

**Tennessee Trial Court Vacancy Commission**  
***Application for Nomination to Judicial Office***

1/31/19

Name: **Michael Wayne Collins**

Office Address: [REDACTED]  
(including county) Carthage, TN 37030 (Smith County)

Office Phone: [REDACTED] Facsimile: [REDACTED]

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Home Address: [REDACTED]  
(including county) Carthage, TN 37030 (Smith County)

Home Phone: Not applicable Cellular Phone: [REDACTED]

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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](http://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](mailto: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.

Currently, I serve as the elected General Sessions Judge of Smith County, Tennessee with jurisdiction as prescribed by law over criminal, civil, and juvenile matters. I also preside over Smith County Misdemeanor Recovery Court which I founded in March of 2015. I also serve as Grant Administrator over "I Am More" which is a Department of Justice grant funded program awarded in 2018.

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

2001, BRP #021433

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.

Licensed to practice in Tennessee  
BPR #021433  
Licensed October 31, 2001  
License status- Active

In 2001, a limited license was issued for the purpose of assisting representation of appointed criminal defendants while in a Criminal Law Clinic in Law School at the University of Memphis.

In 2001, a limited license was issued after I had taken the Bar Exam and before I received my results.

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).

Not applicable

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).

**Since completion of my legal education:**

General Sessions Judge of Smith County, Tennessee, 2014-present

Private practice solo practicing attorney focusing on criminal and civil matters, 2001-2017

Smith County School Board Member, 2010-2014

Contract attorney for 15th Judicial District Public Defender in Wilson and Smith Counties

Team National, direct and outside sales

Non licensed coach at Smith County High School

***Other than Practice of Law: I worked many part time and entry level type jobs through law school and college.***

Smith County School Board Member

Non licensed coach Smith County High School

Team National, direct and outside sales

Clerk for attorney Phillip T. Shanks, III

Wal-Mart

Sir Pizza

Rackley Roofing

Dura Automotive

Bon-L

Umpire for Smith County Little League

Mowed yards and general landscaping

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.

Presently, I do not practice law full time as I have chosen to devote my professional focus as follows: to my duties as General Sessions Judge; to the improvement of the function and efficiency of our criminal justice system; and addressing important societal issues, related to addiction awareness, addiction treatment, family breakdown, at-risk youth, integration of criminal justice resources with educational resources, increasing resources to inmates aimed at reducing recidivism, and building criminal justice partners with faith based organizations.

However, when able I still give pro bono legal advice to those who cannot afford representation outside my jurisdiction regarding criminal, domestic, civil, probate, and insurance related legal matters. On extremely rare occasions, I will still represent a friend on a matter outside my jurisdiction.

My first thirteen years of practice I operated full-time as a solo practitioner with my practice



growing each year. I mainly practiced in the five counties of the 15th Judicial District, but regularly represented clients outside our district as well. My practice consisted of both simple and complex matters in criminal, civil and juvenile law. About 50% of my caseload was criminal law. This included misdemeanor and felony cases of varying degrees in General Sessions and Circuit level Criminal Court in all five counties in our district. Family and juvenile law cases made up about 40% of my practice. I served clients in these type cases in all five counties in the appropriate Circuit, Chancery, General Sessions, and Juvenile Courts. About 5% of my caseload included wills and probate, with the remaining 5% consisting of other general practice.

In addition to my primary areas of focus I have also handled a wide variety of cases including: appointment to indigent defense, business litigation, real estate litigation, torts litigation, personal injury, worker's compensation, dependent and neglect matters, adoption, juvenile delinquent cases, guardian ad litem, attorney ad litem, insurance enforcement, asset forfeitures, landlord/tenant, detainers, contracts, conservatorships, guardian ad litem in involuntary committal cases, LLC formation, business law, property title research, administrative hearings as well as many other matters in Circuit, Chancery, General Sessions and Juvenile Courts.

After my successful election as General Sessions Judge I practiced law on a part-time basis in all of the above areas for about three years before deciding to devote all of my professional time to my Judicial duties and improving societal issues as described in paragraph one of my answer to this question.

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 I have extensive trial court experience in a wide variety of cases as described above in the answer to question number six. As an attorney in criminal cases I have prepared for jury trials, conducted bench trials, preliminary hearings, bond hearings, sentencing hearings, and motion hearings. As a civil attorney I have prepared for and conducted trials, pendente lite hearings, temporary custody hearings, motion hearings, custody hearings, child support, and alimony qualified domestic relations orders and emergency hearings. The preparation for these cases included, interviews, discovery research, depositions, and document preparation as each case demanded. In each of my cases on the trial court level, I worked extremely hard to represent my clients in a professional way, while at the same time honestly communicating to clients my opinions and advice about their cases while still managing realistic expectations. I also believed in conducting myself with each Judge and Chancellor in such a way as they would never question my integrity or trustworthiness. As a result, I have had and continue to have wonderful relationships with all Judges and Chancellors I have practiced encountered.

During my time as General Sessions Judge I have had even more important interaction with and impact on trial courts as well as the corresponding Judges and Chancellor. Once elected as



General Sessions Judge, the first thing I did was schedule and meet with every possible stakeholder in our justice system including trial court judges. Upon doing so I was able to forge relationships and garner ideas that have led to effective and efficient administration of Justice. For example, Judge John D. Wootten, Jr. spoke to me about the most effective General Sessions Judge he encountered that presided in Sumner County. Judge Wootten explained his effectiveness was in his efficiency and speed in disposing of cases, not just passing them along. He explained there is an art in “triaging” a case to determine its need, whether that need was court mandated deadlines or hearing dates. I am pleased to say based on what I learned from Judge Wootten and other stakeholders in our justice system that my court is extremely efficient in disposing cases. The Assistant District Attorney that practices in my court presented statistics from the District Attorney’s Conference that showed our General Sessions Court disposed of the most cases per capita in our district. This efficiency and effectiveness reduces burden on the Criminal Courts in our District.

From 2014 to present as General Sessions Judge I have worked with our local legislative body, the County Commission, and our County Mayors. I have communicated with them related to programs I requested and the corresponding budgeting. I have also had occasions to answer questions and make suggestions on criminal justice and juvenile matters to our local state legislatures.

From 2010 to 2014 I served on our local School Board, the last two years of which my peers elected me to serve as Chairman. The School Board in of itself is a legislative body that drafts and serves under its policy and other applicable state of federal law. As Chairman I forged productive relationships with the local governing bodies and state level legislatures. I presided over and conducted Board meetings, appointed committees, passed and approved our School System’s \$27 million dollar budget.

Furthermore, since my decision to seek appointment in the vacant Circuit position I have met with all the Circuit Judges in our District. Judge Wootten gave me valuable insight into many issues related to his position, including docket management. I discussed potential division of duties with Judge Clara Byrd and Judge Brody Kane.

I acquired two grants, one aimed at recovery from addiction, and one aimed at preventing negative social outcomes for at-risk youth. In both grants we are required to communicate and maintain compliance with the State of Tennessee and Department of Justice regulatory bodies.

I was appointed and approved by Governor Haslam to serve on a Tennessee Department of Mental Health Recovery Court Advisory Committee where we meet, discuss, and advise on a wide variety of legislative, regulatory, and grant issues related to addiction and recovery. I currently still serve on this Advisory Committee.

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



For over a decade and a half I have had actual experience practicing law in both civil and criminal matters in the Circuit and Chancery Courts in Wilson, Macon, Smith, Jackson, and Trousdale counties in front of Judge John D. Wootten, Jr., Judge Brody Kane, Judge David Earl Durham, the late Judge J.O. Bond, Judge Clara Byrd, and Chancellor C. K. Smith.

I have actual experience for over six years as an elected Judge in our district over the very same subject matter this vacant Circuit position may preside including: misdemeanor and felony criminal matters; a wide variety of civil matters including domestic and juvenile matters; and presiding over a State of Tennessee accredited Recovery Court, and dealing with search warrants.

I have actual experience in dispensing justice while following the law, dealing with a wide variety of human conditions including mental health and addiction matters, and innovating and putting into practice forward thinking ideas within the confines of the law that may actually pierce to the heart of each matter such that there could be actual sustained change in lives resulting in decreased need of government intervention, less arrests, less incarceration, less family involvement with the Department of Children's Services, more accountability, and ultimately more productive citizens.

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

As a sitting Judge I adhere to the following motto: "Follow the Law, Protect the Community, Help Others". First and foremost, I have to follow the law. I have held accountable those violating the law while at the same time protecting individual rights of those accused. Second, after I follow the law I must protect the community. In deciding on the many issues that come before me, I have to keep in mind the protection of the people I live alongside in our communities. And third, after I have followed the law and protected our community, I make it my daily goal to help others.

Below are a few of the programs and practices I have employed in the name of helping others:

**Misdemeanor Recovery Court:** This program attempts to stop the revolving door of crime related to addiction and mental health issues. We accept non-violent offenders whose criminal activity stems from substance abuse or co-occurring disorders that are willing to accept extreme supervision and interaction with the court. Our Misdemeanor Recovery Court was the first of its kind in our district.

**"Bridging the Gap":** Just a few short years ago the State of Tennessee started the "Power in the Pews" initiative recognizing the importance of the people of faith in our efforts to deal with addiction and substance abuse. Over six years ago I formed "Bridging the Gap" with exactly the same thought in mind. "Bridging The Gap" is open to any person of any faith willing to become positively involved with those having interaction with any of my courts, whether criminal, civil, or juvenile. This program aims to show to anyone with legal issues that people in the community actually care for them and the "Bridging The Gap" members are willing to help those in my



courts reintegrate into society by forming positive social bonds and by helping remove barriers to a productive life such as assistance with education, jobs, transportation or any other need.

**Probation / Work / Community Service:** I require those on probation to have full-time gainful legal employment or complete the full-time equivalent of hours doing community service. Often those with nothing positive to fill their day find themselves in trouble with the law. Further, we have formed positive relations with many employers and we will even facilitate finding a job for those on probation and anyone coming to my courts.

**“I Am More”:** This program is funded by a Department of Justice grant I acquired in 2018. In this grant there was wide discretion on how to serve at-risk youth. I chose to use Adverse Childhood Experience Surveys (A.C.E.S.) to identify children who have the greatest risk of negative social outcomes. Once identified we employ the evidence based strategy of Trust Based Relational Intervention (T.B.R.I.) in hopes of building positive relationships and preventing negative social outcomes. The very name, “I Am More”, suggests these at-risk children are more than the sum of their negative childhood experiences and with positive evidence based interactions they can overcome their circumstances.

**Drug Preventions Coalition:** I work closely with our Coalition in all regards. Specifically, I have provided them the media resources in my courtroom to educate parents in our Juvenile Courts on relevant substance issues, cell phone dangers, and vaping issues.

**Education:** I have forged alliances with our school system such that they allow my Youth Service Officers to enter the schools to speak with students regarding relevant current issues. The school system has allowed my “I Am More” Coordinator to design a curriculum and teach it in the schools regarding positive choices, bullying and abstinence.

Each of these programs, practices, and ideas sound good on paper or even in theory. However, it is hard to gauge the impact on lives without seeing it first hand or hearing actual details. For that reason, I wish to bring attention to this committee actual real life details that spotlight the value of programs attempting to help those in need.

I would like to share with you details about Colby Lane and Holly Burton, the two most recent graduates of my Recovery Court. Both Colby and Holly have gladly given me permission to use their names and details in the hope that their stories may benefit others.

Colby Lane grew up in Macon County, Tennessee. Due to some complicated family issues that detrimentally affected his self-worth and mental state he turned to drugs as a teenager. Colby was in active addiction for over 14 years and used a wide array of substances including; Marijuana, Alcohol, Cocaine, Xanax, Ecstasy, mushrooms, DMT, inhalants, Oxycodone, OxyContin, Oxymorphone, Fentanyl, Heroin, and Methamphetamines. His substance use led to financial loss, loss of custody of a child, divorce, and loss of freedom resulting in five (5) incarcerations in less than 18 months.

When I met Colby in court I talked as directly to him as possible at what I clearly observed in



his life and criminal history, and I gave him clear boundaries. He blew past those boundaries and I immediately held him accountable for the first time in his life. He took the opportunity I offered him in our Recovery Court Program.

Through Recovery Court, Colby's life has drastically changed. Through our joint efforts Colby has been sober for over two (2) years. In our Recovery Court Colby passed 226 drug tests and attended 452 self-help meetings leading to his graduation from our program. He has now become a leader in our community in efforts to help others with addiction. He has been hired by the Smith County Drug Prevention Coalition, by Tennessee Save a Life, and was even the subject of a PBS documentary along with Holly Burton.

Holly Burton has a similar story. She grew up in a good family and all was typical until her brother was tragically killed when Holly was 13 years old. Neither she nor her family was able to handle their grief. In Holly's words, she turned to "liquor, pills, and weed" to make her forget her problems. For the next 17 years Holly's life spiraled downward, getting pregnant in high school, kicked out of high school for selling drugs, and worsening emotional and mental health issues. Holly became an intravenous meth user and she says she "died" and what remained was only a shell of a person. She spent the next five years abandoning everything and everyone she loved, including her children. When not in jail she was either "doing dope, looking for dope, or selling dope." Holly abused herself in every way and allowed others to do so as well.

Similar to Colby, I encountered Holly in court when she pled guilty to misdemeanor charges. While on probation we gave Holly clear rules, offered her help, but she broke those rules landing her in jail. I again offered her help through our Recovery Court. Holly joined our program and thrived with the structure. Holly followed our program's rules, passed 207 drug tests, and attended 345 self-help meetings. After Holly graduated our program she was hired as Director of the Emmanuel House, which is a long term in-patient residential program designed to help women in similar situations as Holly.

We helped Colby and Holly, as well as numerous others, achieve sobriety, regain driver's licenses, find employment, be productive, and get in the position to be able to help others.

My faith, education, and my time practicing law are important experiences that have prepared me for success in this vacant position if appointed. However, my actual experience during my time as Judge, allowing me opportunity to follow the law and help others like Colby and Holly, give me a proven track record of performance.

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

Not applicable



**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 Memphis, Cecil C. Humphreys School of Law*, 1998-2001, Juris Doctor

- Moot Court
- Represented indigent appointed Defendants in Criminal Law Clinic

*Middle Tennessee State University*, 1994-1998, Bachelors of Science

- Graduated Cum Laude
- Major: Criminal Justice Administration
- Double Minor: Political Science and Sociology
- Perfect 4.0 in courses associated with major
- One semester internship with a practicing attorney

*Cumberland University*, 1993

- No degree obtained. I attended one semester for the purpose of accepting an athletic scholarship. The coach declined a coaching position at Cumberland immediately following my enrollment. I finished the semester at Cumberland.

*Tennessee Technological University*, 1991-1992

- No degree obtained. I attended three semesters majoring in Pre-Med. I regretted my decision out of High School to turn down athletic, academic, and leadership scholarships at several universities. I left Tennessee Tech to pursue athletics.

**PERSONAL INFORMATION**

12. State your date of birth.

██████████ 1973

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

I am a lifelong resident of Tennessee. I have lived my entire life in the 15th Judicial District but for my three semesters at Tennessee Tech and my three years in Law School at Memphis.

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

18 years continuously. I have lived my entire life in Smith County but for my time in college and Law School.



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

Smith County, Tennessee

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.

Not applicable

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.

Not applicable

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.

Four. All were summarily dismissed.

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.

Not applicable



21. Have you ever filed bankruptcy (including personally or as part of any partnership, LLC, corporation, or other business organization)?

Not applicable

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, two times.

First, I was sued by a pro se litigant along with approximately 75 other individuals and entities as Defendants. The United States Court of Appeals for the Sixth Circuit case number was 09-6112. The case was dismissed in my favor on February 15, 2011.

The details of that case are as follows:

The Department of Human Services (DHS) had investigated and filed a Chancery Court suit for elder abuse of a 96 year old widow dying of Stage 4 Cancer alleging her estranged opportunistic son had returned to this state to enter her home, he ousted a special needs sibling, and he withheld his dying Mother's pain medication for the purpose of forcing her to change her will making him the beneficiary.

Chancellor C.K. Smith appointed me Guardian Ad Litem of the dying widow. I investigated thoroughly discovering the DHS allegations to be valid and made recommendations similar to those requested by DHS attorneys. As a result, Chancellor Smith ordered the estranged son out of the home, for him to stay away from his dying Mother, and ruling the will to be invalid, essentially righting every wrong caused by the estranged son.

Upset by this ruling, the estranged son sued me, Chancellor Smith, DHS, DHS attorneys, the State of Tennessee, and approximately 70 other individuals and entities. Because he was a non-attorney pro se litigant, the case continued on for an excessive amount of time before being dismissed in my favor.

The second time I was sued was July 31, 2019 in the United States District Court for the Middle District of Tennessee, Nashville Division, and the docket number is 19-CV-00060. The case is still ongoing and my attorney has a pending motion to dismiss.

In this suit I have been sued by Attorney Connie Reguli who appears to be suing in part pro se and in part in representation of another. This lawsuit spawned after Attorney Reguli was indicted July 19, 2019 in Williamson County on one count of Class A misdemeanor facilitation of custodial interference and two counts of felony accessory after the fact. I believe that



Attorney Reguli's law license was also concurrently temporarily suspended.

In this suit I have been sued in my capacity as Judge along with 17 other individuals and entities. The suit stems from a Dekalb County ex parte emergency request by the Department of Children's Services (DCS) where the General Sessions / Juvenile Judge of Dekalb County, Judge Bratten Hale Cook II, had recused himself from this case. Apparently I was the nearest Judge available. Based on a standing order from the Supreme Court of Tennessee specifically naming me and allowing me to be designated and assigned if Judge Cook be unavailable or recused, and based on the emergent testimony of the DCS worker I signed the ex parte order placing an alleged endangered child in the custody of DCS. At some point an "AMBER ALERT" was issued for the missing child and the child was later found at the residence of Attorney Reguli along with the child's Mother, that being the same set of facts in the indictment of Attorney Reguli out of Williamson County.

Again, it is somewhat unclear as to why, but it appears that Attorney Reguli claims I did not have the authority to sign the Dekalb County emergency order in spite of the existing Supreme Court order to the contrary. I believe this lawsuit to be frivolous and soon to be 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.

First Baptist Church Carthage

- Member
- Deacon since September 9, 2012
- Commander of our AWANA Program since 2011
- Sunday School teacher for children Kindergarten through 2nd grade since 2013
- Sunday School teacher for young adults, 2006-2013
- Christian Life Committee

Smith County Drug Prevention Coalition

Rotary Club, inactive status since my son was diagnosed with Type 1 Diabetes August 5, 2008 and my daughter's subsequent diagnosis with Type 1 Diabetes April 10, 2014.

JDRF member - Juvenile Diabetes Research Foundation

Tennessee Save a Life supporter

Tennessee Red Line supporter

Carthage Elementary School basketball Coach, both boys and girls teams, K-2 and 3-4 grade teams



Smith County Minor League Sponsor and Coach

Smith County Little League Coach

Smith County T-Ball Sponsor and Coach

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.

As a student at Middle Tennessee State University I was a member of the Kappa Sigma fraternity. The "Brother" membership of that Chapter was male, however I am not sure this membership was limited in any way as we also had several females in membership positions. I have not been actively involved since 1998.

### 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.

Tennessee Bar Association, various years since 2001

15th Judicial District Bar Association, various years since 2001

- Recently asked to speak to this group regarding my innovative programs I have instituted in my courts whereby attendees received CLE credits.

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 Drug Prevention Coalition - Community Impact Award

Tennessee Judicial Academy Attendee

Appointed to serve on the Department of Mental Health Recovery Court Advisory Committee



National Drug Court Institute Training for Adult Recovery Court

Elected General Sessions Judge of Smith County, Tennessee having Criminal, Civil, and Juvenile Jurisdiction

Department of Justice Grant recipient focused on preventing negative social outcomes for at-risk youth

State of Tennessee Recovery Court Grant Recipient

Recognized at 15th Judicial District Bar Association meeting by being asked to speak regarding innovative programs in my courts

Asked to speak at Smith County High School Graduation

Asked to speak at various Middle School Graduations

Regularly asked to speak with children from every school in Smith County

Asked to speak with students at Wilson Central and Lebanon High Schools

Asked to speak at approximately 12 different churches along with the Drug Prevention Coalition regarding addiction issues

I count it as an achievement that my law practice prospered and grew each and every year until I decided to cut back to part time coinciding with my election as Judge.

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.

Successful candidate for General Sessions Judge, Smith County, Tennessee, serving 2014 to present

Successful candidate for District 6 Smith County Board serving from 2010-2014, elected Chairman of the Board from 2013-2014

### **ESSAYS/PERSONAL STATEMENTS**

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

I seek appointment to this position for a few reasons; first and foremost, I feel led by the Lord to do so, I feel I am uniquely qualified to fill this upcoming vacancy, I have actual judicial experience in each facet of the law this position serves, and I know I will pour every ounce of my soul and energy into serving the people of this District for the betterment of our



Justice System while being open minded to solutions to all problems I encounter while serving.

Over my life in this District, I have observed my parents, grandparents, and other family members selflessly serve others. I now see this as my opportunity to serve our District perfectly marrying my experience and abilities along with the pressing need created by this vacancy.

I seek this position to serve through innovative problem solving, to honor the law, and honor our 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)*)

The judgeship sought is the upcoming vacant Circuit position serving Wilson, Macon, Smith, Jackson, and Trousdale Counties. This position potentially presides over criminal matters, civil matters, and a grant funded felony Recovery Court. There are currently three Judges serving on the Circuit level in our District, being Judge Clara Byrd, Judge Brody Kane, and the retiring Judge John D. Wootten, Jr.

Our District is culturally and economically diverse ranging from impoverished rural areas to some of the fastest growing business and residential areas in Tennessee. Our district is bisected by Interstate 40, as well as located in close proximity to Interstates 65 and 24. These interstates promote growth in our District, but are also known corridors for drug and sex trafficking.

Upon appointment I have the experience to step in immediately to handle any type case. My relationships with Judges Byrd and Kane would allow us to easily work together on all issues.

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)*

Absolutely. Not only “will I uphold the law”, I have had the opportunity to do so, and I have. On August 26, 2014 I swore the following oath as an elected Judge as administered by Judge John D. Wootten, Jr.:

I DO SOLEMNLY SWEAR THAT I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES AND THE CONSTITUTION OF TENNESSEE, AND THAT I WILL ADMINISTER JUSTICE WITHOUT RESPECT OF PERSONS AND IMPARTIALLY DISCHARGE ALL OF THE DUTIES INCUMBENT UPON A JUDGE OF A GENERAL SESSIONS COURT IN THE STATE OF TENNESSEE TO THE BEST OF MY SKILL AND ABILITY, SO HELP ME GOD.

As a sitting Judge I understand my role is to follow the law and administer justice, not make the law or change it. I have conducted hearings where prima facia elements of an alleged crime were missing thus requiring dismissal. I have sentenced Defendants to statutorily mandated



incarceration knowing that would affect jobs, but when mandated I must follow. Many times as Judge, in following the law I have had to make unpopular rulings. It is hard, but a necessary line one must draw. That decision to absolutely uphold the law must be affirmatively declared from the beginning.

Our System and our law are not perfect, but they are the best humanity has to offer. Fortunately the law has room for discernment and discretion within its bounds allowing a sound arbiter the ability to do justice. I actually have, and again happily declare I will uphold 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. <b>Clark Boyd</b> , State Representative, District 46 work # [REDACTED] cell # [REDACTED]
B. <b>Judge Brody Kane</b> , 15th Judicial District Circuit Criminal Judge work # [REDACTED] cell # [REDACTED]
C. <b>Kelly Keisling</b> , State Representative, District 38 work # [REDACTED] cell # [REDACTED]
D. <b>Mark Pody</b> , State Senator, District 17 work # [REDACTED] cell # [REDACTED]
E. <b>Terri Lynn Weaver</b> , State Representative, District 40 work # [REDACTED] cell # [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, 15<sup>th</sup> 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 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.

*Michael Wayne Collins*

Type or Print Name

Signature

*12-3-19*

Date

*021433*

BPR #

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