

The Governor's Commission for Judicial Appointments

State of Tennessee

Application for Nomination to Judicial Office

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INTRODUCTION

The State of Tennessee Executive Order No. 34 hereby charges the Governor's Commission 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 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 word processing format from the Administrative Office of the Courts (telephone 800.448.7970 or 615.741.2687; website <http://www.tncourts.gov>). The Commission 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 word processing document.) Please read the separate instruction sheet prior to completing this document. Please submit original (unbound) completed application (*with ink signature*) and eight (8) 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.

Chief Counsel and Chief Administrative Officer
Juvenile Court of Memphis and Shelby County

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

1971 - 008222

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.

Tennessee - 8222; licensed 8/28/1971 (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).

Associate, Law Firm of Leo Bearman, Memphis, 1971-1972; Associate and Partner, Holt, Batchelor, Taylor & Spicer, Memphis, 1972-1980; Partner, Less & Scroggs, Memphis, 1980-1992; Practiced in own firm, Germantown and Collierville, 1992-2003; Partner, Burch, Porter & Johnson, Memphis, 2003-2006; Chief Counsel and Chief Administrative Officer, Juvenile Court of Memphis and Shelby County, 2006-present.

Reporter for *The Commercial Appeal*, Memphis, from July, 1967 until August, 1968. Assignments included county government, the Arkansas prison scandal, the Memphis sanitation strike, the assassination of Dr. Martin Luther King, Jr., and the background investigation of James Earl Ray. Reporter for the Stuttgart (AR) *Daily Leader* from June through December,

1963, just prior to entering the U.S. Navy.

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.

I serve in the capacity as general counsel for the court. I am responsible for ensuring compliance with applicable federal, state and local laws, regulations, court rules and policies. I represent the court with respect to federal, state and local government agencies and serve as legal and legislative liaison with the U. S. Department of Justice, county government, the General Assembly, and departments of state government under the Governor's administration. These functions require about half my time.

The other half is devoted to serving as chief administrative officer of the court. In this capacity I have overall responsibility for court operations, including probation, detention, foster care review, child support coordination, clinical evaluations, oversight of a staff of 255, and budgetary, personnel, maintenance and support functions.

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 Commission 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 Commission. Please provide detailed information that will allow the Commission 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 law practice has included civil litigation, contract review and drafting, and representing private clients and governmental entities relative to construction contract issues and disputes, and

municipal matters. I have handled personal injury, corporate, real estate, and probate matters. I have defended financial institution bond claims and contractors' performance and payment bond claims.

I have handled a substantial amount of insurance defense litigation and have tried many cases involving automobile, premises and product liability, workers compensation and coverage issues. I defended manufacturers in many of the asbestos litigation cases in Tennessee. I have represented plaintiffs in wrongful death and personal injury cases in vehicular and industrial site accidents.

For 16 years I represented Shelby County in property tax litigation. I have represented clients in arbitration and mediation proceedings. I have handled some criminal matters in state and federal court. Most of my experience in this area was acquired while serving as a municipal judge with General Sessions Court criminal jurisdiction. In my present position I have become very familiar with delinquency, dependency and neglect, foster care, and child custody, visitation and support issues.

Currently I maintain regular contact and communication with the U.S. Department of Justice, Civil Rights Division, and the Office of Juvenile Justice and Delinquency Prevention. On behalf of juvenile court I helped negotiate a memorandum of agreement with DOJ in 2012 that avoided federal litigation against county government. I endeavor to ensure the court's compliance with the agreement.

In 1971 I was admitted to practice in the Tennessee Supreme Court, the Court of Appeals, the Chancery and Circuit Courts in Shelby County, and the U. S. District Court for the Western District of Tennessee. Other admissions to practice followed in the U.S. Supreme Court (1981), and the U. S. Courts of Appeal for the Eighth (1982) and Sixth (1989) Circuits.

By permission I have handled litigation in the Chancery Courts of Madison, Tipton, Fayette and Williamson Counties; in the Circuit Courts of Crockett, Overton and Dyer Counties; in the U.S. District Courts for the Eastern District of Tennessee, the Southern District of Mississippi, the Northern District of Georgia, the Western District of Arkansas, and the Eastern District of Texas.

I have represented clients before the State Civil Service Commission, the U.S. Equal Employment Opportunity Commission and the Social Security Administration.

My legislative service (1996-2002) was particularly beneficial in the areas of legislative drafting, history and interpretation. My work on the House Judiciary Committee and its subcommittees on Civil Practice and Judicial Administration and on the Children and Family Affairs Committee and its subcommittee on Family Justice enhanced my knowledge and understanding of many areas of the law. Working with legislative, executive and judicial officers and staff increased my understanding of the processes and functions of state government and of the relationships of the three branches.

In the legislature I developed and sponsored civil remedies for the prevention of abuse and exploitation of the elderly, penalty enhancements for custodial interference, most of the legislation to implement the Victims' Rights Amendment and many other measures for the improvement of the civil, criminal and juvenile justice systems. I received the Legislator of the Year award for 1999 from the Tennessee District Attorneys General Conference for my work on law enforcement legislation. I served as minority floor leader in the 101st General Assembly.

I was a member of the Tennessee Supreme Court Permanency Planning Commission that developed new guidelines for *guardians ad litem*. In the 1998 session I was House sponsor of legislation to improve foster care and permanency planning for children in state custody. I was a member of the House *ad hoc* committee on foster care that analyzed compliance efforts and progress by the Department of Children's Services in implementing the settlement of the "Brian A" federal litigation.

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

Airline Construction, Inc. v. William M. Barr, 807 S.W.2d 247 (Tenn. Ct. App. 1990), *app. den.* I was trial and appellate counsel for the original plaintiff/counter-defendant, Airline, a general contractor. Airline sued the owner for substantial sums due on a hotel construction project. Owner counterclaimed, alleging workmanship deficiencies and loss of profit delays. A judgment in the Chancery Court in Madison County largely favored the owner. On appeal it was reversed in substantial part in favor of the contractor. The Supreme Court denied the owner's appeal. The case has been cited frequently because of issues concerning expert proof and the analysis of construction damages claims.

Stanford Bennett, et al. v. Shirley Perkins, et al., 19 TAM 50-8 (Tenn. Ct. App. 1994), *app. den.* I was trial and appellate counsel for codefendants Patsy Rush and Paul Turner Century 21 Realtors. Purchasers of residential real property sued the real estate agents and brokers involved with the sale, contending they were not informed of the potential for flooding on the property. A defendants' verdict in Circuit Court (Shelby) was affirmed on appeal. The Supreme Court denied an appeal. The analysis of the respective duties of the parties under the factual circumstances is significant.

James A. Drake, Jr. v. JPS Elastomerics Corp., W2003-015799-COA-R3CV (Tenn. Ct. App. 2004). I was trial and appellate counsel for plaintiff James Drake, who sued his former employer for breach of a sales commission agreement, contending he was entitled to a higher commission rate because he had exceeded his quota. A judgment for plaintiff in the Chancery Court was affirmed on appeal. The case's significance involves the analysis of the contract language.

William L. Elliott, et al. v. E. I. DuPont de Nemours and Co., et al. (Removed to U. S. District Court, W.D. TN, Memphis, 1996; tried August-September, 1998.) I was trial and appellate counsel for plaintiff in this industrial site premises liability case. The case involved significant expert proof issues and OSHA regulations. Extensive medical proof was required to show the extent and permanency of plaintiff's injuries. Multiple defendants contested every liability and damages theory through their experts. A substantial jury verdict for plaintiff was resolved while the case was pending on appeal. (No. 99-5533, 6th Cir.) The case was significant because of the nature and extent of the damages, the complexity of the medical and engineering proof, and the challenge of overcoming multiple pretrial and trial obstacles in order to effectively and persuasively present the evidence to the jury.

In Re: Adoption of A.M.H., W2004-01225-SC-R11-PT (Tenn.2004). As counsel for the Juvenile Court of Memphis and Shelby County I helped guide implementation of the January 23, 2007 mandate of the Tennessee Supreme Court to reunite a minor child with her biological parents following seven years of litigation over custody and efforts by foster parents to terminate parental rights and to adopt the child. I represented the juvenile court in defending a writ of habeas corpus brought in the U.S. District Court, MD, TN at Nashville (transferred to the U.S. District Court, WD, TN at Memphis), *In Re: AMH b/n/f Jerry L. Baker et al., v. Robert Cooper, et al.* (07-CV-2394). The habeas petition was the foster parents' final attempt to stop the reunification process by seeking to invoke federal jurisdiction. The case drew international attention in view of the significant issues resolved by the Tennessee Supreme Court and the fact that the biological parents were citizens of China who were in the U.S on education visas when the child was born.

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 served as an appointed municipal judge in Germantown from 1980-1986. This was a part time position and court sessions were conducted in evening hours. The court hears municipal ordinance violations and exercises General Sessions Court criminal jurisdiction. I held arraignments and preliminary hearings in state felony matters, bench trials on state misdemeanors and municipal ordinance violations. During that period of time the court handled about 10,000 cases per year, including traffic ordinance violations.

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 have served as the administrator of a probate estate.

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

In law school I was a law clerk for the Tennessee Public Service Commission (1969-71) and helped draft legislation related to the PSC areas of responsibility. As a law student I worked on a special project helping draft the model Clean Water Act adopted in Tennessee in the early 1970s. As a naval officer I served as defense counsel and as a panel member on several courts

martial (1965-67) by appointment of my commanding officers.

13. List all prior occasions on which you have submitted an application for judgeship to the Governor's Commission 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.

Judge, Court of Appeals, WS, October 30, 1995. (I was not submitted as a nominee)

Chancery Court Judge, Part II, 30th Judicial District (Shelby) September 23, 2002 (I was 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.

Harding University, 1959-1963; B.A., Journalism and Social Science

Vanderbilt University School of Law, 1968-1971, J.D. (Justice, Moot Court Board and Associate Brief Editor)

PERSONAL INFORMATION

15. State your age and date of birth.

72 - October 8, 1941

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

47 years

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

43 years

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

Shelby

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.

United States Navy (active duty: February 1964-June 1967); Lieutenant (senior grade); Presidential Unit Citation for Vietnam combat operations while serving as naval gunfire liaison officer for First Marine Regiment (1966-67); Armed Forces Expeditionary Medal for Dominican Republic action (1965); Vietnam Service Medal with bronze star; Republic of Vietnam Campaign Medal; National Defense Service Medal; Good Conduct Medal; officer-of-the-deck underway, division officer and Gunnery Officer, USS Monrovia (APA-31) (1964-66); Honorable discharge.

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.

No

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.

Not Applicable

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.

Not Applicable

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.

No

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.

Germantown Area Chamber of Commerce; Advancement Council, Harding University Graduate School; American Legion Post 250 (Germantown); Tennessee State Forums Partnership for Public Policy (health care issues); Regional Rail Steering Committee; Germantown Church of Christ, elder (1992-); Memphis/Shelby Juvenile Justice Board; JDAI Governing Committee.

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.

Memphis Bar Association (Director and Executive Committee, 1990-91; chairman, Judicial Evaluation and Recommendations Committee, 1988-90; Professionalism Committee, Litigation Section); Tennessee Bar Association, Litigation Section Executive Council, 2006; American Bar Association, Litigation Section; Federal Bar Association, Litigation Section; National Council of Juvenile and Family Court Judges; Tennessee Council of Juvenile and Family Court Judges.

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.

Rated AV Preeminent for 25 years by Martindale-Hubbell; Selected as Fellow, Memphis Bar Foundation, 2009

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.

Juvenile Court Practice and Procedure, Memphis Bar Association CLE

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.

Municipal Court Judge, City of Germantown, 1980-1986 (appointive).
Candidate for State Representative, Dist. 94, primary, 1988; elected and served three terms, 1996-2002 (elective).
Candidate for Shelby County Mayor, primary, 2002 (elective).

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.

Attachments represent solely personal effort.

ESSAYS/PERSONAL STATEMENTS

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

The position of Judge of the Supreme Court of Tennessee affords unique opportunities and challenges. It requires the highest quality of public service in the areas of law and government to which I have devoted my professional life. The Court is the ultimate protector in our state of the right of the citizens to live within a free, orderly, safe and civilized society.

A depth of experience in the practice of law and a demonstrated commitment to public service have prepared me to continue the important work of the Court and maintain the traditions of honor, integrity and diligence characterizing the jurists serving now and those who served previously. The public's respect and appreciation for the judicial system is largely earned by the leadership, performance and example of judges. I welcome the opportunity to be a part of this continuing effort.

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)*

I served five years as an election inspector, tasked to establish and maintain fair procedures on election days. I worked almost exclusively in inner city precincts. I helped maintain the integrity of the voting process despite interference and disruption by persons not authorized to be in the polling places.

In the federal criminal indigent defense program I represented a black man facing postal service related charges. I discovered my client was mentally impaired, HIV positive, and easily manipulated toward criminal activity by others. I obtained a departure from sentencing guidelines, permitting him to serve a probationary sentence with controlled medical treatment.

For several years I rendered pro bono service working with a charitable agency to represent abused and neglected children in contested hearings and custody disputes. I have assisted individuals facing court proceedings involving domestic and probate and estate matters.

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)*

Judge of the Supreme Court – The five members of the Court exercise appellate jurisdiction as

the court of last resort in the state judicial system. The Court guides lower courts and all Tennessee lawyers through its leadership, opinions and rule-making authority.

The Court hears oral arguments in Knoxville, Nashville, and Jackson. It assigns, drafts, and issues opinions on the issues presented. The Court extends its influence and guidance by holding sessions in law schools and other venues in the state.

My selection would be viewed positively by those familiar with my approach to the practice of law, respect for the courts, work ethic, and relationships with fellow lawyers and judges. These characteristics would contribute to a collegial working relationship with the other members of the Court and staff. I am fair and impartial in the exercise of judicial duties, and knowledgeable, competent and diligent in the practice of law.

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 plan to continue community involvement to stay in touch with citizens and groups working toward positive goals, especially in the areas of child safety, health, educational opportunity, juvenile justice, and moral guidance.

Selection to this position would enhance my ability to help improve the juvenile justice system and strengthen foster care and adoption efforts with both private and state agencies. I participate in efforts to support the Child Advocacy Center in Memphis. I have a lead role in implementing the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI) in Memphis and Shelby County. I serve on the Memphis/Shelby Juvenile Justice Board and work closely with the Countywide Juvenile Justice Consortium (CJJC).

I also work extensively with Shelby County Schools to develop, implement and maintain productive initiatives such as Youth Court, Hope Academy, the SHAPE program, and the new School-based Probation Liaison project. These important programs must be sustained over several years to achieve the desired outcomes. These activities are designed to divert youths from the juvenile justice system and to prevent them from deeper involvement in the system. If selected I could be more influential in maintaining and building upon these efforts.

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

My military service and combat experience in areas lacking order and minimum standards for civilized behavior dramatically illustrated the need for a government and legal system that can be respected by the people. First hand observations of the Civil Rights Movement in Memphis and later involvement in the election process reaffirmed the necessity of a fair and effective judicial system.

A multifaceted law practice of many years, representing people from all segments of society, and experience in public office have provided much perspective, insight and understanding of

both the positive and negative relationships that can develop or exist between the people and institutions of government and law.

I have the ability to develop and analyze factual data with applicable legal principles, to organize and convey facts and law in clear language, and to reach appropriate conclusions. I am able to teach, relate to, and work well with people of all ages, backgrounds, and viewpoints, and to handle several projects within the same timeframe. I consider public service an honor, a responsibility, and a high calling. I sincerely desire to serve in this role.

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)*

Yes, I will uphold the law to the best of my ability, fairly and impartially. Like most lawyers who have tried cases there have been instances where rulings by a trial judge on admissibility of evidence or legal theories, which I knew at the time to be incorrect, changed the probable outcome of trials to my clients' detriment. When this occurred during a trial I resolved to continue to show proper deference to the court to help preserve the authority of the judge before the jury, other counsel and all parties.

A judge once refused to reassign a case when there were compelling legitimate reasons for his recusal. The court's refusal to recuse was the beginning of a series of adverse rulings against my clients. During the trial the judge displayed hostility towards my clients and disregarded case law supporting their position relative to a key evidentiary issue. I spent much time advising and counseling my clients about their alternatives and explaining that no matter the result of the trial the court as an institution must be respected.

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

A. Mr. Joel Porter, Esq., 130 N. Court Avenue, Memphis, TN 38103 Ph. (901) 524-5000
B. Hon. Curtis S. Person, 616 Adams Avenue, Memphis, TN 38105 Ph. (901) 405-8471
C. Mr. Michael I. Less, Esq., 1715 Aaron Brenner Drive, Suite 800, Memphis, TN 38120 Ph. (901) 537-1000
D. Mr. Bill Nance, 9437 Poplar Avenue, Germantown, TN 38138 Ph. (901) 755-5200
E. Rep. John J. DeBerry, Jr., Legislative Plaza, Suite 26, Nashville, TN 37243 Ph. (615) 741-2239

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 Supreme Court of Tennessee, 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: February 14, 2014.


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 COMMISSION 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 Commission for Judicial Appointments to request and receive any such information and distribute it to the membership of the Governor's Commission for Judicial Appointments and to the Office of the Governor.

Larry K. Scroggs
Type or Print Name


Signature

2-14-2014
Date

BPR #008222

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