

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

9/8/20

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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.

I am currently Judge of Division II of Hamilton County General Sessions Court. I also work with Judge Tom Greenholtz as part of the Hamilton County Drug Recovery Court Team (I preside over the misdemeanor track of the program, while Judge Greenholtz presides over the felony track).

I was appointed in May of 2017 by former Tennessee Governor Bill Haslam as "Special Judge" of Hamilton County General Sessions Court, Division II, after Judge David E. Bales took medical leave. Judge Bales has yet to return to the bench.

I am currently running in the August 4, 2022 nonpartisan general election to retain this position.

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

I was licensed to practice law in Tennessee in 2013. My Tennessee Bar Number is 032259.

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.

I was licensed to practice law in Georgia on May 14, 2015. My GA Bar Number is 781630. In 2017, I requested that my Georgia law license voluntarily convert to "inactive status" due to my serving as a Tennessee judge and my inability to actively practice law in Georgia. I have confirmed with the State Bar of Georgia that I can reactivate my license at any time.

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).

I have never been denied admission to or suspended by the Bar of any state. As indicated in my response to Question 3 above, I voluntarily requested to convert my Georgia license to "inactive status" due to my current position as a Tennessee judge. As stated above, I have confirmed with the State Bar of Georgia that I can reactivate my license at any time. Other than the State of Georgia, I have never been placed on inactive status by the Bar of any other state.

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).

Below is a brief description of my professional employment/experience, described in order of my current position as General Sessions Court Judge back to my work as a litigator at Chambliss, Bahner & Stophel, P.C. following my graduation from Vanderbilt Law School. Other employment/experience occurring prior to the completion of my legal education is described in my answer to Question 9.

HAMILTON COUNTY GENERAL SESSIONS COURT

600 Market Street, Chattanooga, Tennessee, 37402

Judge, General Sessions Court, Division II (May 2017 – Present)

In May of 2017, former Tennessee Governor Bill Haslam appointed me to serve as one of five Hamilton County General Sessions Court judges, hearing over 50,000 criminal cases and 15,000 civil cases each year. I currently preside over misdemeanor criminal cases as well as preliminary hearings, bail/bond motions, and other pretrial motions in felony cases. I also preside over civil cases with amounts in controversy ranging from \$0 to \$25,000.00, as well as cases seeking equitable or injunctive relief. Finally, I preside over civil involuntary commitment proceedings for patients hospitalized with a mental illness.

Judge, General Sessions Drug Recovery Court (September 2018 – Present)

In 2018, after conversations with felony Drug Recovery Court Judge Tom Greenholtz and the Drug Recovery Court director and other team members, I helped create Hamilton County's misdemeanor Drug Recovery Court, which aims to increase public safety, combat substance use and reduce incarceration and recidivism at the misdemeanor level (potentially before an offender begins to commit felony offenses).

I currently help supervise the misdemeanor Drug Recovery Court team, which is comprised of the director, an assistant district attorney general, an assistant public defender, healthcare providers, case managers, and probation and law enforcement representatives. I preside over weekly participant dockets and case manager and staffing meetings. I work closely with Judge Greenholtz and the entire felony Drug Recovery Court team through our participation in regular state and national training sessions, as well as through continued analysis and implementation of best practices on a program-wide basis.

CHAMBLISS, BAHNER & STOPHEL, P.C.

605 Chestnut Street, Chattanooga, Tennessee, 37450

Litigator and Municipal Law Attorney (2013 – 2017)

As an attorney at Chambliss, Bahner & Stophel, P.C., I litigated a wide variety of criminal and civil matters in state and federal courts in Tennessee and Georgia (as well as appearing pro hac vice or through assisting outside/local counsel in courts throughout the country for our local clients involved in out-of-state matters). I helped try cases in front of judges and juries in General Sessions Courts, Circuit Courts, and Chancery Courts in Tennessee, as well as in State and Superior Courts in Georgia. I assisted with bench and jury trials as well as bankruptcy adversarial proceedings in the Eastern District of Tennessee. I also assisted in the brief writing in matters in Tennessee, Georgia and federal appellate courts.

Finally, I assisted with the representation of the City of East Ridge, Tennessee, where I would often serve in the capacity of city attorney during city council meetings. I also represented other localities in litigation and contract negotiations, including the City of Chattanooga, Tennessee.

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.

I do not presently practice law outside of my role as a Hamilton County General Sessions Court Judge (I am prohibited from actively practicing). I discuss my experience as judge more fully in my answer to Question 7 below.

Hamilton County General Sessions Court hears both misdemeanor criminal and civil cases, but unlike some jurisdictions, does not have statutory juvenile, domestic, or probate jurisdiction.

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 mentioned in my responses to Questions 1 and 5 above, former Tennessee Governor Bill Haslam appointed me to serve as “Special Judge” of Division II of Hamilton County General Sessions Court in May of 2017 after Judge David E. Bales was placed on medical leave. Judge Bales has never returned to the bench, and as such, I now have over five years of experience presiding over one of the largest courts in the state by case volume (outside of Nashville and Memphis).

Hamilton County General Sessions Court consists of five divisions and hears, on average, over 50,000 criminal cases and 15,000 civil cases each year, including misdemeanor and felony cases, involuntary commitment proceedings, and a wide array of civil (monetary and equitable) matters. In addition to my regular dockets, I was chosen by Judge Tom Greenholtz and my General Sessions Court colleagues to preside over the misdemeanor Drug Recovery Court. I also assist Judge Lila Statom and the Hamilton County Mental Health Court Team by presiding over the misdemeanor Mental Health Court docket when Judge Statom is unavailable.

GENERAL SESSIONS COURT – CRIMINAL LAW EXPERIENCE

Each of the five General Sessions Court judges rotate every week between five courtrooms. For three out of the five weeks, I preside on the criminal bench and the majority of my time involves adjudicating misdemeanor criminal cases and hearing pretrial motions, preliminary hearings, and probation violations in misdemeanor and felony cases.

Unlike many other courts across the state, Hamilton County General Sessions Court's criminal divisions did not cease (or even materially reduce) operations during the pandemic. Our high-volume court continued to operate, affording defendants and victims their (in-person or virtual) day in court. Since the start of the pandemic, we have seen an increase in certain types and severity of crime in our community, including certain instances of domestic assault, crimes involving weapons, and increases in offenses related to substance use and mental health issues. This increase has made the work of General Sessions Court even more important over the last two years, and has further prepared me to serve in Criminal Court.

In my work as a criminal judge, I have developed experience in the application of substantive and procedural criminal law, statutory defenses to criminal liability, bail/bond factors and other conditions of release, sentencing factors and objectives, and probation violations and other violations of pre and post-trial conditions of release. Judicial experience in these areas will be paramount for our next Criminal Court judge.

I have reviewed and signed numerous search warrants, conducted seizure and forfeiture hearings, ruled on motions to exclude certain evidence in misdemeanor and felony cases, ruled on issues involving search and seizure and other constitutional and statutory areas of criminal law, reviewed and accepted or rejected plea agreements, and held many bench trials, preliminary hearings, and probation violation hearings. I have delivered my decisions and opinions in both written and oral form.

Also important for the next Criminal Court judge will be experience in sentencing defendants found guilty of crimes or in violation of probation and other conditions of supervised release. During the last five years, I have sentenced numerous defendants who were convicted following bench trials or open plea agreements, and have re-sentenced defendants after adjudicating probation violations and motions for suspended sentence. I understand the importance of the discretion that I retain in this role, as well as the objectives of sentencing in Tennessee (incapacitation, retribution, deterrence, and rehabilitation). I understand the delicate balance needed in weighing these objectives on a case-specific basis, as well as the statutorily mandated factors and guidelines (including those outlined in the "Truth in Sentencing Law" recently

passed by the Tennessee legislature).

GENERAL SESSIONS COURT – CIVIL LAW EXPERIENCE

Every five weeks, the five General Sessions Court judges rotate between the criminal and civil bench. Every two out of five weeks, I preside over civil cases involving various monetary and equitable disputes, including personal injury claims, tort claims, breach of contract claims including residential and commercial construction disputes, violations of the Tennessee Consumer Protection Act and Tennessee Contractors Licensing Act, eviction/detainer suits, replevin/property possession actions, and equitable claims such as ownership disputes and city/county ordinance violations. I also have experience in applying choice-of-law analysis and ultimately implementing the substantive law from jurisdictions outside of Tennessee.

GENERAL SESSIONS COURT – CIVIL LAW/MENTAL HEALTH EXPERIENCE

Once every five weeks, I preside over probable cause hearings involving individuals who have been involuntarily committed to one of three local mental health facilities (Moccasin Bend Mental Health Institute, HCA Parkridge Valley, and Erlanger Behavioral Health). During these hearings, I determine whether the patient meets criteria for involuntary commitment – that is, whether they are a danger to themselves or others and whether inpatient treatment at the particular facility is the least restrictive means for them to receive treatment at that particular time. The patient is represented by either appointed or hired counsel, and I weigh testimony from the provider, including from treating physicians and social workers, as well as the testimony from the patient and any other witness that may be called. In these hearings, I weigh the statutory factors set out in Title 33 of the Tennessee Code and determine whether the patient shall remain at the facility for up to fifteen additional days (at which time, they are entitled to an additional hearing before a circuit court judge).

LAW PRACTICE PRIOR TO APPOINTMENT AS GENERAL SESSIONS JUDGE

After I received my law degree, I practiced civil and criminal law in state and federal courts across the United States (primarily in Tennessee and Georgia) at Chambliss, Bahner & Stophel, P.C. in Chattanooga, Tennessee (I also worked as a “summer associate” at Chambliss in the summer of 2012 while attending Vanderbilt Law School).

Working for a large firm with many practice areas and clients allowed me the opportunity to help litigate a wide variety of cases and matters in many different courts and other forums. It also provided me the good fortune of working with and learning from talented and respected Chambliss lawyers and mentors, including former Chief Justice Muecke Barker, Tom Greenholtz, Bruce Bailey, Max Bahner, Hal North, Hugh Moore, Jeffrey Maddux, Steve Barham, Richard Bethea, Rick Hitchcock, Bill Pickering, Bud Jackson, John Jackson, Bill Dearing, Jeff Granillo, Greg Willett, Tim Gibbons, Paul Weidlich, Alicia Oliver and Bill Hannah.

Much of the first couple years of my practice consisted of representing large manufacturing clients in product liability cases throughout the country, as well as representing banks and credit

unions involved in creditors issues in state courts as well as federal bankruptcy courts. I drafted numerous motions, briefs, memoranda of law and similar filings in these cases, while also participating in the discovery process. I argued many substantive motions and adversarial proceedings in state and federal courts. I also assisted in trying a variety of bench and jury trials in Tennessee and Georgia, including those involving contract disputes, torts, employment disputes, intellectual property claims, as well as violations of statutory claims such as Tennessee's Consumer Protection Act and Georgia's Fair Business Practices Act.

In addition to my civil law experience, while at Chambliss I also defended a client before a jury in the United States District Court for the Eastern District of Tennessee accused of violating state and federal drug and gun laws (as well as the Armed Career Criminal Act). I also routinely appeared in Criminal Court monitoring cases on behalf of a large manufacturing employer and criminal victims employed with their company. I assisted in the representation of clients involved in civil domestic disputes, which often spilled over to Criminal Court (in the form of assaultive offenses and violations of orders of protection). I also represented clients charged with D.U.I. as well as possession of controlled substances.

Finally, I spent a large part of my practice assisting East Ridge City Attorney Hal North and also defended the City of Chattanooga as outside counsel in multiple cases. I worked closely with the Municipal Technical Advisory Service (MTAS) and dealt with many different issues affecting the City of East Ridge, including nuisance violations and other codes enforcement issues, employment disputes, and even litigation in Chancery Court. I also presided on numerous occasions as city attorney during city council meetings.

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

While serving as a judge, I have assisted in the implementation of numerous projects to increase access to justice and court efficiency, including implementing an online dispute resolution (ODR) pilot program sponsored by the Tennessee Supreme Court's Access to Justice Commission, Tennessee Supreme Court's Alternative Dispute Resolution Commission, Erlanger Hospital, and Legal Aid of East Tennessee. The medical debt ODR pilot program assists parties involved in medical debt disputes and potentially helps them resolve those disputes before a lawsuit is filed. (More information about the program can be found at <https://www.tncourts.gov/news/2021/05/18/new-online-dispute-resolution-platform-offers-hope-those-medical-debt>).

I was also selected by senior Hamilton County General Sessions Court Judge Christie Sell and Criminal Court Clerk Vince Dean to assist the Criminal Court Clerk's office by participating on a committee that is looking at ways to innovate and move towards a more "paperless" and efficient system.

Finally, I have helped design and implement a "Housing Stability Facilitator" program to assist criminal and civil litigants (including both landlords and tenants) avoid the costly effects of

evictions. Last month, Hamilton County was chosen, along with a handful of other jurisdictions across the county, by the National Center for State Courts (NCSC) to implement a program to assist litigants in navigating the costly and confusing eviction dockets. Since the start of the COVID-19 pandemic, there are thousands of dollars in unspent federal funds that could be used to assist landlords and tenants with past due rent resulting from financial consequences related to the pandemic. The housing facilitator will be a city employee who will be able to assist landlords and tenants in applying for these funds.

In addition, as Chattanooga has become one of the fastest growing housing markets in Tennessee, many in our civil and criminal courts face skyrocketing rental costs and the lack of available affordable housing. The facilitator will assist litigants (and potential litigants) at the courthouse with housing-related issues. The facilitator will not deprive any litigant of their right to utilize the statutory protections and remedies afforded by the court system; however, this person will be able to link civil litigants as well as criminal victims and defendants with resources in real-time to attempt to help them resolve their disputes and ultimately avoid the costly individual and societal effects of homelessness.

GENERAL SESSIONS COURT – DRUG RECOVERY COURT EXPERIENCE

As stated previously, I helped form the Hamilton County General Sessions Drug Recovery Court in 2018 after discussions with felony Drug Recovery Court Judge Tom Greenholtz and the Drug Recovery Court director and other team members. I worked with the director to obtain a \$500,000.00 grant from the United States Department of Justice to implement a misdemeanor General Sessions Court track of the program commonly known as “Drug Court.” (For more information about the misdemeanor program as well as the felony program, which has been in existence in Hamilton County since 2005, visit: <https://criminalcourt2.org/drug-recovery-court>).

The misdemeanor Drug Recovery Court aims to increase public safety, combat substance use and reduce incarceration and recidivism at the misdemeanor level (potentially before an offender begins to commit felony offenses). The program is incredibly time-intensive, and involves extensive yearly state and national training (as mandated by the Tennessee Department of Mental Health and Substance Abuse Services as well as the United States Department of Justice). Drug Recovery Court operates pursuant to the Tennessee Drug Court Treatment Act of 2003 and the National Association of Drug Court Professionals and National Drug Court Institute’s Ten Key Components, and is a non-traditional, non-adversarial team model to help rehabilitate its participants. The team consists of the judge, the director, an assistant district attorney general, an assistant public defender, a private volunteer defense attorney, substance use/recovery treatment providers, case managers, and probation and law enforcement representatives.

In my role as judge, I preside over weekly participant dockets as well as case manager and staffing meetings, and work with Judge Greenholtz and the program director to oversee general program operations, funding, partnerships and promotion. My experience working with Judge Greenholtz and the misdemeanor and felony teams makes me uniquely qualified to step into the (quite large) shoes of Judge Greenholtz and continue to help lead the Recovery Court program.

My training and experience as the misdemeanor Drug Recovery Court judge has also helped me approach every criminal case with skills that I might not otherwise possess. The Drug Recovery Court model has helped teach me the importance of treating every defendant with dignity and fairness, and has helped me think of ways to increase substance use and mental health treatment and promote individual responsibility as a part of the suspended sentence conditions for many of my non-Recovery Court probationers as well. Understanding that substance use and mental health issues are at the root of certain criminal activity has assisted me in my sentencing practices, while also allowing me to reserve the harshest and most appropriate incarcerative sentences for the most violent offenders as well as those distributing illegal narcotics.

Since its inception in 2018, the misdemeanor Drug Recovery Court program has conducted numerous “graduations” and, to date, no graduate has been rearrested in Hamilton County. Many of these graduates have purchased their first home, started businesses, received custody of their children, and remained free from drugs for many years – restoring individual lives and families while ultimately helping make our community safer.

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

TENNESSEE DISTRICT PUBLIC DEFENDERS CONFERENCE

618 Church Street, Suite 300, Nashville, Tennessee, 37219

Research Analyst and Legislative Liaison (2012 – 2013)

While attending Vanderbilt Law School, I served as legislative liaison between the Tennessee District Public Defenders Conference (comprised of all state-wide public defenders and their staff) and the legislature. I researched legislation that affected public defenders and/or their clients. I prepared comments to Tennessee Supreme Court rule changes affecting public defenders and/or their clients. I also assisted public defenders across the state with research and other case-specific issues.

TENNESSEE STATE SENATE JUDICIARY COMMITTEE

425 Rep. John Lewis Way N., Suite 716, Cordell Hull Bldg., Nashville, Tennessee, 37243

Research Analyst, Law Clerk (2009 – 2012)

Prior to law school, I supervised the Tennessee Senate Judiciary Committee staff and served as research analyst for the committee. I aided legislative attorneys in drafting legislation and amendments. I also served as committee contact for various lobbyists, organizations and state departments, including the Tennessee Attorney General’s Office, Administrative Office of the Courts, Department of Mental Health and Substance Abuse Services, District Attorneys Conference, and District Public Defenders Conference. I left this role to attend Vanderbilt Law School, at which time I was hired as law clerk for the Committee.

Both the current Senate Judiciary Committee Chairman, Senator Mike Bell, as well as the former chairman and current member of the Board of Parole, Mae Beavers, support my application and can answer any questions concerning my committee and legislative experience.

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

As stated earlier, in April of 2017, I applied to Governor Bill Haslam through his legal counsel Dwight Tarwater for the role of “Special Judge” of Hamilton County General Sessions Court, Division II. As I recall, I did not submit a formal written application, and instead submitted certain biographical and resume-related information and answered specific questions in written and verbal form from Mr. Tarwater and Governor Haslam. I was ultimately selected by Governor Haslam and am presently seeking election for this position on the August 4, 2022 ballot (for a term beginning September 1, 2022).

In addition, in the summer of 2019, I was contacted by the chief counsel to Senator Marsha Blackburn to submit my name for consideration by Senator Blackburn and Senator Lamar Alexander’s offices (and ostensibly Senate leadership and former President Donald Trump) as a possible replacement for retiring United States District Judge Sandy Mattice. Again, as I recall, I did not submit a formal written application. Instead, I submitted biographical and resume-related information to Senator Blackburn’s office, and participated in an in-person interview with her chief counsel and chief of staff. Ultimately, Judge Charles Atchley was chosen for this position.

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.

VANDERBILT UNIVERSITY LAW SCHOOL

Attended August 2011 – May 2013.

Graduated and obtained a Doctor of Jurisprudence Degree in May of 2013.

RUTGERS SCHOOL OF LAW

Attended August 2010 – May 2011.

Subsequently Transferred to Vanderbilt Law School in August of 2011.

PENN STATE LAW SCHOOL

Attended a “study abroad” program during the summer of 2011. The program was affiliated with Rutgers Law School/Penn State Law School. During this program, I completed a class taught by United States Chief Justice John Roberts concerning the history of the United States Supreme Court and its Chief Justices.

VANDERBILT UNIVERSITY

Attended August 2004 – May 2008.

Graduated and obtained a Bachelor of Science Degree in Economics & Political Science in May of 2008.

UNIVERSITY OF MELBOURNE (AUSTRALIA)

Attended a “study abroad” program during the spring of 2007. The program was affiliated with Vanderbilt University and Butler University.

PERSONAL INFORMATION

12. State your date of birth.

I was born on [REDACTED] 1986.

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

With the exception of summer vacations or temporary "study abroad" programs, I have lived continuously in Tennessee since August of 2004.

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

I have lived continuously in Hamilton County, Tennessee since May of 2013.

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

I am registered to vote in Hamilton 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.

I have never served in the Armed Forces.

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.

To my knowledge, I have never pled guilty to or been convicted of any laws other than minor speeding or traffic offenses.

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.

To my knowledge, I am not being investigated for violation of any criminal statute or disciplinary rule.

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.

To my knowledge, I have never been required to respond to any formal complaint filed against me by any supervisory authority.

While a member of the bars of Tennessee and Georgia, no complaint has ever been filed against me for any breach of ethics or unprofessional conduct with the Board of Professional Responsibility or with any other body in Tennessee or Georgia governing complaints against attorneys.

During my time as a judge, I have been notified by the Board of Judicial Conduct that two defendants each filed a complaint against me during the course of criminal proceedings against them. Those complaints were both dismissed by the Board's disciplinary counsel without the need for me to provide responses to the allegations.

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.

To my knowledge, no collection procedure has been initiated against me in the last five years.

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

I have never filed bankruptcy.

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.

I have never been a party to any legal proceedings.

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.

HAMILTON COUNTY ANNUAL HIGH SCHOOL MOCK TRIAL COMPETITION

Competition Coordinator/Chair (2015 – Present)

Competition Committee Member (2013 – 2015)

LEGAL AID OF EAST TENNESSEE

Board Member (2016 – 2017)

Capital Committee, Chairman (2014 – 2016)

YMCA'S COMMUNITY ACTION PROJECT ("Y-CAP")

Board Member (2015 – 2017)

ROTARY CLUB OF DOWNTOWN CHATTANOOGA

Member (2018 – Present)

ROTARACT ("JUNIOR ROTARY") CLUB OF DOWNTOWN CHATTANOOGA

Member (2016 – 2018)

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.

To my knowledge, I have never belonged to any such organization, association, club or society.

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 SUPREME COURT'S ACCESS TO JUSTICE COMMISSION ("ATJC")
ATJC Commissioner (2018 – Present)

TENNESSEE SUPREME COURT'S E-FILING OVERSIGHT COMMITTEE
Member (2019 – Present)

TENNESSEE GOVERNOR BILL LEE'S CRIMINAL JUSTICE TASK FORCE
Member (2019 – 2021)

TENNESSEE GENERAL SESSIONS JUDGES CONFERENCE ("TGSJC")
TGSJC Executive Committee Member (Legislative Liaison) (2021 – Present)
TGSJC Member (2017 – Present)

AMERICAN BAR ASSOCIATION ("ABA")
Tennessee Delegate to the ABA House of Delegates (2020 – Present)
ABA Member (2013 – Present)

AMERICAN BAR ASSOCIATION, YOUNG LAWYER'S DIVISION ("ABA YLD")
Tennessee's Delegate to ABA YLD Assembly (2020 – Present)
ABA YLD Liaison to the ABA Judicial Division (2021 – Present)
ABA YLD Liaison to the Lawyers Conference of the Judicial Division (2021 – Present)

TENNESSEE BAR ASSOCIATION ("TBA")
TBA Delegate to the ABA House of Delegates (2020 – Present)
TBA Member (2013 – Present)

TENNESSEE BAR ASSOCIATION, YOUNG LAWYERS DIVISION ("TBA YLD")
TBA YLD East Tennessee Governor (2020 – Present)
TBA YLD Judicial Liaison (2019 – 2020)
TBA YLD District 5 (Hamilton County) Representative (2015 – 2019)
TBA YLD Member (2013 – Present)

CHATTANOOGA BAR ASSOCIATION ("CBA")
CBA Member (2013 – Present)
CBA Board of Governors (2021 – 2022)

CBA, YOUNG LAWYERS DIVISION (“CBA YLD”)

CBA YLD Council Member (Board of Directors) (2015 – Present)
CBA YLD Immediate Past President (2022 – Present)
CBAYLD President (2021 – 2022)
CBA YLD Vice President (2020 – 2021)
CBA YLD Secretary/Treasurer (2019 – 2020)
CBA YLD Member (2013 – Present)

GEORGIA BAR ASSOCIATION (“GBA”)

GBA Active Member (2014 – 2017)
GBA Inactive (Judicial) Member (2017 – Present)

FEDERAL BAR ASSOCIATION (“FBA”)

FBA Chattanooga Chapter, Member (2015 – Present)
FBA Chattanooga Chapter Board Member/Journal Editor (2015 – 2019)

FEDERALIST SOCIETY

Federalist Society, Chattanooga Chapter, Founding/Advisory Board Member (2019)

AMERICAN INNS OF COURT, BROCK-COOPER CHAPTER

Associate Member (2013 – 2018)
Judicial Master (2018 – Present)

AMERICAN INNS OF COURT, HARRY PHILLIPS CHAPTER

Law Student Member (2012 – 2013)

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.

Top Ratings in the Chattanooga Bar Association’s Judicial Poll (2022)
(see <https://www.chattanoogan.com/2022/1/6/441110/McVeagh-Greenholtz-Poole.aspx>)

Fellow, American Bar Foundation (2022)

ABA’s Top 40 Lawyers “On the Rise” (2020 – 2021)

TBA’s Leadership Law Program (Graduate, Class of 2019)

CBA Albert L. Hodge Volunteer of the Year Award Winner (2019)

Southeast TN Association for Addiction Professionals, Certificate of Recognition for Outstanding Service to those Affected by Addiction and Mental Illness (2018)

FBA Chattanooga Chapter, President’s Award Winner (2018)

Chattanooga Times Free Press, “Top 20 Under 40” (2018)

CBA YLD Volunteer of the Year Award Winner (2017)

FBA National Outstanding Newsletter Award Winner (2016)

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.

HAMILTON COUNTY GENERAL SESSIONS COURT

600 Market Street, Chattanooga, Tennessee, 37402

Judge, Division II (May 2017 – Present). Former Tennessee Governor Bill Haslam appointed me as “Special Judge” in May of 2017 to replace Judge David E. Bales. I am currently campaigning to retain this seat in the nonpartisan August 4, 2022 Hamilton County general election for a full term beginning September 1, 2022.

Judge, Hamilton County General Session Drug Recovery Court (September 2018 – Present). I was selected to preside over the misdemeanor Drug Recovery Court by Criminal Court Judge Tom Greenholtz and my four General Sessions Court colleagues (Judge Christie Sell, retired Judge Clarence Shattuck and his replacement Judge Gerald Webb, Judge Lila Statom, and Judge Gary Starnes).

TENNESSEE SUPREME COURT’S ACCESS TO JUSTICE COMMISSION (“ATJC”)

Administrative Office of the Courts, 511 Union Street, Suite 600, Nashville, Tennessee, 37219

ATJC Commissioner (2018 – Present). The Tennessee Supreme Court appointed me to a three-year term beginning in April 2018 and then reappointed me for a second three-year term beginning April 2021. I was selected as Vice Chairman of the ATJC by fellow commissioners in April 2022. The Supreme Court’s Access to Justice Commission’s mission is to provide collaborative leadership to create solutions and resources that address and eliminate barriers to justice for all.

TENNESSEE SUPREME COURT’S E-FILING OVERSIGHT COMMITTEE

Administrative Office of the Courts, 511 Union Street, Suite 600, Nashville, Tennessee, 37219

Committee Member (2019 – Present). The Tennessee Supreme Court appointed me to serve as one of the nine committee members tasked with drafting standards and helping implement electronic filing throughout Tennessee’s local, state and appellate courts. Along with fellow committee member Judge Tom Greenholtz, I regularly review, provide comments, and approve/deny applications from jurisdictions seeking to implement electronic filing.

TENNESSEE GOVERNOR'S CRIMINAL JUSTICE INVESTMENT TASK FORCE
Tennessee State Capitol, First Floor, Nashville, Tennessee, 37243

Task Force Member (2019 – 2021). Governor Bill Lee appointed me to serve on this advisory task force to study our current criminal justice system and to propose potential data-supported solutions to address criminal recidivism, reentry, and public safety. Ultimately, the task force provided the Governor and legislators with various criminal justice reform recommendations, some of which were passed by the legislature in 2020 and 2021.

ESSAYS/PERSONAL STATEMENTS

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

My decision to seek this appointment has not come easily, in large part because, for the past five years, I believe that I have played a part in positively impacting the lives of Hamilton County citizens by (1) helping ensure the fair and efficient administration of justice, (2) increasing instances of recovery from substance use disorder in justice-involved individuals, (3) holding convicted offenders accountable to the victims they harm and hopefully deterring future criminal conduct, and (4) ultimately helping make our community a safer place to live, work, and raise a family.

Yet, after much prayer and discussion with my family, I believe that I can make an even greater impact in the four (4) aforementioned areas as Judge of the Second Division of the Criminal Court for the Eleventh Judicial District of Tennessee, and I believe I am uniquely qualified in experience and passion to do just that.

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 Second Division of the Criminal Court for the Eleventh Judicial District is one of three divisions hearing misdemeanors and felonies in Hamilton County, Tennessee. Since 2005, the Second Division has also been home to Hamilton County's felony Drug Recovery Court.

Although Judge Greenholtz leaves incredibly large shoes to fill, I believe that my selection would positively impact the administration of justice in Hamilton County's Criminal Court. I am the only candidate applying for this position with over five years of judicial experience and intimate knowledge of the local criminal justice system. I also believe that my past service as misdemeanor Drug Recovery Court Judge will allow me to successfully lead the felony program on my first day on the job (and, in the event no General Sessions judge is able to do so, I can lead the misdemeanor program as well).

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 – without a doubt. A judge should apply the law as written by the people’s representatives in the Tennessee General Assembly (or, in the case of an administrative rule, as promulgated by the appropriate agency and adopted by the legislature). Trial judges must also follow the Constitution of the United States, the Constitution of the State of Tennessee, Supreme Court rules and rules of procedure, and appellate court precedent. A judge should never substitute his or her opinion for that of the people’s representatives concerning the rationale, substance, or application of a particular rule or law.

I believe that I have demonstrated this judicial philosophy while serving as a judge for the last five years, both in following the plain language of the criminal code as well as following court precedent. One such example of judicial restraint concerns who is eligible to enter Drug Recovery Court. Whereas many states allow for more discretion as to who may enter such a program, Tennessee statute provides strict guidance in Tenn. Code Ann. §§ 16-22-103 and 113 concerning who is eligible and ineligible to participate in drug court programs.

There are times when Drug Recovery Court team members would prefer to allow a particular offender to enter the program; however, because of a previous domestic assault conviction or conviction where a gun was present, I cannot allow such an offender to enter the program. Such judicial restraint and strict application of the law is paramount in our system of justice and constitutional republic.

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.

<p>A. HON. MUECKE BARKER <i>Chief Justice (Retired), Tennessee Supreme Court</i> [REDACTED] Signal Mountain, Tennessee, 37377 [REDACTED] [REDACTED]</p>
<p>B. LIEUTENANT GOVERNOR RANDY MCNALLY <i>Lieutenant Governor and Speaker of the Tennessee Senate State Senator, District 5</i> [REDACTED] Nashville, Tennessee, 37243 [REDACTED]</p>
<p>C. CONGRESSMAN ZACH WAMP <i>Former United States Congressman, Third Congressional District Business Management Consultant Zach Wamp Consulting</i> [REDACTED] Chattanooga, Tennessee, 37402 [REDACTED]</p>
<p>D. MAYOR JIM COPPINGER <i>Hamilton County Mayor Hamilton County Historic Courthouse</i> [REDACTED] Chattanooga, Tennessee, 37402 [REDACTED]</p>
<p>E. FRED DECOSIMO <i>Senior Advisor, Decosimo Corporate Finance, LLC</i> [REDACTED] Chattanooga, Tennessee, 37402 [REDACTED] [REDACTED]</p>

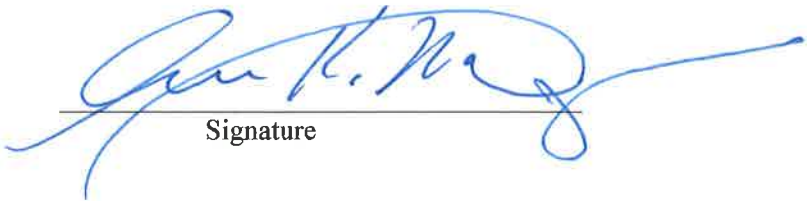
AFFIRMATION CONCERNING APPLICATION

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 Second Division of the Criminal Court of the Eleventh 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: July 11, 2022.



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.

Alexander K. McVeagh
Type or Print Name


Signature

July 11, 2022
Date

TN BPR No. 032259
BPR #

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

Georgia Bar No. 781630
