

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

04/15/16

Name: Carlton M. Lewis_____

Office Address: (including county) 100 Woodland Street, Nashville, Davidson County, 37213

Office Phone: (615) 862-8054 Facsimile:_____

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 word processing 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 word processing 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 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 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.

Juvenile Court Magistrate for Davidson County Juvenile Court

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

1986 BPR #012156

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 BPR #012156

Date licensed: October 11,1986; license is 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).

1986-1991-Assistant Public Defender, Davidson County

1991-1998-Associate, Petway, Blackshear & Cain

1998-Present-Referee/Magistrate, Davidson County Juvenile Court

2002-Present- Professor of Law, Nashville School of Law. I teach a course in Juvenile Law and Procedure

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.

As a magistrate, I adjudicate juvenile court petitions alleging delinquency, dependency and neglect, abuse and severe abuse. Delinquency cases constitute approximately one half of my caseload, and the dependency and abuse cases constitute approximately one half of my cases.

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.

As a practicing attorney (1986-1998) 90% of my experience was in the state trial courts with approximately 10% before the intermediate appellate courts

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

No matters of special note

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

None

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

1996 application for vacancy in Criminal Court, Division III. I was one of 3 applicants recommended to Gov. Sundquist.

2003 application for newly created Criminal Court, Division VI. I was one of 3 applicants recommended to Gov. Bredesen

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.

Carson-Newman College (1976-1980) B.A. in History and Political Science

Nashville School of Law (1981-1985) Juris Doctorate

PERSONAL INFORMATION

12. State your date of birth.

December 24, 1958

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

57 years

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

36 years, since 1980

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

Davidson 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.

Not applicable

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.

In September, 2004, a complaint was filed with the Tennessee Court of the Judiciary, alleging judicial misconduct; specifically, being rude to, and becoming angry with litigants. The file number for this complaint was 04-2293. After an investigation, I was advised by letter dated March 7, 2005, that Disciplinary Counsel recommended to an investigative panel that the complaint against me be dismissed.

In 2014, Attorney Connie Reguli filed a complaint with the Tennessee Board of Judicial Conduct alleging that I failed to maintain impartiality in a case before me. The case, B13-5295, was dismissed by letter to myself dated July 15, 2014.

In addition to the disciplinary complaint, Ms. Reguli filed an action in U.S. District Court, Adam Ellithorpe, et al. vs. Carlton Lewis, et al., Docket Number 3:14-1026, seeking declaratory relief. That action was dismissed without a court appearance, and I do not have the date of the dismissal.

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.

As a member of the law firm of Petway, Blackshear & Cain, I was named in at least two lawsuits that were either dismissed or otherwise favorably resolved, but I do not have access to those records to give more details. My only involvement was as a member of the firm.

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.

Prince Hall Free and Accepted Masonic Lodge. I have held no office

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.
- 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.

- Prince Hall Masonic Lodge limits membership to men only.
- Masonic lodges historically limit membership to men, but masonic lodges do have concordant bodies that are open to both men and women, and the organizations regularly interact together.

ACHIEVEMENTS

- a. 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.

Nashville Bar Association, Nashville Bar Foundation
Tennessee Bar Association, Tennessee Bar Foundation
Napier-Looby Bar Association, Napier-Looby Bar Foundation
Harry Phillips American Inns of Court
Belmont University American Inns of Court

- b. 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.

Membership in the foundations of the Nashville, Tennessee, and Napier-Looby bar are based on commitment to professionalism and ethics, and selection is generally limited to 10% of the active bar membership.

In 2015 I was presented with the Teacher of the Year award by the Nashville School of Law.

- c. 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 was a candidate for Davidson County General Sessions Judge, Division 11, in 1998.

ESSAYS/PERSONAL STATEMENTS

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

I am seeking this position because I am committed to continuing the high standard of professionalism that has always existed in the Davidson County trial courts. I have almost 18 years' experience performing the duties of a trial judge, and I feel that I have the knowledge and temperament required of a trial judge. Additionally, I enjoy and feel a strong commitment to public service, including teaching and serving as a role model for younger attorneys.

- e. 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)*)

The Davidson County Chancery Court has 3 Judges/Chancellors, and sits in the 20th Judicial District in Davidson County, Tennessee. The Chancery Court historically hears disputes involving the State of Tennessee, including, but not limited to contract disputes, eminent domain, statutory construction and other matters involving liquidated damages.

The Chancery Court has concurrent jurisdiction with the Circuit and Criminal Court, and accordingly, Chancery Court can hear divorce cases, Worker's Compensation cases, and all other civil proceedings.

- f. 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. As a Juvenile Court Magistrate I am occasionally required to place a youthful offender on the Tennessee Juvenile Sex Offender Registry although I appeared before the House and Senate Judiciary Committees and testified against the creation of such a registry.

REFERENCES

- g. 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. John R. Hollins, Jr., Esq., President and managing partner at Hollins, Raybin & Weissman

B. Linda Oneal, Esq.; Executive Director, Tennessee Commission on Children and Youth;

C. Paul Miller, Elder Health Care facility administrator.

D. William L. (Bill) Harbison, Esq., member, Sherrard, Roe, Voigt & Harbison

E. Julius Sloss, Deputy Juvenile Court Clerk,

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 [Court] Chancery 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: May 19, 2016_____.

/s/ Carlton M. Lewis

Signature



When completed, return this questionnaire to Debbie Hayes, 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.

Carlton M. Lewis
Type or Print Name

/s/ Carlton M. Lewis
Signature

May 19, 2016
Date

012156
BPR #

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

Not Applicable
