

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

9/8/20

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Home Address: [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 Microsoft Word 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 Microsoft Word 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. See section 1(g) of the application instructions for additional information related to hand-delivery of application packages.

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

PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

Assistant District Public Defender, 27th Judicial District of Tennessee

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

2012 / BPR #31038

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.

TN / BPR #31038 / Licensed October 2012 / 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).

STATE OF TENNESSEE, 27TH JUDICIAL DISTRICT PUBLIC DEFENDER, Dresden, TN
Assistant District Public Defender, January 2017 – Present

Criminal Defense of indigent Tennessee citizens.
General Sessions Court – Approximately 500 cases per year
Circuit Court – Approximately 90 felony cases and 100 probation
violations per year

STATE OF TENNESSEE, ADMINISTRATIVE OFFICE OF THE COURTS, Union City, TN
Staff Attorney for Senior Judge, November 2015 – January 2017

- Advanced legal research and legal writing:

- Drafted Worker's Compensation Supreme Court Opinions and Court of Appeals Opinions
- Drafted dozens of judicial trial court orders.
- Assisted the Senior Judge in preparation of cases in the areas of Family Law, Healthcare Liability, Personal Injury, Professional Negligence, Products Liability, Criminal Law, Capital Sentencing, Workers' Compensation, Professional Negligence, Election Contests, and Board of Professional Responsibility censures and others.
- Witnessed dozens of cases argued before the Tennessee Courts of Appeal and met with the various panels during their discussions about each of the cases both before and after oral argument.

JAMES H. BRADBERRY & ASSOCIATES, Dresden, TN
Private Practice Attorney, October 2012 – November 2015

- A typical rural West Tennessee law firm representing clients in court and before government agencies in the legal areas described in Question 7 below
- Opened a satellite office of the firm in McKenzie, TN in 2014
- Licensed to practice law in the Federal Courts of Tennessee
- Member, Tennessee Association of Criminal Defense Lawyers (TACDL)
- Graduate, TACDL Trial College, 2014

JAMES H. BRADBERRY & ASSOCIATES, Dresden, TN
Law Clerk, August 2011 – October 2012

PRIOR CAREER, 1991 – 2011

I worked in various roles in the home furnishings industry for twenty (20) years. I was co-owner of a manufacturing company. Among my various responsibilities were supply chain logistics, sales and sales management. Though primary ownership changed a couple of times, the entire venture was with the same core group of people in McKenzie, Tennessee. We expanded our manufacturing from Tennessee to Mexico where I travelled extensively for several years. I travelled to and purchased raw materials in China, South Korea, Brazil, and Argentina. At its peak, employment topped 600 and production neared 5,000 pieces of upholstered living room furniture per week.

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 an Assistant Public Defender, 100% of my practice is Criminal Defense.

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.

My trial court practice is extensive. Since January 2017, I am active in nearly every session of the Weakley County Circuit Court representing nearly 200 felony defendants per year. Additionally, I fill-in for other attorneys in the office during Obion County Circuit Court as needed. During my early career, I practiced primarily in criminal, family, real estate and estate law in trial level courts. In criminal law, those tasks included conducting preliminary hearings, motion hearings, and criminal jury trials, each with the associated court filings. In family law, I prosecuted and defended divorces, post-divorce custody matters, adoptions, and conservatorships. In real estate law, I drafted deeds, mortgages, and land contracts, closed loans, and litigated boundary disputes. In estate law, I drafted wills and powers of attorney, and administered estates. Additionally, I assisted clients in obtaining Social Security benefits, retaining seized property, defending eviction proceedings, forming business entities and drafting contracts.

I did not argue before any of the appellate courts but drafted both civil and criminal motions and briefs to those courts.

I represented one municipality during my private practice, but otherwise did not practice before legislative or regulatory bodies.

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

With the exception of Juvenile Court, I handle all of the public defender caseload for Weakley County, Tennessee. Though General Sessions is not a "trial court," much of the "trial work" is done there. In addition to the felony defendants stated above, I represent an additional 600 defendants per year through misdemeanor cases. Many of these cases are originally charged as felonies but settled as misdemeanors. Many of my trial court cases are won, lost, or settled as a result of the work done in General Sessions.

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

Though stated above, generally, I want to elaborate on my time as a Staff Attorney for a Senior Judge.

Tennessee currently has 3 Senior Judges. They are retired trial level judges appointed by the Supreme Court to handle cases across the State when the local judge has a conflict and no judge in an adjoining district can sit by interchange. When such a situation arises, the Administrative Office of the Courts assigns the case to a Senior Judge who hears the case to final disposition when feasible.

The cases assigned to a Senior Judge are usually difficult and complex; cases that last for years, sometimes decades, cases where the District Attorney may be the plaintiff or cases in which the Sheriff may be the defendant, cases where an attorney wants his license restored after it has been revoked for years. These cases, in other words, are those that no judge wants to hear.

I coordinated with attorneys from around the country and prepared these difficult cases for trial with the direction of an experienced judge. I would describe the position as on-the-job training for a potential judge. I conducted scheduling conferences and drafted scheduling orders. I read, analyzed and drafted orders on complex and numerous motions. I literally sat at the bench next to the judge during hearings and trials. The experience was priceless.

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

May 2019 – Chancellor, 24th Judicial District

I applied for the Chancellorship of the 24th Judicial District. The Trial Court Vacancy Commission selected me as one of the three candidates to interview with Governor Lee.

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.

NASHVILLE SCHOOL OF LAW, Nashville, TN
Doctor of Jurisprudence, December 2011

UNIVERSITY OF TENNESSEE AT MARTIN, Martin, TN
Master of Business Administration, December 2007

UNIVERSITY OF TENNESSEE AT MARTIN, Martin, TN
Bachelor of Science in Mathematics, August 1993

UNITED STATES MILITARY ACADEMY, West Point, NY
Fall 1989 – Spring 1991, No degree, discharged under Honorable conditions

CENTRAL TEXAS COLLEGE, Killeen, TX
Fall 1987, No degree, attended while stationed at Ft. Hood, TX

MEMPHIS STATE UNIVERSITY, Memphis, TN
Fall 1986, No degree, joined the United States Army

PERSONAL INFORMATION

12. State your date of birth.

1967

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

52 years of legal residence including the four years I served in the US Army at Ft Hood, TX, Ft. Monmouth NJ, and West Point, NY.

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

41 years

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

Carroll

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.

Tennessee Army National Guard, 1985-1987; Discharged to Active US Army
United States Army, 1987-1991; Discharged under Honorable conditions as an E-4/Cadet
Decorations: Good Conduct Medal, Army Achievement Medal, Army Service Ribbon, National Defense Service Medal, Expert Marksman in both pistol and rifle

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.

Chancery Court of Carroll County, Tennessee, No. 96DR59, Final Order filed June 25, 1996 in an uncontested divorce.

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.

Past Chairman, Carroll County Republican Party, 2019-present
Chairman, Carroll County Republican Party, June 2016-2019
Interim Chairman & Secretary, The McKenzie Public Library Enrichment Foundation, February 2018-present
Elder, First Cumberland Presbyterian Church, McKenzie, Tennessee
Assistant Coach, McKenzie Shooting Sports Pistol and Rifle Teams, 2018
Head and Assistant Coach for various teams of McKenzie Youth Baseball, Basketball and Football, 2014-present
Commissioner, Carroll County Election Commission, 2014-2015
Member, National Rifle 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.
- 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

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.

Beta Gamma Sigma, Lifetime Member since 2007

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.

Not applicable

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.

Not applicable

ESSAYS/PERSONAL STATEMENTS

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

I hope to become the 3rd generation of judges in my family. I was approached to seek this position in the 2022 election long before Judge McGinley announced his retirement. My wife, Sarah, and I are committed to work through this process and I plan to seek this position now and at the upcoming election.

Further, if I am appointed as Circuit Judge, it will be the result of decades of preparation. I spent 4 years in the military and 20 years in manufacturing before beginning law school at age 40. I realize how years of interactions with the people of this district impact me and my ability to relate to them. My 10 years in practice round off a lifetime spent in rural West Tennessee. I will be honored and humbled to serve as a judge for 24th Judicial District.

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)*

I seek the appointment to Circuit Judge, Part One, for the 24th Judicial District encompassing Benton, Carroll, Decatur, Hardin and Henry Counties. The district stretches over 100 miles along the Tennessee River in West Tennessee. The District has two Circuit Judges distinguished as Part One and Part Two with no geographic restrictions. However, for several years, the Part One Judge presides in Benton, Decatur, and Hardin Counties and the Part Two Judge presides in Carroll and Henry Counties. The 2019 fiscal year filings indicate over 92% of circuit court filings were criminal cases.

COVID-19 caused a tremendous backlog in this court. My criminal law experience as well as my practice outside the district will allow me to begin trying cases nearly immediately. I have no conflicts of interest with any potential defendants and expect a smooth transition to the bench.

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, I will uphold the law. As a criminal defense attorney, I explain to my clients very often that, "I don't like it, but it's the law." For example, I don't agree with the law that denies a DUI offender the right eventually to have his record expunged, if that offender would otherwise qualify. But I advise my clients of that consequence because it's the law. Conversely, I believe that the punishment for violent crimes, particularly those involving entering someone's home, are too lenient.

I find it disconcerting that many attorneys are zealous to defend 1st and 2nd Amendment rights cases yet disparage those willing to defend the equally important 4th, 5th, and 6th Amendment rights. I commit to uphold the law through the lens of fairness and impartiality notwithstanding my personal views.

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. Joseph G. Butler, Carroll County Mayor, Huntingdon TN,	[REDACTED]
B. Curtis Halford, Tennessee House of Representatives District 79,	[REDACTED]
C. Col. James Harding, US Air Force, Retired, Huntingdon TN,	[REDACTED]
D. Jeff Parham, Circuit Judge 27 th Judicial District, Martin TN,	[REDACTED]
E. Paul G. Summers, Tennessee Attorney General, Retired, Nashville TN,	[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, Part One, of the Twenty-Fourth 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: June 25, 2021.



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.

J. Brent Bradberry
Type or Print Name

J. Brent Bradberry
Signature

June 25, 2021
Date

031038
BPR #

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