

JUDGE HOLLY M. KIRBY

Recommendation: RETAIN

Commission Vote: 9 FOR RETENTION • 0 FOR REPLACEMENT

Legal Education and Experience

Judge Holly M. Kirby received a law degree from Cecil C. Humphreys School of Law, University of Memphis in 1982. She served as a judicial law clerk in the Sixth Circuit Court of Appeals from 1982 to 1983. She engaged in the private practice of law in Memphis from 1983 to 1995. Judge Kirby was appointed to the Tennessee Court of Appeals in December 1995, was elected in 1996 and was re-elected in 1998 and 2006.

Service to the Profession

Judge Kirby served on the Tennessee Appellate Court Nominating Commission from 1989 to 1994, and was chairperson in 1994. She was a former member of the Leo Bearman, Sr., American Inn of Court from 1995-1998. Judge Kirby is a member of the Board of Judicial Conduct and serves on the Executive Committee of the Tennessee Judicial Conference. Judge Kirby received an award in 1996 for University of Memphis Outstanding Young Alumna, as well as a 2002 award for Outstanding Alumna from the University of Memphis, College of Engineering. She frequently lectures on legal topics.

Survey Results and Interview

Judge Kirby's survey ratings from appellate judges, trial judges, attorneys and court personnel reflect a good performance, with both areas of excellence and demonstrated self-improvement since her previous evaluation in 2006. Her ratings relative to oral argument are partic-

ularly noteworthy. Her survey ratings in the use of structured, logical reasoning, properly applying law to the facts of the case, and promptness in writing opinions all appear to have improved. In her interview, Judge Kirby demonstrated to the Commission that she has addressed areas of concern expressed in previous evaluations and appears to be much improved in all areas of her position.

Comments and Recommendation

The Commission was favorably impressed with Judge Kirby's insights and recommendations regarding internal improvements to the operation of the Court of Appeals, especially with regard to practices calculated to improve the collaborative disposition of cases. The Commission is also pleased that she has been appointed to fill a vacancy on the Tennessee Supreme Court effective September, 2014.

The Commission unanimously recommends Judge Holly M. Kirby be retained on the Tennessee Court of Appeals.

Judge Kirby's Response

I thank the members of the Judicial Performance Evaluation Commission for their thorough work and conscientious public service. I especially appreciate the Commission's unanimous vote in favor of my retention. I look forward to serving our State on the Tennessee Supreme Court in the fall of 2014.