

Intermediate Appellate Courts

Court of Appeals

Created by the General Assembly in 1925, the Court of Appeals hears appeals in civil—or non-criminal—cases from trial courts and certain state boards and commissions. The court has twelve members who sit in panels of three in Jackson, Knoxville and Nashville. All decisions made by the Court of Appeals may be appealed, by permission, to the Tennessee Supreme Court. As in all three appellate courts, Court of Appeals hearings do not include witnesses, juries or testimonies. Instead, attorneys present oral and written arguments.

Court of Appeals judges are elected on a “yes-no” ballot every eight years. When a vacancy occurs on the intermediate appellate court, the 17-member Judicial Selection Commission interviews applicants and recommends three candidates to the governor, who appoints a new judge to serve until the next August general election.

As with judges on the Supreme Court and the Court of Criminal Appeals, members of the Court of Appeals must, by state law, be evaluated every eight years. Results of the evaluations are published in newspapers across the state to help voters decide whether the judges should be retained.



Court of Appeals judges are (seated from left) Charles D. Susano Jr., William Frank Crawford, Herschel P. Franks, William C. Koch Jr., Alan E. Highers, (standing from left) Patricia J. Cottrell, William Bryan Cain, D. Michael Swiney, David R. Farmer, Frank G. Clement Jr., Holly M. Kirby, and Sharon G. Lee.

Western Section

W. Frank Crawford

1414 White Station Tower, 5050 Poplar Avenue, Memphis, TN 38157

Born April 2, 1927, Memphis, TN. Married; four children; Methodist; U.S. Army Paratrooper, 1945-46; prelaw Union University; LL.B. University of Tennessee, 1950; member Alpha Tau Omega social fraternity; Phi Alpha Delta legal fraternity; practiced law in Memphis, 1951-52; lawyer with TVA, 1952-53; practiced law in Henderson, 1953-54; city attorney in Henderson, 1954; practiced law in Memphis, 1955-82; president, Junior Bar Association of Memphis, 1960-61; member, Memphis and Shelby County Bar Association; director, Memphis and Shelby County Bar Association, 1959-62; member, Tennessee Bar Association; vice president, Tennessee Bar Association, 1972-73; member, American Bar Association; founder and member, Leo Bearman Sr. Chapter of the American Inns of Court; member, American Judicature Society; fellow, American Bar Foundation; fellow, American College of Trial Lawyers; appointed to Court of Appeals September 1, 1982; elected 1984, 1990, and 1998; recipient Outstanding Jurist Award, 1991, presented by Young Lawyers Division, Memphis Bar Association; presiding judge, Court of Appeals of Tennessee Western Section, August 1995-present; Tennessee Court of the Judiciary, 1990-present; presiding judge, Tennessee Court of the Judiciary, August 1995-August 1997.

David R. Farmer

Supreme Court Building, P.O. Box 909, Jackson, TN 38302

Born Dec. 6, 1940, Springfield, MO. Married; two children; Methodist; B.B.A., University of Memphis, 1963; J.D., University of Memphis School of Law, 1966; admitted to Bar, 1966; Union Carbide Corp., 1966-68; private practice in Jackson, 1968-86; president, Jackson-Madison County Bar Association, 1980; member of Tennessee Bar Association, Tennessee Defense Lawyers Association, director, 1977-80, secretary treasurer 1983-84; vice president 1985; fellow, Tennessee Bar Foundation; Leo Bearman Sr. American Inn of Court; member of United States Army Reserve, 1966-72; appointed to Court of Appeals March 1986; elected August 1986; reelected August 1990 and 1998.

Alan E. Highers

Supreme Court Building, P.O. Box 909, Jackson, TN 38302

Born July 5, 1937, Muskogee, OK. Married, two children, Church of Christ; A.A. and LL.D., Freed-Hardeman University; B.A., David Lipscomb University; J.D., University of Memphis School of Law; admitted to Bar, 1968; private practice, 1968-73; lecturer University of Memphis School of Law, 1972; recipient of Outstanding Alumnus of the Year award by Freed-Hardeman University, 1977; special judge and referee at Juvenile Court of Memphis and Shelby County, 1973-77; Circuit Court judge in Memphis, 1977-82; selected Judge of the Year by National Reciprocal and Family Support Enforcement Association (NRFSEA) in Washington, D.C., 1982; faculty, National College of Juvenile and Family Court Judges, Reno, NV, 1980-85; Tennessee Judicial Conference, secretary 1978-79, vice president 1981-82, president 1984-85, member of Executive Committee for ten years; appointed to Court of Appeals, September 1982; elected August 1984; reelected August 1990 and 1998.

Holly M. Kirby

5050 Poplar Avenue, Memphis, TN 38157

Born July 9, 1957, Memphis, TN. Two children, Brooke and Scott. Methodist; graduate of Columbia Central High School, Columbia, TN, 1975; B.S. in Engineering, University of Memphis, 1979 (*magna cum laude*, Herff and Honors Alumni Scholarships); J.D., University of Memphis School of Law, 1982 (Herff Scholarship; *Law Review*, Notes Editor); admitted to Bar in 1982; law clerk to Honorable Harry W. Wellford, Sixth Circuit, U.S. Court of Appeals, 1982-83; practiced law in Memphis, 1983-1995 (first female partner in law firm Burch, Porter & Johnson); Tennessee Appellate Court Nominating Commission, 1989-94, chairperson, 1994; Leo Bearman Sr. American Inn of Court, 1995-98; University of Memphis Award for Outstanding Young Alumna, 1996; appointed to Court of Appeals in 1995 by Governor Don Sundquist (first woman to serve on Court of Appeals); elected 1996; elected to eight-year term August 1998.

Middle Section**William B. Cain**

215 Supreme Court Building, 401 Seventh Avenue North, Nashville, TN 37219

Born Jan. 30, 1932, Old Hickory, TN. Married, 2 children, St. Peter's Episcopal Church, Columbia, TN. Middle Tennessee State University; Cumberland University School of Law, 1958; delegate to 1965 Constitutional Convention; city attorney, city of Columbia, 1969-73; U. S. Army Corps of Military Police, 1950-1952; State Commander, The American Legion of Tennessee, 1969-70; member, National Legislative Commission, The American Legion, 1971-96; appointed circuit judge, 22nd judicial district, Dec. 31, 1986; elected 1988, reelected 1990; appointed to Court of Appeals April 1998; elected August 1998.

Frank G. Clement Jr.

401 Seventh Avenue, North, 215 Supreme Court Building, Nashville, TN 37219-1407
Born Aug. 1, 1949, Nashville, TN. One child, Jennifer; West End United Methodist Church; B.S.E., University of Memphis, 1972; president, Student Government Association, 1972; Governor Tennessee Intercollegiate State Legislature, 1972; J.D., Nashville School of Law, 1979; admitted to Bar, 1979; 164th Military Airlift Group, Tennessee Air National Guard, 1968-74; president, Nashville Kiwanis Club, 1987-88; chair, Nashville Area Chapter and Tennessee Valley Blood Region, American Red Cross, 1989-91; private practice of law, 1979-95; president, Nashville Bar Association, 1995; Harry Phillips American Inn of Court, 1990-01; Leadership Nashville, 1995; fellow, Tennessee and Nashville Bar Foundations; member, Tennessee and Nashville Bar Associations; National College of Probate Judges; treasurer and executive committee member, Tennessee Trial Judges Association, 1997-02; Tennessee Judicial Conference Convention chair, 1998; appointed 1995 judge of the circuit and probate court, 20th judicial district, elected 1996, reelected 1998; appointed to the Court of Appeals by Governor Phil Bredesen, September 2003; elected August 2004.

Patricia J. Cottrell

218 Supreme Court Building, 401 Seventh Avenue North, Nashville, TN 37219

Born January 15, 1947, in Memphis, TN; graduate of East High School, Memphis, 1965, National Merit Scholar; B.S. *with honors*, University of Tennessee, 1969; J.D., University of Tennessee College of Law, 1976; *Tennessee Law Review*; assistant attorney general, 1976-78 and 1982-84; director, Public Law Institute, University of Tennessee College of Law, 1978-79; assistant director, Tennessee Alcoholic Beverage Commission, 1979-81; deputy attorney general, 1984-1991; Director of Law, Metropolitan Government of Nashville and Davidson County, 1991-93; chief deputy attorney general, 1993-97; private practice of law in Nashville, 1997-98; Judicial Conference; Nashville Bar Association; Nashville Bar Foundation; Tennessee Bar Foundation; American Inns of Court; Supreme Court Historical Society; founding member, Lawyers Association for Women; Leadership Nashville, 1993-94; Charter Revision Commission of Metropolitan Government of Nashville and Davidson County, 1994-98; adjunct faculty, Vanderbilt School of Law, 1999; appointed to Court of Appeals November 1998; elected in 2000.

William C. Koch Jr.

203 Supreme Court Building, 401 Seventh Avenue North, Nashville, TN 37219

Born Sept. 12, 1947, Honolulu, HI; married; Episcopalian; B.A., Trinity College, Hartford, CT, 1969; J.D., Vanderbilt University, 1972; LL.M., University of Virginia, 1996; American, Tennessee, and Nashville Bar Associations; Harry Phillips American Inn of Court; United Way of Middle Tennessee; Tennessee Bar Foundation; Nashville Bar Foundation; American Judicature Society; Scribes; instructor in Constitutional Law, Nashville School of Law, 1997-present; adjunct instructor, Vanderbilt University School of Law, 1988-95; cochair, Tennessee Supreme Court Advisory Commission on Technology, 1997-present; assistant attorney general, 1972-76; senior assistant attorney general, 1976-77; deputy attorney general, 1977-78; commissioner, Department of Personnel, 1979-81; counsel to Governor Lamar Alexander, 1981-84; appointed to Court of Appeals June 1984; elected August 1984; reelected August 1990 and 1998.

Eastern Section**Herschel P. Franks**

Suite 562, McCallie Avenue, Chattanooga, TN 37402

Born May 28, 1930, Savannah, TN. Married; one child; United Church of Christ; attended University of Tennessee-Martin, University of Maryland; LL.B., University of Tennessee; graduate of National Judicial College; past president of Chattanooga Bar Association; member of American Bar Association, Chattanooga Bar Foundation and Tennessee Bar Foundation, Institute of Judicial Administration; U.S. Air Force, 1950-54; recipient of 1971 Optimist Community Service Award, 1986 Foundation of Freedom Award by Chattanooga Bar Association; listed in *Who's Who in American Law*, *Who's Who in the South and Southwest*; chancellor of third chancery division, 1970-78; appointed to Court of Appeals May 1978; elected August 1978; reelected August 1982, 1990, and 1998.

Sharon Gail Lee

P.O. Box 444, Knoxville, TN 37901-0444

Born December 8, 1953, Knoxville, Tennessee; two children: Sarah and Laura; Methodist; graduate of Webb School of Knoxville, 1971; attended Vanderbilt University; graduate of University of Tennessee, B.S. in Business Administration with high honors; College of Business, degree in accounting, 1975; Graduate of University of Tennessee College of Law, 1978; private practice in Madisonville, Tennessee, from 1978-2004; served as county attorney for Monroe County, Madisonville city judge, city attorney for Vonore and Madisonville; Rule 31 listed family mediator; member of Tennessee Trial Lawyers Association, Tennessee Lawyers' Association for Women, Tennessee Bar Association (House of Delegates), Monroe County Bar Association (president, vice president and secretary), Tennessee Counties Attorney Association, Tennessee Municipal Judges Association, Million Dollar Advocates Forum, American Judicature Society, American Association of Women Judges; coauthor of *Opening and Closing Arguments* appointed to Tennessee Court of Appeals, Eastern Section, June 4, 2004; elected August 2004.

Charles D. Susano Jr.

Supreme Court Building, 719 Locust Street, P.O. Box 444, Knoxville, TN 37901

Born March 24, 1936, Knoxville, TN. Married; three children; Immaculate Conception Roman Catholic Church; Ph.B. (Accounting), University of Notre Dame, 1958; U.S. Army, 1958-60; J.D., University of Tennessee, 1963; member, Order of the Coif; *Tennessee Law Review*; admitted to Bar, 1964; law clerk to Supreme Court, 1963-64; assistant district attorney general, Knox County, 1967-68; chairman, Knox County Democratic Party, 1972-74; member, state Democratic Executive Committee, 1974-82; member, Advisory Commission to Supreme Court on Civil Rules; practiced law in Knoxville, 1964-94; appointed to Court of Appeals March 1994; elected August 1994; reelected to eight-year term August 1998.

D. Michael Swiney

Supreme Court Building, 719 Locust Street, P.O. Box 444, Knoxville, TN 37901

Born May 25, 1949, Sarasota, FL; married; two children, Gabe and Eli; Church Street United Methodist Church; B.S., University of Tennessee, 1971; M.S., 1974, and J.D., 1978; member, Order of the Coif; admitted to Bar, 1979; practiced law in Knoxville, 1979-99; adjunct professor, University of Tennessee College of Law, 1997-present; Hamilton Burnett Chapter, American Inns of Court, 1991-present; appointed to the Tennessee Court of Appeals July 1999; elected 2000.

Court of Criminal Appeals

The Court of Criminal Appeals, created by the legislature in 1967, hears trial court appeals in felony and misdemeanor cases, as well as post-conviction petitions. The Tennessee General Assembly increased the membership of the court from nine to 12 on Sept. 1, 1996. The members sit monthly in panels of three in Jackson, Knoxville and Nashville. They may also meet in other places as necessary.

All Court of Criminal Appeals decisions may be appealed to the state Supreme Court by permission, except in capital cases, which are appealed automatically. No witnesses, juries or testimonies are present in the Court of Criminal Appeals. Instead, attorneys present oral and written arguments.

Court of Criminal Appeals judges serve eight-year terms. If a vacancy occurs on the court, the Judicial Selection Commission recommends three candidates to the governor, who then appoints a new judge to serve until the next August general election. Judges on the Court of Criminal Appeals may run for reelection without opposition. Incumbent judges are retained or rejected on a "yes-no" vote.



Court of Criminal Appeals judges are (seated from left) David G. Hayes, Joseph M. Tipton, Gary R. Wade, David H. Welles, Jerry Smith, (standing from left) Norma McGee Ogle, James Curwood Witt Jr., Robert W. Wedemeyer, Alan E. Glenn, John Everett Williams, J.C. McLin, and Thomas T. Woodall.

Western Section

Alan E. Glenn

5050 Poplar Avenue, Suite 1416, Memphis, TN 38157

Born October 3, 1942, Chicago, IL. Married; one child; Montgomery Bell Academy; B.A., 1965, J.D., 1968, Vanderbilt University; law clerk, U.S. District Judge, Memphis; assistant U.S. attorney, 1970-71; assistant district attorney general, 1971-82; private practice, Memphis, 1982-99; instructor, Trial Advocacy, Harvard Law School, 1986-present; lecturer, National College of District Attorneys, 1982-86; arbitrator, American Arbitration Association, 1985-99; member, Board of Construction Advisors, American Arbitration Association, 1995-99; president, National Ornamental Metal Museum, 1996-present; president, Memphis Arts in the Park Festival, 1997-98; vice president, Theatre Memphis, 1995-97; appointed to Court of Criminal Appeals April 1999; elected in 2000.

David G. Hayes

Supreme Court Building, P.O. Box 909, Jackson, TN 38302

Born August 22, 1943, Cookeville, TN. Married, three children; educated in the public schools of Obion County; B.S., University of Tennessee, 1964; J.D., University of Mississippi, 1970; graduate studies, University of Nevada; graduate, National Judicial College, Reno, NV; admitted to Tennessee Bar, 1971; staff attorney, Exxon Corporation, Houston, TX, 1971-72; partner firm of Maness, Conley & Hayes, Union City, TN, 1972-78; elected district attorney general, 1978; reelected, 1982; appointed circuit court judge 27th Judicial District, January 1990; elected, September, 1990; president of District Attorneys General Conference, 1984-85; Tennessee Judicial Conference; part-time faculty member, University of Tennessee at Martin; Union City Rotary Club; Tennessee Bar Association; Mississippi Bar Association; Tennessee Trial Lawyers; appointed to Court of Criminal Appeals April 1994; elected to unexpired term August 1994; reelected to eight-year term August 1998.

J.C. McLin

5050 Poplar Avenue, 1400 White Station Tower, Memphis, TN 38157

Born July 10, 1947, in Trenton, Tennessee. Married with three children. Ordained minister. Graduate of Rosenwald High School, Trenton, Tennessee; A.A., Owen College, Memphis, TN, 1968; B.S., Lane College, Jackson, TN, 1969; M.S. Ed., University of Tennessee, Martin, TN, 1971; J.D., University of Tennessee, Knoxville, TN, 1974; Graduate, National College of District Attorneys, Houston, Texas, 1979; Graduate, The National Judicial College, Reno, Nevada, 2001; Group Facilitator, The National Judicial College, Reno, Nevada, 2004. Admitted to the Tennessee Bar 1975. Memphis Area Legal Services, 1975; Assistant District Attorney, 30th Judicial District, 1975-90; private practice 1990-99; Criminal Court Judge, Thirtieth Judicial District of Tennessee, 2000-04; appointed to the Tennessee Court of Criminal Appeals, Western Division, September 2004. Associate minister, Mt. Pisgah Missionary Baptist Church; member of National Bar Association (NBA) Ben Jones Chapter; Memphis and Shelby County Bar Association; Tennessee Judicial Conference; Memphis Baptist Ministerial Association; and Lane College Board of Trustees. Founder, Information Assistance and Monitoring (I.A.M.) Program; Vice Chairman, Hands Across Memphis, CDC; board member of Creative Life, Inc.; City of Memphis Second Chance Program and the Riverview Kansas CDC.

John Everett Williams

115 Court Square, P.O. Box 88, Huntingdon, TN 38344

Born November 11, 1953, Milan, TN; one son; Methodist; graduate Huntingdon High School; B.S., (criminal justice) University of Tennessee at Martin; J.D., Cumberland School of Law, 1981; private practice, Williams & Williams Attorneys at Law, Huntingdon, TN 1981-98; member, Tennessee Bar Association, Tennessee Trial Lawyers Association; Carroll County Bar Association past president 1981-84; Huntingdon Jaycees' Outstanding Chairperson; Huntingdon Lion's Club past president 1991-92; American Heart Association; American Cancer Society; American Red Cross; Carroll County Habitat for Humanity, Carroll County Ducks Unlimited; Cumberland School of Law's cochairman Cordell Hull's Speakers' Forum and Director of Special Programs; appointed to Court of Criminal Appeals November 1998.

Middle Section**Jerry L. Smith**

200 Supreme Court Building, 401 Seventh Avenue North, Nashville, TN 37219

Born, December 9, 1953, Etowah, TN; Episcopal; graduate of McMinn Central High, 1971; B.A., University of Tennessee, 1975; J.D., University of Tennessee College of Law, 1978; private practice 1978-80; assistant attorney general, 1980-84; deputy attorney general, 1984-95; member of Tennessee Judicial Conference, Tennessee Bar Association, Nashville Bar Association; Attorney General's designee to the Tennessee Sentencing Commission, 1986-89; served on the Sixth Circuit Task Force on Capital Cases, 1987; president of the National Association of Extradition Officials, 1985-86; appointed to the Court of Criminal Appeals November 1995; elected 1996; reelected to eight-year term August 1998.

Robert W. Wedemeyer

200 Supreme Court Building, 401 Seventh Avenue North, Nashville, TN 37219

Born May 23, 1951, Nashville, TN. Married to Patricia Wedemeyer, professional harpist; three children, two step-children; Oak Ridge High School; B.A., Vanderbilt University, 1973; J.D., University of Memphis School of Law, 1976; private practice, Cunningham, Mitchell, Hicks & Wedemeyer, 1977-84, Wedemeyer & Grimes, 1985-90. Appointed to circuit court for the 19th judicial district (Montgomery and Robertson counties) by Governor Ned R. McWherter, 1990. Elected in 1990 and reelected in 1998. Appointed to the Court of Criminal Appeals by Governor Don Sundquist in 2000; elected in 2000. Member of Criminal Jury Instructions Committee of Tennessee Judicial Conference 1992-98. Current member of Bench/Bar relations committee of Tennessee Judicial Conference. Former Little League Coach, Youth Soccer Coach, YMCA Basketball Coach and past president of Montgomery County Chapter of American Red Cross. Graduate of Leadership Clarksville, 1988. Former board member of Roxy Regional Theatre in Clarksville. Excellent trumpet player at times.

David H. Welles

208 Supreme Court Building, 401 Seventh Avenue North, Nashville, TN 37219

Born July 10, 1948, Memphis, TN. Married; two children; Methodist; graduate of Dresden High School, 1966; B.S., University of Tennessee at Martin, 1971; J.D., University of Tennessee College of Law, 1974; Order of the Coif; practiced law in Dresden, 1974-87; part-time assistant district attorney general, 1976-87; chief clerk of the Tennessee House of Representatives, 1977-82; legal counsel to Governor Ned McWherter, 1987-94; Weakley County Bar Association, 1974-87; fellow, Nashville Bar Association, Tennessee Bar Association, American Bar Association; lieutenant colonel, Tennessee Army National Guard; member, Tennessee Court of the Judiciary; served as member of Supreme Court Commission on Racial and Ethnic Fairness; appointed to Court of Criminal Appeals February 1994; elected to unexpired term August 1994; elected to eight-year term August 1998.

Thomas T. Woodall

P. O. Box 1075, Dickson, TN 37056

Born April 28, 1955, Nashville, TN. Married; two children; Presbyterian; graduate of Battle Ground Academy, B.S., Tennessee Tech; J.D., University of Memphis; admitted to practice in Tennessee, 1981; member of Tennessee, Dickson County, and Nashville Bar Associations; Tennessee Judicial Conference; elder, First Presbyterian Church of Dickson; board of directors of Dickson County Habitat for Humanity, Inc.; board of directors of Dickson Help Center; City of Dickson "100 Years Celebration" Committee; sponsor member of Ducks Unlimited; former chairman, Benton County, Tennessee, Unit of American Heart Association; law clerk for Honorable Mark Walker, Judge, Court of Criminal Appeals, 1981-82; private practice of law, Shelby County, TN, 1982-84; assistant district attorney general, 24th judicial district, Huntingdon, TN, 1984-90; private practice of law, Dickson, 1990-November 1996; appointed to Court of Criminal Appeals December 1996; elected to eight-year term August 1998

Eastern Section**Norma McGee Ogle**

719 Locust Street, Knoxville, TN 37902

Born September 9, 1952, Lawrenceburg, TN. Married; one child; Methodist; B.S., University of Tennessee, 1974; J.D., University of Tennessee College of Law, 1977; admitted to practice law in Tennessee, 1977; member of Tennessee Bar Association, Sevier County Bar Association; Tennessee Human Rights Commission, commissioner and chairperson, 1995-98; State of Tennessee Local Planning Advisory Board member, 1997-98; board of directors, Boys and Girls Club of the Smoky Mountains, 1995-present; Sevier County Board of Education member and chairperson, 1982-94; board of directors, Fort Sanders Sevier Medical Center, 1982-94; board of directors, Sevier County Chapter of American Heart Association, 1991-94; advisory board member, Walters State Community College, 1997-present; Pigeon Forge City Attorney, 1990-98; member, Leadership Sevier Class of 1998; Memphis Area Legal Services, 1977-79; private practice of law, 1979-98. Appointed to Tennessee Court of Criminal Appeals 1998; elected in 2000.

Joseph M. Tipton

719 Locust Street, Knoxville, TN 37902

Born March 9, 1947, Birmingham, AL. Married; two children; Episcopal; graduate of Webb School of Knoxville; B.S., University of Tennessee Knoxville, 1969; J.D., University of Tennessee College of Law, 1971; Order of the Coif; Phi Kappa Phi Honor Fraternity; past president of Tennessee Association of Criminal Defense Lawyers; first recipient of TACDL's Outstanding Service Award; member of Tennessee Bar Association; former delegate to TBA House of Delegates; Knoxville Bar Association; member of Tennessee Judicial Conference; former adjunct professor, UT College of Law, 1983-92; assistant member of Tennessee Board of Law Examiners, 1981-96; appointed to Court of Criminal Appeals September 1990; elected August 1992; reelected to eight-year term August 1998.

Gary R. Wade

719 Locust Street, Knoxville, TN 37902

Born May 31, 1948, Knox County, TN. Married; three children; Methodist; B.S., University of Tennessee, 1970; J.D., University of Tennessee College of Law, 1973; private practice of law, 1973-87; University of Tennessee Chancellor's Associates, 1988-91; University of Tennessee College of Arts and Sciences Board of Visitors; University of Tennessee College of Law Dean's Circle; UT Development Council; Tennessee Bar Association, past member House of Delegates and Board of Governors; American Bar Association, Convention Delegate; Tennessee Trial Lawyers Association; Tennessee Association of Criminal Defense Lawyers; American Inns of Court; fellow, Tennessee Bar Foundation; Tennessee Sentencing Commission, 1990-94; Tennessee Judicial Conference, Executive Committee 1990-97; president, Tennessee Judicial Conference, 1995-96; president of Eta South Province, Phi Delta Theta Fraternity, 1990-97; past president of Sevierville Lions Club; former chairman of Sevier County Heart Association; recipient of 1987 American Heart Association Presidential Award; 1987 Key to the City of Sevierville; 1987 Sevierville Chamber of Commerce Award; *Mountain Press* Mover and Shaker of the Year, 1983-85 and 1997; Gary R. Wade Boulevard, 1987; mayor, city of Sevierville, 1977-87; president, Friends of the Great Smoky Mountains National Park; Leadership Knoxville Class 1995-96; vice chair, Leadership Sevier Class of 1997; Walters State Community College Foundation Board of Trustees; Pellissippi State Technical Community College President's Associates; board of directors, East Tennessee Foundation; honorary chair, Boys & Girls Club of the Smoky Mountains 1996 Financial Campaign; board of directors, AAA East Tennessee, United Way of Greater Knoxville Campaign Cabinet 1997; Tennessee's Resource Valley. Appointed to Tennessee Court of Criminal Appeals 1987; elected 1988; reelected 1990 and 1998.

James Curwood Witt Jr.

138 College Street, Madisonville, TN 37354

Born October 23, 1948, Knoxville, TN. Married; four children; Methodist; graduate of Madisonville High School, 1966; associate degree, Hiwassee College, 1968; bachelor's degree, Tennessee Wesleyan College, 1970 (Class rank - 1st); J.D., University of Tennessee College of Law, 1973 (Class rank - 1st); Order of the Coif; *Tennessee Law Review*; admitted to practice law in Tennessee, 1970; member of Tennessee and Monroe County Bar Associations; president, Monroe County Bar Association, 1977; judge, Monroe County Juvenile Court, 1979-82; Tennessee Council of Juvenile Court Judges, 1979-82; Hearing Committee member, Board of Professional Responsibility, 1986-92; member of Tennessee Judicial Council, 1980-88; chairman, board of trustees, Emory & Henry College, Tennessee Wesleyan College and Hiwassee College, 1987-90; member, Holston Conference (United Methodist Church) Board of Trustees, 1995; president, Boys & Girls Club of the Monroe Area, TN, Inc., 1996; presenter, Phi Theta Kappa, Tennessee Regional Honors Institute, 1995; appointed to Court of Criminal Appeals January 1997; elected to eight-year term August 1998.

Senior Judges**Jon Kerry Blackwood****J.S. "Steve" Daniel****Donald Paul Harris****William H. Inman****Jerry Scott****Allen Wilson Wallace****James L. Weatherford**

Senior judges are appointed by the Tennessee Supreme Court to serve two- or four-year terms. The retired trial or appellate court judges may be assigned on a temporary basis to any state court.

Administrative Office Of The Courts

*511 Union Street
Suite 600*

*Nashville, TN 37219
(615) 741-2687*

Elizabeth Sykes, *Interim Administrative Director*

The Administrative Office of the Courts (AOC) provides support to the Tennessee Supreme Court and the entire state court system. The director, appointed by the Supreme Court, is administrative officer for the courts and oversees the AOC. Duties of the office include preparing the court system's annual budget; providing judicial education, law libraries, computers, other equipment, training, and technical support for judges and other court personnel; assisting judges with case assignments; administering payroll accounts for the court system; conducting orientation for new judges; administering the official state criminal court reporters system; providing assistance to judicial committees; compiling data; and disbursing funds to court-appointed attorneys representing indigents.

Trial & Appellate Court Clerks

Michael Catalano, *Appellate Court Clerk*

Frankie Holt, *Chief Deputy Clerk, Knoxville*

Janice Rawls, *Chief Deputy Clerk, Nashville*

Susan Turner, *Chief Deputy Clerk, Jackson*

Appellate and trial court clerks are responsible for maintaining dockets and records and handling administrative matters in their courts. The clerks also serve as judicial system goodwill ambassadors since they have day-to-day interaction with the public.

Circuit Court clerks, elected in each county for four-year terms, also serve as General Sessions Court clerks in counties without designated General Sessions Court clerks. Clerks also are elected in counties with Probate and Criminal Courts. Each Chancery Court is served by a clerk and master who is appointed by the Chancery Court judge for a six-year term.

The Office of the Appellate Court Clerk is responsible for filing documents submitted by the parties with cases on appeal. The division where a case originates controls where the parties file their appeals. In capital cases where all appeals have been exhausted and where the execution date has been set, all papers submitted in the Supreme Court are filed in the Middle Division.

In addition to cases on appeal, all Rules of Court, petitions for public response altering or amending the Rules of Court, and Supreme Court opinions are filed in the Middle Division. This division is responsible for matters before the Court of the Judiciary and Board of Law Examiners Board of Professional Responsibility and certified questions of law from federal courts.

The clerk of the appellate courts is appointed by the Supreme Court for a six-year term and is based in Nashville, the Middle Division. Chief deputy clerks oversee the offices in Knoxville and Jackson.

State Trial Courts

Tennessee's ninety-five counties are divided into thirty-one judicial districts. Within each district are circuit courts and chancery courts as provided by the state Constitution. Some districts also have legislatively established criminal courts and probate courts. Judges of these courts are elected to eight-year terms.

Circuit Courts are courts of general jurisdiction in Tennessee. Circuit judges hear civil and criminal cases and appeals of decisions from City, Juvenile, Municipal, and General Sessions courts. The jurisdiction of Circuit Courts often overlaps that of the Chancery Courts.

Chancery Courts are a good example of the court system's English heritage. The traditional equity courts are based on the English system in which the chancellor acted as the "King's conscience." Chancellors may, by law and tradition, modify the application of strict legal rules and adapt the relief given to the circumstances of individual cases.

Criminal Courts are established by the General Assembly in areas where they are justified by heavy caseloads. In addition to having jurisdiction over criminal cases, Criminal Court judges hear misdemeanor appeals from lower courts and certain appeals from juvenile courts. In districts without Criminal Courts, criminal cases are handled at the trial level by Circuit Court judges.

Probate Courts are created by the legislature and given exclusive jurisdiction over probate of wills and administration of estates. The courts also handle conservatorships and guardianships.

Trial Court Judges by Judicial District

DISTRICT 1

Chancellor
Circuit Court Judges

Criminal Court Judges

(Carter, Johnson, Unicoi, and Washington counties)

G. Richard Johnson
Thomas J. Seeley Jr. (Part I)
Jean A. Stanley (Part II)
Lynn W. Brown
Robert E. Cupp

DISTRICT 2

Chancellor
Circuit Court Judges

Criminal Court Judge

(Sullivan County)

Richard E. Ladd
John S. McLellan III (Part I)
R. Jerry Beck (Part II)
Phyllis H. Miller

DISTRICT 3

Chancellor
Circuit Court Judges

Criminal Court Judge

(Greene, Hamblen, Hancock, and Hawkins counties)

Thomas R. Frierson II
John K. Wilson (Part I)
Ben K. Wexler (Part II)
Kindall T. Lawson (Part III)
James E. Beckner

DISTRICT 4

Chancellor
Circuit Court Judges

(Cocke, Grainger, Jefferson, and Sevier counties)

Telford E. Forgety Jr.
Ben W. Hooper II (Part I)
Richard Robert Vance (Part II)
Rex Henry Ogle (Part III)
O. Duane Slone (Part IV)

<u>DISTRICT 5</u>	(Blount County)
Chancellor	Telford E. Forgety Jr.
Circuit Court Judges	W. Dale Young (Part I) D. Kelly Thomas Jr. (Part II)
<u>DISTRICT 6</u>	(Knox County)
Chancellors	John F. Weaver (Part I) Daryl R. Fansler (Part II) Sharon J. Bell (Part III)
Circuit Court Judges	Dale Workman (Division I) Harold Wimberly Jr. (Division II) Wheeler A. Rosenbalm (Division III) Bill Swann (Division IV)
Criminal Court Judges	Richard R. Baumgartner (Division I) Ray L. Jenkins (Division II) Mary Beth Leibowitz (Division III)
<u>DISTRICT 7</u>	(Anderson County)
Chancellor	William E. Lantrip
Circuit Court Judge	James B. Scott Jr. retired September 2, 2005. As of press time, his replacement was pending.
<u>DISTRICT 8</u>	(Campbell, Claiborne, Fentress, Scott, and Union counties)
Chancellor	Billy Joe White
Circuit Court Judge	John D. McAfee
Criminal Court Judge	E. Shayne Sexton
<u>DISTRICT 9</u>	(Loudon, Meigs, Morgan, and Roane counties)
Chancellor	Frank V. Williams III
Circuit Court Judge	Russell E. Simmons Jr.
Criminal Court Judge	E. Eugene Eblen
<u>DISTRICT 10</u>	(Bradley, McMinn, Monroe, and Polk counties)
Chancellor	Jerri Bryant
Circuit Court Judges	Larry H. Puckett (Part I) John B. Hagler Jr. (Part II) Carroll Lee Ross (Part III)
Criminal Court Judge	Robert Steven Bebb
<u>DISTRICT 11</u>	(Hamilton County)
Chancellors	W. Frank Brown III (Part I) Howell N. Peoples (Part II)
Circuit Court Judges	Jacqueline E. Schulten (Division I) Samuel H. Payne (Division II) L. Marie Williams (Division III) W. Neil Thomas III (Division IV)
Criminal Court Judges	Douglas A. Meyer (Division I) Rebecca J. Stern (Division II) Steve M. Bevil (Division III)
<u>DISTRICT 12</u>	(Bledsoe, Franklin, Grundy, Marion, Rhea, and Sequatchie counties)
Chancellor	Jeffrey Stewart
Circuit Court Judges	Thomas W. "Rusty" Graham (Part I) J. Curtis Smith (Part II) Buddy D. Perry (Part III)

DISTRICT 13

Chancellor
 Circuit Court Judges
 Criminal Court Judges

(Clay, Cumberland, DeKalb, Overton, Pickett, Putnam, and White counties)

Vernon Neal
 John A. Turnbull (Part I)
 John J. Maddux Jr. (Part II)
 Leon C. Burns Jr. (Division I)
 Lillie Ann Sells (Division II)

DISTRICT 14

Circuit Court Judges

(Coffee County)

L. Craig Johnson (Part I)
 John Wiley Rollins (Part II)

DISTRICT 15

Chancellor
 Circuit Court Judges
 Criminal Court Judge

(Jackson, Macon, Smith, Trousdale, and Wilson counties)

C.K. Smith
 Clara W. Byrd (Division I)
 John D. Wootten Jr. (Division II)
 James O. Bond

DISTRICT 16

Chancellor
 Circuit Court Judges

(Cannon and Rutherford counties)

Robert E. Corlew III
 J. Mark Rogers (Part I)
 James K. Clayton Jr. (Part II)
 Don R. Ash (Part III)
 Royce Taylor (Part IV)

DISTRICT 17

Chancellor
 Circuit Court Judges

(Bedford, Lincoln, Marshall, and Moore counties)

James B. "J.B." Cox
 Robert Crigler (Part I)
 Franklin Lee Russell (Part II)

DISTRICT 18

Chancellor
 Circuit Court Judge
 Criminal Court Judge

(Sumner County)

Thomas E. Gray
 C. L. "Buck" Rogers
 Jane W. Wheatcraft

DISTRICT 19

Chancellor
 Circuit Court Judges

(Montgomery and Robertson counties)

Laurence M. "Larry" McMillan Jr.
 Ross H. Hicks (Part I)
 Michael R. Jones (Part II)
 John H. Gasaway III (Part III)

DISTRICT 20

Chancellors

 Circuit Court Judges

 Criminal Court Judges

(Davidson County)

Claudia Bonnyman (Part I)
 Carol McCoy (Part II)
 Ellen Hobbs Lyle (Part III)
 Richard Dinkins (Part IV)
 Hamilton Gayden Jr. (Division I)
 Marietta M. Shipley (Division II)
 Barbara N. Haynes (Division III)
 Muriel Robinson (Division IV)
 Walter C. Kurtz (Division V)
 Thomas W. Brothers (Division VI)
 David Randall "Randy" Kennedy (Division VII)
 Carol Soloman (Division VIII)
 Steve R. Dozier (Division I)
 J. Randall Wyatt Jr. (Division II)
 Cheryl A. Blackburn (Division III)
 Seth Norman (Division IV)
 Monte Watkins (Division V)
 Mark Fishburn (Division VI)

<u>DISTRICT 21</u> Circuit Court Judges	(Hickman, Lewis, Perry, and Williamson counties) Russ Heldman (Division I) Robert E. Lee Davies (Division II) Jeffrey S. Bivins (Division III) Timothy Easter (Division IV)
<u>DISTRICT 22</u> Circuit Court Judges	(Giles, Lawrence, Maury, and Wayne counties) Jim T. Hamilton (Part I) Robert Holloway (Part II) Robert L. "Bob" Jones (Part III) Stella L. Hargrove (Part IV)
<u>DISTRICT 23</u> Circuit Court Judges	(Cheatham, Dickson, Houston, Humphreys, and Stewart counties) Robert E. Burch (Division I) Leonard Martin (Division II) George C. Sexton (Division III)
<u>DISTRICT 24</u> Chancellor Circuit Court Judges	(Benton, Carroll, Decatur, Hardin, and Henry counties) Ron E. Harmon Charles Creed McGinley (Part I) Julian P. Guinn (Part II)
<u>DISTRICT 25</u> Chancellors Circuit Court Judges	(Fayette, Hardeman, Lauderdale, McNairy, and Tipton counties) Dewey C. Whitenton (Part I) Martha B. Brasfield (Part II) J. Weber McCraw (Part I) Joseph H. Walker III (Part II)
<u>DISTRICT 26</u> Chancellor Circuit Court Judges	(Chester, Henderson, and Madison counties) James F. Butler Roy B. Morgan Jr. (Division I) Donald H. Allen (Division II) Roger A. Page (Division III)
<u>DISTRICT 27</u> Chancellor Circuit Court Judge	(Obion and Weakley counties) W. Michael Maloan William B. Acree Jr.
<u>DISTRICT 28</u> Chancellor Circuit Court Judge	(Crockett, Gibson, and Haywood counties) George R. Ellis Clayburn Peebles
<u>DISTRICT 29</u> Chancellor Circuit Court Judge	(Dyer and Lake counties) J. Steven Stafford Russell Lee Moore Jr.
<u>DISTRICT 30</u> Chancellors Circuit Court Judges	(Shelby County) Walter L. Evans (Part I) Arnold B. Goldin (Part II) D. J. Alissandratos (Part III) John R. McCarroll Jr. (Division I) James F. Russell (Division II) Karen R. Williams (Division III) Rita L. Stotts (Division IV) Kay S. Robilio (Division V) Jerry Stokes (Division VI) Donna Fields (Division VII) D'Army Bailey (Division VIII) Robert L. Childers (Division IX)

Criminal Court Judges	Paula L. Skahan (Division I) W. Otis Higgs Jr. (Division II) John P. Colton Jr. (Division III) Carolyn Wade Blackett (Division IV) Joseph B. Dailey (Division V) W. Fred Axley (Division VI) Arthur T. Bennett (Division VII) Chris Craft (Division VIII) W. Mark Ward (Division IX) James C. Beasley Jr. (Division X)
Probate Court Judges	Robert Benham Donn Southern
<u>DISTRICT 31</u> Circuit & Chancery Court Judge	(Van Buren and Warren counties) Larry B. Stanley Jr.

Courts Of Limited Jurisdiction

General Sessions Court jurisdiction varies from county to county based on state laws and private acts. Every county is served by the court which hears civil and criminal cases. Civil jurisdiction is restricted to specific monetary limits and types of actions. Criminal jurisdiction is limited to preliminary hearings in felony cases and misdemeanor trials in which a defendant waives the right to a grand jury investigation and trial by jury in Circuit or Criminal Court. General Sessions judges also serve as juvenile judges except in counties in which the legislature has established separate Juvenile Courts. General Sessions judges are elected to eight-year terms.

Juvenile Court jurisdiction is vested in General Sessions Courts except in those counties in which the law establishes Juvenile Courts. Juvenile Courts have exclusive jurisdiction in proceedings involving minors alleged to be delinquent, unruly, dependent, and neglected. Juvenile Courts also have concurrent jurisdiction with Circuit, Chancery, and Probate Courts in some areas.

Municipal Court, also known as city court, has jurisdiction in cases involving violations of city ordinances. Jurisdiction varies widely from city to city.