

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

1/31/19

Name: JACK BRANDEN BELLAR

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(including county)

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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 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.

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

PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

I am a self-employed attorney in the service of my law firm Bellar & Bellar.

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

1995 TBPR #017250

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, October 18, 1995 TBPR #017250. My 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).

Bellar & Bellar

Branden Bellar, Attorney at Law

Bellar & Winkler

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.

Local Government (35%)

Civil Litigation (25%)

Criminal Defense (25%)

Probate/Estate Planning (10%)

Domestic Matters (5%)

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.

Generally, my experience in trial courts has been limited to the Tennessee 15th and 13th Judicial Districts appearing and trying both civil and criminal jury and bench trials before a variety of trial judges spanning over a course of twenty-four (24) years.

My experience with the appellate courts includes work related to briefs in both civil and criminal cases and numerous oral arguments before the Tennessee Court of Appeals, Tennessee Court of Criminal Appeals, and the Tennessee Supreme Court.

My experience with administrative, legislative, or regulatory bodies include, but is not limited to, representation of local government relevant to county commissions, boards of zoning appeals, planning commissions, and beer boards; representation of clientele before administrative law judges regarding Department of Safety and Homeland Security and the Tennessee Department of Labor hearings and representation of clientele with the Department of Environment and Conservation.

Peripherally, I have been involved with residential and commercial transactional work.

Other experience limitedly includes the United States District Court, Middle District; the United States Court of Appeals, 6th Circuit; and the United States Bankruptcy Court, Middle District.

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

In my opinion, I believe all matters of special notes I have encountered over the course of my legal career involve the good people I have had an opportunity to meet and develop strong

relationships.

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

Before I became a licensed attorney, I was blessed with a father who had practiced many years before me. As a result, his teachings and wisdom greatly enhanced the knowledge, skill and understanding necessary for the practice of law and the opportunities made available to me.

Further, I had several opportunities to teach, train and coach the Smith County High School Mock Trial Team to which I was able to instill my experience and insight preparing those students for their future endeavors and professional careers.

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

This is my first application.

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.

The University of Tennessee at Knoxville from 1988-1991, Bachelor of Arts, Cum Laude.

University of Memphis, Cecil C. Humphreys School of Law from 1992-1995, Juris Doctor.

PERSONAL INFORMATION

12. State your date of birth.

1969

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

Over fifty years.

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

Since 1995.

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

Smith

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.

Regrettably, I did not serve in the United States 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.

I am not.

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.

During my career, I have had five (5) formal complaints lodged against me with the Tennessee Board of Professional Responsibility. Four (4) of the matters were dismissed by investigations. In one instance I received an informal diversion in 2004. In the 2004 complaint, I spoke with my nephew while he was represented by his guardian ad litem. I represented his grandmother and step grandfather. Although my actions were misguided, there was no willful design to cause harm or wrongdoing. Simply, it was a lapse of judgment given the familial relationships. To my

knowledge, none of the formal complaints affected my good standing with the bar.

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.

Bellar v. Jacobs, 9/4/1998, Collection on account, Smith County General Sessions Court, 1998-CV-3281, money judgment;

Bellar v. Washer, 9/4/1998, Collection on account, Smith County General Sessions Court, 1998-CV-3282, dismissed;

Bellar v. Moss, 3/23/2000, Collection on account, Smith County General Sessions Court, 2000-CV-4031, money judgment;

Bellar v. Reynolds, 3/3/2000, Collection on account, Smith County General Sessions Court, 2000-CV-4004, money judgment;

Bellar v. Anderson, 3/23/2000, Collection on account, Smith County General Sessions Court, 2000-CV-4032, money judgment;

Bellar v. Branham, 3/23/2000, Collection on account, Smith County General Sessions Court, 2000-CV-4033, money judgment;

Bellar v. Sokolosky, 8/29/2000, Collection on account, Smith County General Sessions Court, 2000-CV-4201, money judgment;

Bellar v. Keck, 10/16/2001, Collection on account, Smith County General Sessions Court, 2001-CV-4762, money judgment;

Smith v. Bellar, 2002, Complaint for malpractice, Smith County Circuit Court, Case No. 5149, dismissed.

Bellar v. Bellar, 9/2/2011 Divorce, Smith County Chancery Court Case No. 7757, settlement;

Bellar v. Pedigo, 9/30/2013, Collection on account, Smith County General Sessions Court, 2013-CV-385, dismissed;

Bellar v. Kennedy, 6/28/2016, Collection on account, Smith County General Sessions Court, 2016-CV-249, dismissed;

Thigpen v. Bellar, 4/8/2019, Complaint for Mandamus, Trousdale County Chancery Court, Case No. 7689, dismissed.

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.

Tennessee Sheriffs' Association

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.

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.

15th Judicial District Bar Association

Tennessee Bar Association

Tennessee County Attorneys Association

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.

Smith County Attorney Service Award

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.

Candidate for Smith County General Sessions Judge, 2006

Candidate for Mayor of Gordonsville, 2010

ESSAYS/PERSONAL STATEMENTS

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

My personal conviction is we are at a crossroad in our nation and state and the time is now for good men and women to step up and hold governmental offices--good men and women who will not seek a seat for personal or pecuniary gain nor for power.

It is further my personal conviction good judges are more necessary than ever as we as a people face ever increasing hostilities toward lawful authority and the sacred institutions former generations established through their sacrifices.

We need good judges who will administer justice with wisdom and uphold truth in sincerity.

With all humility, I seek the office of the 15th Judicial District Circuit Court Judge because I believe I hold the requisite qualifications based in experience, knowledge and skill.

Most importantly, I believe my character is intact and as judge, I would administer the law fairly and justly for all.

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)*)

Geographically, the judgeship includes the Jackson, Macon, Smith, Trousdale, and Wilson counties. Currently, I practice law in all five counties and am well acquainted with the court procedures and personnel associated with each county. I believe I am in good standing with all and would work diligently in maintaining good relationships which I believe are essential for productive operations of all the courts.

Currently, the judgeship jurisdictionally hears civil and criminal cases excluding divorces and many domestic matters. I have practiced before the Honorable John D. Wootten, Jr. since he took the bench in 1998. Over twenty-one years I have studied and learned from his administration, guidance, and manner he conducts the Circuit Court. It is my opinion I would transition well given my experience in the Circuit Court minimizing any impact caused by selection to the post.

The realization of increased case loads and different types of cases assigned to the court is not alarming. Presently, I am accustomed to long days and late hours including weekends and would meet any additional responsibility with a workmanlike manner.

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.

Experientially, it has been my good pleasure to represent some of the finest persons and organizations the region may offer. Many of the local governmental entities I represent receive open records requests that may require disclosure of embarrassing matters to individuals that may have a legal right to the public records requested. On occasion those requests are nothing more than a means to gather information to intimidate or harass political adversaries or employees. It is unfortunate that good men and women are left with little to no recourse from exposure to oftentimes vexatious and vile behavior of organizations lying in wait to do harm. Regardless of my personal sentiment, I am duty bound to advise disclosure.

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.

Russell Brown, Attorney [REDACTED]
Steve Hopper, Smith County Sheriff [REDACTED]
Brody Kane, 15 th Judicial District Criminal Court Judge [REDACTED]
Jeff Mason, Smith County Mayor [REDACTED]
Dawn Scruggs, 15 th Judicial District Court Reporter [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 Judge of the Circuit Court for the 15th Judicial District 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: December 2, 2019.



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.

Jack Branden Bellar

Type or Print Name

Jack Branden Bellar

Signature

December 2, 2019

Date

017250

BPR #

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

