

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

1/31/19

Name: Javin Ray Cripps

Office Address: 203 Greentop Street
(including county)

Hartsville, TN 37074 Trousdale County

Office Phone: [REDACTED] Facsimile: [REDACTED]

Email Address: [REDACTED]

Home Address: [REDACTED]
(including county)

Carthage, TN 37030 Smith

Home Phone: _____ Cellular Phone: [REDACTED]

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.

Assistant District Attorney for the 15th Judicial District. I am currently assigned as docket manager for Macon County.

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

2005 - 024377

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 – 2005 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).

November 1, 2006- present date Assistant District Attorney, 15th Judicial District

August 2005-October 2006 Worked at Holliman and Cripps Law firm in Carthage, Tennessee (responsible for civil and criminal cases, writing briefs, legal research, filing motions, and conducting depositions)

2005- Graduated Law School

2003-2005- Worked at the Shelby County Public Defender's Office (law clerk for the criminal

courts)

Summer of 1995-August 2002 Cripps Construction (Laborer but received my Contractor and Plumbing Licenses)

January 2001-September 2001 worked at a car dealership in Wilson County

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.

Assistant District Attorney for the 15th Judicial District. Currently, I am assigned to Macon County as the Docket manager. Prior to this responsibility, I have been assigned to Smith, Jackson, Trousdale, and Wilson Counties. I have handled every type of criminal case in every county in the district, from speeding tickets to first degree murder cases. I have tried a variety of cases in front of a jury. My most recent was a double murder case in Macon County. At this moment, I am responsible for approving all search warrants, criminal indictments, and juvenile petitions in Macon County. I am responsible for interviewing and preparing witnesses for cases. I also practice in the general session court for Macon County. I meet with unrepresented Defendant's to explain their rights, victim's to explain cases and case law, police officers to explain their options as law enforcement officers. I have taught officers in every county in our district. I meet with attorneys to plea bargain or discuss cases. While being the docket manager for the past five years in Macon County, I have been responsible for making decisions on over 10,000 cases. I have reviewed hundreds of search warrants and made suggestions on what needs to be corrected. In my review, I have explained to police officers why they do not have Probable Cause or what they can do to reach the probable cause level. I have reviewed and made decisions on over 1,000 violation of probation cases in the last five years alone. During the last thirteen years, my entire practice is related to criminal law. However, when I meet with victims of crime, I explain what is considered a criminal and civil case. I explain options to the victims to help them better understand what their rights are under the law. I have also had many cases that have been tried before a jury. These cases have been appealed, and to date, I have not had a case reversed or remanded. Motions and trial preparation do make up a portion of my criminal law practice. I have prepared briefs with case law to support my motions. I have argued many motions in criminal court.

I also have been able to determine eligibility to go to rehabilitation for drug and alcohol offenders. I have sent numerous individuals to rehab centers all over the United States. In certain situations, I have met with Defendant's and their attorneys to determine eligibility for rehabilitation centers. I have also met with and toured rehabilitation centers in our district.

In my thirteen years of experience with the District Attorney's office, I have been in front of every judge in our district. I have experience with every elected clerk and every Sheriff.

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.

Prior to joining the District Attorney's office, I worked in private practice. I handled civil and criminal cases. Over 25% of my caseload was devoted to divorce practice. As part of my responsibilities, around 25% was devoted to personal injury and social security cases. About 20% was devoted to the juvenile practice of law. The remaining 30% was devoted to criminal practice. During this time, I argued cases before the Supreme Court (Workers compensation panel) and the Court of Appeals. I have argued many cases in front of the Social Security Administration, general session's court, juvenile court, Court of Appeals, Juries, and the Supreme Court. I have been in every court in our district. I also prepared the appellate briefs for these cases. These were two separate cases that resulted in favorable decisions for my clients.

Also during this time in Private Practice, I worked with the 15th District Public Defender's office as a contract employee. I handled cases in Macon County.

While attending Law School, I worked at the Shelby County Public Defender's office. I was responsible for helping research motions, copying and filing discovery requests, interviewing witnesses, and preparing witnesses for trial.

In 2000, I worked at the Tennessee Legislature as a legislative intern. I was responsible for constituent tours and setting up meetings. At the time, I was assigned to the House Calendar and Rules chairman, Pete Phillips.

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

I have tried every type of criminal case in front of a jury or in front of a judge. I have made decisions on thousands of cases in sessions and criminal court. I am responsible for numerous individuals going to rehabilitation facilities. The majority of the cases I have handled have resulted in plea bargains. These plea bargains are negotiations between myself and defense counsel. In these cases, I have been responsible for making the decisions on whether to send a defendant to rehab, to prison, some type of split confinement, or to probation.

In my private practice, our firm represented the Sheriff of Smith County against the County governing body. This case was tried in front of a special judge in Putnam county. Our firm prevailed. The case was appealed. I was responsible for researching and writing the brief to the Court of Appeals. The case was affirmed on appeal.

In my Criminal Practice, myself and another assistant district attorney were responsible for the largest black tar heroin prosecution in the Nation. This occurred between 2008-2009. Over 20lbs of black tar heroin was found in Smith County. We argued motions, and tried the case in front of a jury. The Jury found the Defendant guilty and the Court of Appeals affirmed the decision.

At no time during my career, have I ever been accused of prosecutorial misconduct nor have I been reprimanded by any professional board.

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

In my experience, I have reviewed hundreds of search warrants and judicial subpoena's. This is very important because in our jurisdiction, the Judges require the district attorney's office to review every search warrant. In my review, I have seen search warrants for drugs, stolen property, weapons, financial records, blood alcohol content, and many other items of evidentiary value. I am not just a rubber stamp for law enforcement. I have only sent a handful of the hundreds through without some sort of change. Once reviewed, I am not aware of any occasion in which the judge has refused to sign the search warrant or judicial subpoena. In my experience, I have not lost a motion to suppress a search warrant that has been reviewed.

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

None

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.

1997-2001 Middle Tennessee State University

Bachelor's of Science in Criminal Justice

Double Minor in Political Science and Psychology

Graduated Cum Laude

Summer of 1998 Volunteer State University (Summer Classes)

2002-2005 Cecil C. Humphrey's School of Law

Juris Doctorate

Competed with the National Mock Trial Team for Two years under the direction of Judge Craft

Moot Court Finalist

Graduated top one third of my class

PERSONAL INFORMATION

12. State your date of birth.

██████ 1979

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

40 years

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

August 2005- present

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.

N/A

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. You may wish to request a report from the appropriate supervisory authority (or authorities) for a complete history.

None

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.

Javin Ray Cripps vs. Jessica Agee Cripps Case number 8000

Divorce Petition filed August 21, 2014

Final Decree entered April 11, 2016 for irreconcilable differences

This divorce included two minor children. We continued to live in the same home while the case was pending. We have joint custody and co-parent two girls (12 and 10) together.

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.

Carthage Church of Christ – 2005-July 2014 – Youth minister and Deacon over the Youth

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.
- a. If so, list such organizations and describe the basis of the membership limitation.
 - b. 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 such Organizations.

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.

District Attorney's General Conference 2006-2019

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.

N/A

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.

None

ESSAYS/PERSONAL STATEMENTS

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

I love my career as a prosecutor. I know what it is like to sit as a plaintiff, prosecutor, defense attorney, and public defender. I have been involved in every type of case imaginable. In my decisions, I am fair, just, and efficient. These are attributes I will take to the bench. I have been in every county in the District. I know what is needed in all the counties of our District. I have a plan to save the counties money and attorneys time. There has to be reform for our judicial

system in Tennessee. Our District has not changed how it holds courts in over 25 years. I have the drive, determination, and will to work towards a more efficient and effective court system.

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)*

This judgeship covers Macon, Smith, Wilson, Trousdale, and Jackson Counties. Currently, there is one circuit judge, one chancellor, and one criminal court position in addition to this vacancy. This position was created in 1998 as a hybrid. It handles mainly driving offenses, some murder cases and drug offense cases (criminal). Additionally, every other civil case that is filed is placed in this Court. Currently, there is about a 50/50 breakdown of the civil and criminal cases. All counties, except Wilson, are rural. I understand the difficulties in all of the counties. If selected, I will be able to save the counties money by implementing a new schedule. Also, I will be considering graduated sanctions as a form of punishment. Currently, this district does not participate in sanctions or community corrections. This will be seriously considered as an alternative to incarceration.

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. As an assistant district attorney, I am required to uphold the law each and every single day. I make decisions on a daily basis about the facts of cases and the laws of Tennessee. I have never disregarded the laws in place because of a personal bias.

As an example, I prosecuted a first degree murder in Macon county in 2017. This was a horrific murder with a truly innocent man being killed by his neighbor. The Defendant indicated the victim was the devil. The Defendant shot the victim 9 times. All three experts testified the Defendant was insane at the time of the offense. The judge ruled the Defendant not guilty by reason of insanity. I disagreed with the defense based on the Defendant's interview. However, by law, I had to enter the order to commit the Defendant. I disagreed with the outcome, but continued to follow the law.

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.

A. Tom P. Thompson –District Attorney- [REDACTED]

B. Judge Brody Kane – [REDACTED]
C. Roger Duke, M.D. – [REDACTED]
D. Senator Mark Pody – [REDACTED]
E. Shelley Thompson Gardner – Public Defender – [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 of 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: Dec. 3, 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.

Jarin R. Cripps
Type or Print Name

J. Cripps
Signature

12-3-19
Date

024377
BPR #

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