curan – Disposed (10/3/2011) - Auto Accident. (I was hit by a car).

* 8/14/2015 – *CT-003418-15* – Riverside 648 Homeowners Association vs. Walter Evans – Dismissed/Resolved (4/15/2016) – (Homeowners Association Contract Dispute).

* 5/14/2019 – *HL-2139-19* – Baptist Hospital vs. Walter Evans – Disposed/Released (6/6/2019). (Hospital Bill).

* 3/26/2020 – *CT-1339-20* – Walter Evans vs. Mark Montsinger – Open – (Auto Accident. I was hit by a car).

23. List all organizations other than professional associations to which you have belonged within the last five (5) years, including civic, charitable, religious, educational, social and fraternal organizations. Give the titles and dates of any offices which you have held in such organizations.

- St. Jude Children’s Research Hospital – Volunteer (Volunteer Services) – *Volunteer Spotlight Award Recipient* (2016) - 2016-Present
- Alpha Phi Alpha Fraternity Incorporated – Member – 2019-Present

24. Have you ever belonged to any organization, association, club or society which limits its membership to those of any particular race, religion, or gender? Do not include in your answer those organizations specifically formed for a religious purpose, such as churches or synagogues.

- a. If so, list such organizations and describe the basis of the membership limitation.
- b. If it is not your intention to resign from such organization(s) and withdraw from any participation in their activities should you be nominated and selected for the position for which you are applying, state your reasons.

No

ACHIEVEMENTS

25. List all bar associations and professional societies of which you have been a member within the last ten years, including dates. Give the titles and dates of any offices which you have held in such groups. List memberships and responsibilities on any committee of professional associations which you consider significant.

- Tennessee Bar Association – Member – 2014 – Present
- Maryland State Bar Association – Member – 2015 - Present
- District of Columbia Bar Association – Member – 2016 – Present
- American Bar Association – Member – (Law Practice Division and the Solo, Small Firm, and General Practice Division – 2002 – Present

26. List honors, prizes, awards or other forms of recognition which you have received since your graduation from law school which are directly related to professional accomplishments.

27. List any public office you have held or for which you have been candidate or applicant. Include the date, the position, and whether the position was elective or appointive.

I have never been a candidate for, or held public office.

ESSAYS/PERSONAL STATEMENTS

28. What are your reasons for seeking this position? *(150 words or less)*

My reason for seeking this position is clear. As a highly successful attorney with almost 18 years of legal service, 12 of which in government service, I believe that this role would allow me the opportunity to utilize my skills in the highest way possible for this community. My business background combined with my extensive legal background, especially in Chancery Court matters, clearly exhibits my ability to manage the responsibilities of this role. Being that my father, Chancellor Walter Evans, held this position for over 22 years, I have a unique understanding of what is necessary to competently serve in this role.

29. Describe the judgeship you seek (i.e., geographic area, types of cases, number of judges, etc. and explain how your selection would impact the court. *(150 words or less)*

Part 1 of the Chancery Court for the 30th Judicial District, seated in Shelby County, Tennessee, is a court of equity. It is 1 of 3 Chancery divisions and has jurisdiction over matters in Shelby County, Tennessee. The Court is unique because it does not have to strictly adhere to the rule of law, yet may modify the strict rule and provide relief based on the individual circumstances of the case. Chancery Court hears matter involving divorces, worker's compensation, adoptions, and all types of business disputes. Having practiced law in a corporate environment, for a governmental entity, and as a Divorce Referee (in Chancery Court), I will bring a strong mix of business and legal versatility to the Court; which is necessary in this role.

30. Will you uphold the law even if you disagree with the substance of the law (e.g., statute or rule) at issue? Give an example from your experience as a licensed attorney that supports your response to this question. *(250 words or less)*

Yes, I will uphold the law even if I disagree with the substance of the statute or the rule. As a licensed attorney, I encountered this as a human resources advisor – attorney. In 2003, I was forced to issue discipline and defend my employer's position to demote/reprimand a handful of senior managers (which I will not mention) for their actions regarding an employment law matter. The issue involved the Civil Rights Act of 1964, allegations of sexual harassment, and

matters involving the Equal Employment Opportunity Commission. The matter involved female managers that were notified of harassment by a subordinate female employee. The law clearly states employers/managers have a duty to investigate harassment, and resolve any situations that create a hostile work environment. The managers, although having no ill-intent, had not encountered a matter of this nature before. The managers, therefore, did not act swiftly or efficiently enough to quickly stop this issue because the managers did not ask for assistance. Although the managers had no prior knowledge of how to handle such an issue, they should have known how to handle EEOC issue, or asked for assistance. I was therefore, forced to defend the law, demote, and reprimand 20-year, dedicated employees for lack of knowledge of the rules, because their actions were ultimately in violation of the law, and could have placed the company in serious violation of various employment laws.

REFERENCES

31. List five (5) persons, and their current positions and contact information, who would recommend you for the judicial position for which you are applying. Please list at least two persons who are not lawyers. Please note that the Commission or someone on its behalf may contact these persons regarding your application.

A. Dr. Samuel C. Polk, III, Physician – Semmes Murphey Clinic – [REDACTED],
Memphis, Tennessee – [REDACTED]

B. Mrs. Cheryl Bobo, CPA, Accountant – Banks, Finley, White & Co. – [REDACTED],
Memphis, Tennessee 38104 – [REDACTED]

C. Atty. Sekou Gary, Partner – Gary, Williams, Parenti Watson & Gary, PLLC – Waterside
Professional Building – [REDACTED], Stuart, Florida 34994 – [REDACTED]
[REDACTED]

D. Ms. Wolho Cho, Memphis Business Owner, Perfect Fit Alterations – [REDACTED]
Germantown, Tennessee 38138 – [REDACTED]

E. Atty. Donald N. Watson, Partner, Chairman – Personal Injury Department – Gary, Williams,
Parenti, Watson & Gary, PLLC – Waterside Professional Building – [REDACTED],
Stuart, Florida 34994 – [REDACTED]

AFFIRMATION CONCERNING APPLICATION

Read, and if you agree to the provisions, sign the following:

I have read the foregoing questions and have answered them in good faith and as completely as my records and recollections permit. I hereby agree to be considered for nomination to the Governor for the office of Chancellor of Part I of the Chancery Court of Tennessee for the Thirtieth Judicial District, and if appointed by the Governor, agree to serve that office. In the event any changes occur between the time this application is filed and the public hearing, I hereby agree to file an amended questionnaire with the Administrative Office of the Courts for distribution to the Commission members.

I understand that the information provided in this questionnaire shall be open to public inspection upon filing with the Administrative Office of the Courts and that the Commission may publicize the names of persons who apply for nomination and the names of those persons the Commission nominates to the Governor for the judicial vacancy in question.

Dated: December 8, 2020.



Signature

When completed, return this questionnaire to Ceesha Lofton, Administrative Office of the Courts, 511 Union Street, Suite 600, Nashville, TN 37219.



**TENNESSEE TRIAL COURT VACANCY COMMISSION
ADMINISTRATIVE OFFICE OF THE COURTS**

511 UNION STREET, SUITE 600
NASHVILLE CITY CENTER
NASHVILLE, TN 37219

**TENNESSEE BOARD OF PROFESSIONAL RESPONSIBILITY
TENNESSEE BOARD OF JUDICIAL CONDUCT
AND OTHER LICENSING BOARDS**

WAIVER OF CONFIDENTIALITY

I hereby waive the privilege of confidentiality with respect to any information that concerns me, including public discipline, private discipline, deferred discipline agreements, diversions, dismissed complaints and any complaints erased by law, and is known to, recorded with, on file with the Board of Professional Responsibility of the Supreme Court of Tennessee, the Tennessee Board of Judicial Conduct (previously known as the Court of the Judiciary) and any other licensing board, whether within or outside the State of Tennessee, from which I have been issued a license that is currently active, inactive or other status. I hereby authorize a representative of the Trial Court Vacancy Commission to request and receive any such information and distribute it to the membership of the Commission and to the Office of the Governor.

Walter L. Evans, II

Type or Print Name

Signature

December 8, 2020

Date

022779

BPR #

Please identify other licensing boards that have issued you a license, including the state issuing the license and the license number.

State of Maryland - 0212170259

District of Columbia - 488152