

The Governor's Council for Judicial Appointments

State of Tennessee

Application for Nomination to Judicial Office

Name: Linda Thomas Woolsey

Office Address: 118 South Main Street
(including county) Greeneville, Greene County, Tennessee 37743

Office Phone: (423) 639-7851 Facsimile: (423) 639-7852

INTRODUCTION

The State of Tennessee Executive Order No. 41 hereby charges the Governor's Council for Judicial Appointments with assisting the Governor and the people of Tennessee in finding and appointing the best and most qualified candidates for judicial offices in this State. Please consider the Council'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 Council 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 word processing format from the Administrative Office of the Courts (telephone 800.448.7970 or 615.741.2687; website www.tncourts.gov). The Council requests that applicants obtain the word processing form and respond directly on the form. Please respond in the box provided below each question. (The box will expand as you type in the document.) Please read the separate instruction sheet prior to completing this document. Please submit original (unbound) completed application (*with ink signature*) and six (6) copies of the form and any attachments to the Administrative Office of the Courts. In addition, submit a digital copy with electronic or scanned signature via email to debra.hayes@tncourts.gov, or via another digital storage device such as flash drive or CD.

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

PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

Partner at Woolsey & Woolsey, Attorneys at Law.
Municipal Judge for Greeneville, Baileyton and Tusculum.

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

Licensed to practice law in Tennessee in 1979.
BPR # 006903.

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.

No states other than Tennessee.

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).

Staff attorney at Greene Valley Developmental Center from 2/80 until 2/82.
Partner at Woolsey & Woolsey, Attorneys at Law, from 2/82 through present.
Municipal Judge for the Town of Greeneville from November 1992 through present.
Municipal Judge for the Town of Baileyton from June 2005 through present.
Municipal Judge for the City of Tusculum from June 2005 through present.

6. If you have not been employed continuously since completion of your legal education, describe what you did during periods of unemployment in excess of six months.

Not applicable.

7. 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.

At present, my law practice is primarily focused in the family law area (divorce, custody, adoption, child support, etc.), and I would estimate that area constitutes approximately 75% - 80% of my practice. The remaining 20% - 25% of my practice consists of various areas in the general practice of civil law (mainly wills, estates, conservatorships, property disputes, deed preparation, contract preparation, etc.).

8. 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. In making your description, include information about the types of matters in which you have represented clients (e.g., information about whether you have handled criminal matters, civil matters, transactional matters, regulatory matters, etc.) and your own personal involvement and activities in the matters where you have been involved. In responding to this question, please be guided by the fact that in order to properly evaluate your application, the Council needs information about your range of experience, your own personal work and work habits, and your work background, as your legal experience is a very important component of the evaluation required of the Council. Please provide detailed information that will allow the Council to evaluate your qualification for the judicial office for which you have applied. The failure to provide detailed information, especially in this question, will hamper the evaluation of your application.

My first job after being admitted to the bar was with the State of Tennessee Department of Mental Health and Mental Retardation as the sole staff attorney at Greene Valley Developmental Center here in Greeneville, Tennessee. As such, I was responsible for addressing the various legal issues that arose pertaining to the 800-plus residents and the 1200-plus employees of the facility at time.

I resigned from the position at Greene Valley after two years in order to enter the full-time private practice of law with my husband, and we formed the partnership of Woolsey & Woolsey in February, 1982. During the early years in private practice, I handled cases in basically every area of the law -- from performing title searches and handling loan closings for the Farmers Home Administration and local realtors, to representing clients in administrative hearings before the Social Security Administration and appeals therefrom, to representing criminal defendants (both appointed and retained), to forming corporations, to taking appointed cases in Juvenile Court (both as a defense attorney and as a guardian ad litem), to personal injury cases and workers compensation cases, to divorce and custody cases, etc.

After several years of a truly general practice, I started refining my practice and "dividing up" some of the general areas of law with my husband. For example, we had discovered that my husband loved the practice of criminal law and I was not quite so enamored with it, so he took over all of the criminal defense work.

I have been a litigator during my entire career and have tried literally thousands of cases, generally appearing in Court on at least a weekly basis. The vast majority of these hearings have been before a judge, but I have also had numerous jury trials in various areas of the law (including criminal, personal injury, will contest, etc.). Some examples of jury cases are a successful three-day will contest case that I tried before a jury in Chancery Court, and a week-long personal injury case that my husband and I successfully tried before a jury. In addition, I have had a few multi-day criminal jury trials; one I particularly remember was a two-day criminal jury trial exactly one week before our first child was born (which resulted in a not guilty verdict for my client). I have also been involved in the mediation and settlement of several thousand cases throughout my career, and have argued numerous motions and other matters before various courts in this area.

My case load has consisted entirely of my own work, except a very few cases on which my husband and I have worked together. I have always been fully responsible for all trial preparation and served as the sole attorney on all but a handful of cases. As basically a solo practitioner, I worked very long hours, including many late nights and early mornings. After having children, I got in the habit of working several hours after putting my children to bed and in the early morning hours before they got up in order not to miss out on their activities while still maintaining a busy private practice.

I have represented civil clients a few times before the appellate courts, but I have to say that very few of my cases have been appealed through the years. Of course, I had several appeals before the Court of Criminal Appeals during the early years of my practice when I was representing criminal defendants.

Throughout my career, I have tried cases in all of the civil courts, Circuit, Chancery and Juvenile, throughout basically the entire upper East Tennessee area.

9. Also separately describe any matters of special note in trial courts, appellate courts, and administrative bodies.

I do not recall any matter of special note.

10. If you have served as a mediator, an arbitrator or a judicial officer, describe your experience (including dates and details of the position, the courts or agencies involved, whether elected or appointed, and a description of your duties). Include here detailed description(s) of any noteworthy cases over which you presided or which you heard as a judge, mediator or arbitrator. Please state, as to each case: (1) the date or period of the proceedings; (2) the name of the court or agency; (3) a summary of the substance of each case; and (4) a statement of the significance of the case.

I have served as the municipal judge for the towns of Greeneville, Baileyton and Tusculum for several years; these are appointed positions, and I sit as judge over citations issued by officers of the various towns for violations of the city ordinances, including traffic violations.

I do not recall any noteworthy cases over which I have presided as a judge, mediator or arbitrator.

11. Describe generally any experience you have of serving in a fiduciary capacity such as guardian ad litem, conservator, or trustee other than as a lawyer representing clients.

I served as the power of attorney for my disabled mother from the time of my father's death in 2001 until her death last year, and was solely responsible for making arrangements for her care and maintenance, in addition to taking care of all of her business matters and medical treatment.

Throughout my practice, mainly during the earlier years, I served as guardian ad litem for children through the Juvenile Court system, in addition to being appointed a few times to serve in various positions such as guardian ad litem, trustee or special master in Chancery Court.

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

Not applicable.

13. List all prior occasions on which you have submitted an application for judgeship to the Governor's Council for Judicial Appointments or any predecessor commission or body. Include the specific position applied for, the date of the meeting at which the body considered your application, and whether or not the body submitted your name to the Governor as a nominee.

I submitted my name as an applicant for the position of Chancellor of this Judicial District in 1996, at which time Judge Frierson was appointed to the position. To the best of my knowledge, this was before or in the early stages of the Judicial Nominating Commission process, as there was a lot of confusion as to how the position was to be filled; we were told several different things, including that it would be added to the ballot of an upcoming general election, but it ended up being a specially held election wherein only appointed delegates from the Republican parties of the four counties in this district voted. I came in second in the voting at that time.

I applied for the position of Circuit Court Judge of this Judicial District in 2013, at which time Judge Faulk was appointed to the position by the Governor. I was interviewed by the Judicial Nominating Commission on April 11, 2013, and was voted through on the first round of voting (along with Judge Faulk) to be submitted to the Governor as a nominee.

EDUCATION

14. List each college, law school, and other graduate school that 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.

Union University, Jackson, Tennessee -- 1973 - 1976 -- B.A. degree (I took the C.L.E.P. test prior to entering college, and was awarded enough hours to start college as a sophomore).
University of Tennessee College of Law, Knoxville, Tennessee -- 1976 - 1979 -- J.D. degree.

PERSONAL INFORMATION

15. State your age and date of birth.

59 years of age; April 17, 1955.

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

59 years.

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

Since my marriage in 1979.

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

Greene County, Tennessee.

19. 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.

Not applicable.

20. Have you ever pled guilty or been convicted or are you now on diversion for violation of any law, regulation or ordinance? Give date, court, charge and disposition.

None other than traffic citations for speeding.

21. 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.

22. Please state and provide relevant details regarding any formal complaints 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.

I received a private reprimand from the Board of Professional Responsibility in April, 1994, for missing a child support hearing before the Child Support Referee. I learned a valuable lesson at that time, as I had relied on a telephone conversation to announce my representation of the defendant and to reschedule the original hearing date, which ended up not being rescheduled; although there were extenuating circumstances, I did fail to follow up that conversation in writing.

I received an informal admonition from the Board of Professional Responsibility in November, 1999, pertaining to a misunderstanding over whether I had withdrawn from a Social Security matter.

23. 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.

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

No.

25. 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.

I was the plaintiff in a personal injury lawsuit in 1990, at which time I was injured in an automobile accident and the other driver was at fault; this case was settled prior to trial.

26. 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 that you have held in such organizations.

New Lebanon Baptist Church -- I have held various positions in this church throughout the years, including serving as the minister of music for approximately ten years, as youth director for approximately five years, and as a Sunday School teacher for many years.

Mensa International

I belonged to various booster clubs pertaining to sports in which my children were participating, and served as president of the Greeneville High School basketball boosters club for two years and as vice-president for one year.

27. Have you ever belonged to any organization, association, club or society that 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.
- If so, list such organizations and describe the basis of the membership limitation.
 - 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

28. 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 that you have held in such groups. List memberships and responsibilities on any committee of professional associations that you consider significant.

Tennessee Municipal Judges Conference -- I have been a member of this organization since its inception, and am presently serving on the Legislative Committee.

Tennessee Bar Association.

Greene County Bar Association (served as president at least two years earlier in my career, in addition to holding most of the other offices at different times).

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

Not applicable.

30. List the citations of any legal articles or books you have published.

Not applicable.

31. List law school courses, CLE seminars, or other law related courses for which credit is given that you have taught within the last five (5) years.

Not applicable.

32. 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.

Other than the judicial positions to which I have previously applied, as specified in #13 hereinabove, I was a candidate in the Republican Primary in May, 2014, for the position of Third Judicial District Circuit Court Judge, Part I, and was defeated.

33. Have you ever been a registered lobbyist? If yes, please describe your service fully.

No.

34. Attach to this questionnaire at least two examples of legal articles, books, briefs, or other legal writings that reflect your personal work. Indicate the degree to which each example reflects your own personal effort.

I have attached an Argument from an appellate brief in a post-divorce debt matter, in addition to a Statement of the Evidence and Argument from an appellate brief in an adoption action. All of these documents are 100% my own work.

ESSAYS/PERSONAL STATEMENTS

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

Being appointed to serve in this position would give me the opportunity to give something back to a community that has blessed me with a successful private practice for many years now. Having been an advocate for one side or the other in several different areas of the law, I feel I am uniquely qualified to look at both sides of a matter and apply the law in a fair and just manner, and I would consider it both an honor and a responsibility to so serve. I would like to put my experience to work for the general public, rather than one particular client, and believe I have the knowledge, temperament, work ethic and overall desire to excel as a trial judge. I have always strived to present the legal profession in a positive manner to the public, and this would enhance my ability to do so.

36. State any achievements or activities in which you have been involved that demonstrate your commitment to equal justice under the law; include here a discussion of your pro bono service throughout your time as a licensed attorney. *(150 words or less)*

A firmly held belief of mine is that “to whom much is given, much is expected”, and I believe we are ultimately judged by how we serve others, particularly those who are not able to do for themselves or who are overlooked by society in general. As such, throughout my career, when a person has come to me in need of legal services without the funds with which to pay for same, I have always been willing to perform the services either pro bono or at a greatly reduced fee. One particular area that I have focused on is drawing up wills, living wills and powers of attorney for elderly persons on fixed incomes; I do this on a regular basis at either no cost or for a negligible fee (as I have discovered that many elderly persons do not want to feel that they are taking a “hand-out”).

37. 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)*

I am applying for the position of Circuit Court Judge for the 3rd Judicial District, comprised of Greene, Hamblen, Hawkins and Hancock counties. The Circuit Court for this district has three parts, and there are currently two presiding Circuit Court Judges who hear primarily civil litigation cases, both bench and jury trials; there is also one full-time Criminal Court Judge.

As I have practiced in this Court for over thirty years and have been involved in the litigation of virtually every type of case heard by this Court, I would be able to seamlessly transition into this position. In addition, my extensive experience as a municipal judge has allowed me to understand the importance of showing respect at all times to both the lawyers and members of the public appearing before me, while at the same time applying the law in a fair and evenhanded manner.

38. Describe your participation in community services or organizations, and what community involvement you intend to have if you are appointed judge? *(250 words or less)*

I have always felt strongly that our children need more strong, positive adult role models in their lives. Throughout the years, I have served on the Boards of Directors for the both the local YMCA and Boys & Girls Club, in addition to serving as Youth Director and teaching the high school Sunday School class in our church for many years.

From the time my daughter was in kindergarten until she made the school teams in middle and high school, I was the head coach for basketball and softball teams through our local rec department and YMCA. I was awarded the M.A.D. (“Make a Difference”) award in 2001 through the rec department, which is an award given each year to the coach throughout the whole program who is deemed to have best demonstrated the qualities of having a positive influence and making a difference in the lives of the young people with whom we worked.

I have spoken to many civic organizations and local school classes regarding various legal issues through the years. Last month, I mentored and worked with a local high school through the SCALES project when the Tennessee Supreme Court heard cases here in Greeneville.

If appointed to a judicial position, I would continue to be active in the community with the goal of being a positive role model and would be in a more enhanced position to do so.

39. Describe life experiences, personal involvements, or talents that you have that you feel will be of assistance to the Council in evaluating and understanding your candidacy for this judicial position. *(250 words or less)*

I grew up in West Tennessee, and began working for my father at the age of fourteen; he put himself through medical school, and he taught me from a young age to work hard, to take pride in what I do, and to give my best effort at all times.

I have consistently worked 50 to 65+ hours per week, even when raising my children. My son graduated from MTSU and is currently pursuing a law degree, and my daughter graduated from Carson-Newman University and is currently pursuing a physician's assistant degree. Once I had my children, I made their activities a priority and found ways to adjust the timing of my work hours; in addition to other activities that have already been referred to, I served as home room mother for my children throughout their elementary years, served as chaperone for many school field trips, was active in booster clubs, managed my son's AAU basketball team, etc.

When I undertake a responsibility, I have always made a point of devoting the time necessary to perform those responsibilities to the very best of my ability. I have never been just a "joiner"; if I am going to be a part of something, I invest the work and the time to ensure it is done in the best possible way.

40. 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)*

I will uphold the law even if I disagree with the substance of same, as I fully understand the responsibility and obligation of a trial judge to strictly adhere to the law as it stands; it is not the function of a trial judge to impose personal likes or dislikes in a matter or to pursue a personal agenda.

A perfect example of this is a law that I run into quite frequently as a municipal judge. CDL (commercial driver's license) holders are held to a higher standard and are not eligible to attend driving school or to have their tickets reduced in any manner, even when in their private vehicles. I personally do not agree that the higher standard should apply when a CDL holder is in a private vehicle, as I believe that commercial vehicles (such as a tractor/trailer rig) are inherently much more dangerous than a private, regular vehicle, thus providing justification for the higher standard; in addition, these tickets have a very damaging effect on the driver's ability to maintain employment and support a family. It is easy to feel sorry for these drivers, and they are quite adept at playing on your sympathies, but the law is clear on this issue. Although I know of several judges who ignore the law when a commercial vehicle is not involved, I have always explained to the drivers that I am required to uphold the law.

REFERENCES

41. 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 Council or someone on its behalf may contact these persons regarding your application.

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| A. Dr. Linda Stroud, Superintendent of Greeneville City Schools, 129 West Depot Street, Greeneville, Tennessee 37743; |
| B. David Crum, Greene County Mayor, 204 North Cutler Street, Greeneville, Tennessee 37745; |
| C. Honorable Pamela L. Reeves, United States District Judge for the Eastern District of Tennessee, 800 Market Street, Knoxville, Tennessee 37902; |
| D. Dan E. Armstrong, District Attorney General for the 3 rd Judicial District, 124 Austin Street, Greeneville, Tennessee 37745; |
| E. Scott Niswonger, Founder and CEO of Landair/Forward Air, 1 Landair Way, Greeneville, Tennessee 37743; |

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 Judge of the Circuit Court of the Third Judicial District of the State of Tennessee, and if appointed by the Governor and confirmed, if applicable, under Article VI, Section 3 of the Tennessee Constitution, 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 Council 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 Council may publicize the names of persons who apply for nomination and the names of those persons the Council nominates to the Governor for the judicial vacancy in question.

Dated: January 30, 2015.



Signature

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



**THE GOVERNOR'S COUNCIL FOR JUDICIAL APPOINTMENTS
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 Governor's Council for Judicial Appointments to request and receive any such information and distribute it to the membership of the Governor's Council for Judicial Appointments and to the Office of the Governor.

Linda Thomas Woolsey
Type or Print Name

Linda Thomas Woolsey

Signature

January 30, 2015
Date

006903
BPR #