

Application of  
**MARY ELIZABETH MADDOX**

to the  
**TENNESSEE JUDICIAL  
NOMINATING COMMISSION**

for nomination to  
**THE 6<sup>TH</sup> CIRCUIT JUDICIAL DISTRICT  
Knox County Circuit Court**

**Tennessee Judicial Nominating Commission**  
***Application for Nomination to Judicial Office***

*Rev. 22 December 2011*

Name: Mary Elizabeth Maddox

Office Address: 550 W. Main Street, Suite 500, Knoxville, TN 37902  
(including county)

Knox County

Office Phone: (865) 546-9321 Facsimile: (865) 637-5249

Email Address: [REDACTED]

Home Address: [REDACTED]  
(including county)

[REDACTED]

Home Phone: [REDACTED] Cellular Phone [REDACTED]

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**INTRODUCTION**

Tennessee Code Annotated section 17-4-101 charges the Judicial Nominating Commission with assisting the Governor and the People of Tennessee in finding and appointing the best qualified candidates for judicial offices in this State. Please consider the Commission's responsibility in answering the questions in this application questionnaire. For example, when a question asks you to "describe" certain things, please provide a description that contains relevant information about the subject of the question, and, especially, that contains detailed information that demonstrates that you are qualified for the judicial office you seek. In order to properly evaluate your application, the Commission needs information about the range of your experience, the depth and breadth of your legal knowledge, and your personal traits such as integrity, fairness, and work habits.

This document is available in word processing format from the Administrative Office of the Courts (telephone 800.448.7970 or 615.741.2687; website <http://www.tncourts.gov>). The Commission requests that applicants obtain the word processing form and respond directly on the form. Please respond in the box provided below each question. (The box will expand as you type in the word processing document.) Please read the separate instruction sheet prior to completing this document. Please submit the completed form to the Administrative Office of the Courts in paper format (with ink signature) **and** electronic format (either as an image or a word processing file and with electronic or scanned signature). Please submit fourteen (14) paper copies to the Administrative Office of the Courts. Please e-mail a digital copy to [debra.hayes@tncourts.gov](mailto:debra.hayes@tncourts.gov).

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

**PROFESSIONAL BACKGROUND AND WORK EXPERIENCE**

1. State your present employment.

Partner at Frantz, McConnell & Seymour, LLP

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

1994, BPR # 016576

3. List all states in which you have been licensed to practice law and include your bar number or identifying number for each state of admission. Indicate the date of licensure and whether the license is currently active. If not active, explain.

Tennessee

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).

Attorney - Frantz, McConnell & Seymour, LLP – Associate Attorney from 1998-2003; Partner from 2003-present. Practice in general civil litigation, both plaintiff and defendant.

Attorney – O’Neil, Parker & Williamson, PLLC – Clerk from 1992-1994, Researched and wrote legal briefs and pleadings; Associate Attorney from 1994-1998, civil litigation practice.

Prior to the practice of law, I did the following:

Server – Boar’s Head Inn, Charlottesville, Virginia. Summer 1991 – summer job prior to law school.

Server – South Street Restaurant, Charlottesville, Virginia. 1990-1991, part-time job during school.

Extern - Leadership Charlottesville – 1990-1991, planned and executed leadership program with the director during school.

College Program Participant – Walt Disney World, Orlando, Florida. Summer 1990.

Assembly line worker - Whittle Communications, Louisville, Tennessee. Summer 1987-1990.

Sales - Proffitt's Department Store, Maryville, Tennessee. Summers and Christmas 1988-1989.

6. If you have not been employed continuously since completion of your legal education, describe what you did during periods of unemployment in excess of six months.

Not applicable.

7. 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.

40% - Tort (Defense and Plaintiff in the following categories: car wrecks, slip and falls, product liability, etc.)

40% - Workers' Compensation (Plaintiff and Defense).

10% - Employment Law (Plaintiff and Defense).

10% - Collections, Social Security Disability, ERISA/Contracts, and other miscellaneous civil matters.

8. 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. In making your description, include information about the types of matters in which you have represented clients (e.g., information about whether you have handled criminal matters, civil matters, transactional matters, regulatory matters, etc.) and your own personal involvement and activities in the matters where you have been involved. In responding to this question, please be guided by the fact that in order to properly evaluate your application, the Commission needs information about your range of experience, your own personal work and work habits, and your work background, as your legal experience is a very important component of the evaluation required of the Commission. Please provide detailed information that will allow the Commission to evaluate your qualification for the judicial office for which you

have applied. The failure to provide detailed information, especially in this question, will hamper the evaluation of your application. Also separately describe any matters of special note in trial courts, appellate courts, and administrative bodies.

In the summer of 1998 I started practicing with my current law firm. I had four years of litigation experience under my belt and I was ready to hit the ground running. I had been with my firm for less than one month when a senior partner nicknamed Snake brought me a file and advised that I needed to appear in federal court to argue *Daubert* motions the next day. I had rarely appeared in federal court at that point in time and I had never argued a *Daubert* motion. However, not wanting to appear risk-averse or timid, I took the file and began my preparation. The motions went well and we proceeded towards trial in the tort action.

On the day prior to the federal court jury trial, this partner approached me once again and inquired as to whether or not I was available to go to trial on the case with him. I advised that my schedule was clear. The next hour he gave me the whole file and it quickly became evident (when he mentioned he had to leave early on the second day) that I was going to be trying this case as the primary attorney.

Opposing us were two well-seasoned trial lawyers from Knoxville. I again did not want to be regarded as timid as I assumed he might be bluffing to see if I was actually willing to try this case. I also wanted the firm to know that I was a team player and that I was willing to tackle anything. Perhaps my judgment is sounder now than it was then, but I proceeded to take the lead and try the case. We chose a jury for an entire morning, which involved a self-employed garage door installer who had been injured in a trucking accident. It went on for two days (and the partner really did leave early on the second day) and involved several expert witnesses live at trial. Although it was a stressful situation, I knew without a doubt that I loved litigation and wanted to be in the courtroom. I was not entirely satisfied with the jury's result but our client was pleased. The following day, the firm's senior partner and leader sat me down and told me not to look back. I have not.

I have been fortunate over the years to have had a varied practice in many courts in Tennessee and in many types of cases. The irony is that I had no desire to litigate until I participated in trial practice class during my third year of law school. I adored the teacher who taught this class and he remains a friend in the Knoxville Bar to this day. When I tried my first jury case in 1996 with success, I called to thank him for how much he taught me. Every time I enter the courtroom on any matter, I do so with some amount of trepidation but once things are under way, I realize once again how much I love trial work.

I have had the opportunity to try many types of cases in both state and federal courts in Tennessee. I have represented both plaintiffs and defendants. I have litigated in Knox, Roane, Loudon, Jefferson, Sevier, Blount, McMinn, Rhea, Hamblen, Claiborne, Greene and Morgan County courts. These trials have been both jury and bench in nature. In state courts, I have been in Sessions, Chancery and Circuit courtrooms. I have tried workers' compensation matters, car wrecks, insurance cases, breach of contract cases, retaliation matters, medical malpractice defense cases, and collection matters over my years in practice. Of all of the above trials, I

served as second chair only in the medical malpractice realm where I had an excellent mentor. It has been a wonderful advantage for me to have an opportunity to try cases on my own from the very beginning of my career. While it was intimidating at first, I realize now how many long and rewarding hours I have spent in the courtrooms all over East Tennessee.

I started litigating at the law firm of O'Neil, Parker & Williamson ("OPW") in 1994 which was my first job out of law school. Two years later, I had my first jury trial. While at OPW, I had a wonderful opportunity to represent a major insurance carrier in its subrogation cases. This meant that I was constantly in court with great trial lawyers which afforded me the opportunity to observe how they practiced law and how they operated in a courtroom setting. One case in particular involved a Roane County Circuit Court jury trial where both plaintiffs were paralyzed from a bad car wreck. A very well-known and well-respected attorney from Knoxville represented these plaintiffs. The case was tried for a month straight with numerous experts as it involved a product liability issue with their vehicle. I was in the "back room" throughout this trial. I saw the preparation undertaken by this plaintiff attorney. I saw his thought processes about how to try a case. It was an invaluable experience for a young lawyer and I loved every minute of it.

I officially had the trial bug after my first solo case. Unfortunately, I think that trial lawyers are a disappearing breed. Many lawyers never have the opportunity to try jury cases in today's courts. While I recognize that mediation is important and relevant, a tool I use frequently in my practice, trial work in my opinion is the most exciting part of being an attorney.

Being in many different courts and with many different judges, it has taught me what I think is effective from the bench and what is not. I tried a sessions case years ago in another county where I was encouraged by attorneys prior to trial to wear my most provocative clothing. This advice did not agree with my moral compass and I decided to get the court's attention with the merits of the case. I tried the case and my client prevailed but I still think to this day about the fact that this judge's reputation may have hinged on matters that have no place in our judiciary. I have had the opportunity to appear in front of and be mentored by some excellent judges in my career. I may not win every case I try, but when I am in front of a Judge I always assume he or she will carry out their judicial responsibility and make an informed decision.

The last jury matter that I actively tried was in a county an hour from Knoxville. I represented a man who did not have the money to pay a lawyer. He was referred from an out-of-county lawyer and I undertook representation of him with the understanding that I would not run up his legal bills as he had no insurance and little to no means to pay. After avoiding as much of the proof as possible, we entered into a multi-day jury trial with five defendants. Although I felt ill-prepared to be there as opposed to cases where I participate fully in all discovery, I was advised that my client was the first-named defendant and therefore I was to take the lead at trial as the judge put the first jurors in the box. It required more improvisation than usual but we prevailed. My client who is now a self described "little country traveling preacher" took the stand on the third day. He spoke to the jury like he was one of them. His testimony was so good and effective that the plaintiffs non-suited him while he was on the stand to stop him from testifying any further. The jury applauded his release. When he finally understood what had

happened, he came off the stand and hugged the plaintiffs, their attorney, and the remaining defendants. He still cannot pay my legal fees in full but he is the kind of client that reminds me why I do what I do and why I love it.

I have started over the last several years to represent more injured persons than I have in the past. I enjoy the personal level of involvement that one has with these types of clients. However, I also recognize that this type of practice brings with it a new set of issues, namely the desire to “win” especially when these people are depending on me for justice.

As I reflect on my years of practice and my years of experience in submitting this information to you, I am overwhelmed by a number of great experiences and I am also reminded of some that were not so great. I likely prepare too much for jury matters, but I have learned over the years the importance of being adequately prepared. I take great pride in my profession and would hope to use a position on the bench to further support quality trial and legal work. It has always been my belief that one case is never worth one’s reputation. I always try to do the right thing and not to compromise my values no matter whether I will win or risk losing.

9. Also separately describe any matters of special note in trial courts, appellate courts, and administrative bodies.

I have detailed many trial court experiences in the answer to number 8. Three cases which span my legal career in the appellate system and some details about each are as follows:

*Anderson v. Macks Used Cars & Parts, Inc.*, 1995 WL 433297, Tennessee Court of Appeals, Eastern Section - This was a wrongful death action which I tried with a senior partner in my first law firm under a theory of premises liability set forth by opposing counsel. The plaintiff appealed the trial court's directed verdict. The Court of Appeals affirmed the trial court judgment. This was the first case I argued before the Court of Appeals. I was one year out of law school.

*Rebecca J. Amell v. Liberty Mutual Insurance Company*, 2000 WL 559552, Tennessee Special Workers' Compensation Appeals Panel, May 2000 - This case involved a very specific application of the Tennessee Workers' Compensation Law where a Sevier County trial held that one surviving dependent in a death compensation case was entitled to be paid at 50% of the average weekly wage up to the maximum total benefit. This case is cited in the workers' compensation statute although it was not reported. The Panel upheld the trial court judge's ruling. This case was a loss for me but a valuable experience on a complicated legal issue.

*Wausau Insurance Company v. Richardson*, 2011 WL 536438 (2011) - This was the most recent case I had before the Tennessee Supreme Court Workers' Compensation Panel. The Panel upheld the trial court ruling that the employer did not have actual notice of the claimant's injury and that the claimant did not meet the burden of proof on the issue of causation, dismissing the case in favor of the employer. The brief in this matter is attached.

10. If you have served as a mediator, an arbitrator or a judicial officer, describe your experience (including dates and details of the position, the courts or agencies involved, whether elected or appointed, and a description of your duties). Include here detailed description(s) of any noteworthy cases over which you presided or which you heard as a judge, mediator or arbitrator. Please state, as to each case: (1) the date or period of the proceedings; (2) the name of the court or agency; (3) a summary of the substance of each case; and (4) a statement of the significance of the case.

I am listed as a Rule 31 family law mediator and have an application pending for Rule 31 Civil Mediator but have not yet served in this capacity.

11. Describe generally any experience you have of serving in a fiduciary capacity such as guardian ad litem, conservator, or trustee other than as a lawyer representing clients.

I have been asked several times over the years to serve as guardian *ad litem* in tort cases involving minors. Most recently, I was appointed by Roane County Chancery Court to serve as a guardian *ad litem* in a divorce action. I have been actively involved in protecting the best interests of the minor children in this matter which is still ongoing.

I have served as the treasurer of Character Counts Knox County in the past. I recently chaired the Florence Crittenton Agency in Knoxville where we administered a budget of over \$6 million.

I served as guardian for a man I represented through the University of Tennessee Legal Clinic when I first started my law practice. I managed all of his finances and had power of attorney over his legal affairs.

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

The last several years of my practice involved proceedings at the Tennessee Department of Labor Workers' Compensation Division with the advent of the mandatory benefit review conference process as well as administrative review. While I still make opening statements at mediation and vigorously advocate on behalf of my clients, it is a different realm of practice. I have conducted well over 100 mediations in the last several years at the Department of Labor. I have also had the opportunity to conduct numerous hearings on appeal. I feel that I have used my litigation skills in this arena, as well, but that I have had to adapt them to fit a process that has changed. I also am a certified family law and pending civil mediator, as I recognize that a great part of the future of the practice of law exists in this area.

13. List all prior occasions on which you have submitted an application for judgeship to the Judicial Nominating Commission or any predecessor commission or body. Include the specific position applied for, the date of the meeting at which the body considered your application, and whether or not the body submitted your name to the Governor as a nominee.

Not applicable.

### EDUCATION

14. 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.

University of Virginia, Charlottesville, Virginia, Bachelor of Arts, 1991, Major - French, Minor - Religion, Concentration - Business.

University of Richmond, Study abroad in LaRochelle, France, Summer 1990.

University of Tennessee College of Law, 1994, Doctor of Jurisprudence, Legal Clinic participant, Admissions Committee student representative.

### PERSONAL INFORMATION

15. State your age and date of birth.

43; March 17, 1969

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

I have lived in Tennessee my whole life except during my years in college or when I was studying abroad.

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

18 years.

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

Knox County.

19. Describe your military Service, if applicable, including branch of service, dates of active duty, rank at separation, and decorations, honors, or achievements. Please also state whether you received an honorable discharge and, if not, describe why not.

Not applicable.

20. Have you ever pled guilty or been convicted or are you now on diversion for violation of any law, regulation or ordinance? Give date, court, charge and disposition.

No.

21. 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.

22. If you have been disciplined or cited for breach of ethics or unprofessional conduct by any court, administrative agency, bar association, disciplinary committee, or other professional group, give details.

Not applicable.

23. 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.

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

No.

25. 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.

No.

26. 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.

I recently chaired the Florence Crittenton Agency in Knoxville, Tennessee which serves young people in crisis through both in-house residential programs and outreach programs in the community including foster care. My portion of the 2012 annual report is attached. I have been a member of the Board for over 6 years. I have served on the Planning and Assessment Committee and chaired the same. I also chaired the search committee for the CEO four years ago.

I previously served as a board member for Character Counts Knox County which promotes the Six Pillars of Character for youth and adults in our community. While on this Board, I chaired the nominating committee. I also served as Treasurer for one year.

I have been active in the Rocky Hill Elementary School PTO for the last several years. I have been a board member for three years in the past, serving as Parliamentarian several times. I have also participated on the nominating committee and on sub-committees of several fund raisers including the Rodeo and Great Fall Harvest. I also volunteer in my children's classrooms, having been in charge of class schedules for several years.

I have volunteered for the last four years for the Trois Chefs event for Childhelp which serves victims of child abuse in Knoxville. This position mainly entailed details of the dinner itself as well as help with auction items.

I am a member of Cedar Springs Presbyterian Church. I served several years as a primary caregiver for infants at Cedar Springs. I more recently taught Sunday School for elementary students at Fellowship Evangelical Free Church.

I belong to the Kensington Homeowners Association and Town and Country Garden Organization.

27. 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**

28. 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.

I have been a member of the Knoxville Bar Association since 1994. I am currently serving a three-year term as an at-large member of the Board of Governors. I was President of the Barristers (young lawyers of the KBA) in 2002. I co-chaired the Mock Trial program for the Barristers for several years. I also started Volunteer Breakfast at the mission during the time I served in that arm of the KBA. I was a founding chair of what is now known as the Work Life Balance Committee of the Knoxville Bar and served as a co-chair of this committee from 2004-2012. Prior to this Committee, I co-chaired the Task Force for the Future and served on the nominating committee for the KBA.

As a member of the Tennessee Bar Association since 1994, I was honored to be a part of the Tennessee Bar Association Leadership Law ("TBALL") class of 2007. I have been fortunate to serve on the Steering Committee for TBALL for the 2012 and upcoming 2013 classes.

I am a Master in the Hamilton-Burnett Inn of Court in Knoxville. I led a pupillage group in charge of presenting a program for this organization in 2010.

29. 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.

As stated above, I was chosen as a member of the 2007 Tennessee Bar Association Leadership Law Class. I have been honored to be named one of the top attorneys in Knoxville by Cityview magazine for the last two years. The reason that I consider this a true honor is that it is decided by a vote of my peers. In 2011, I received votes for Workers' Compensation practice. In 2012, I was named a top attorney in Personal Injury-Auto Accidents-Plaintiff, Personal Injury Auto Accidents-Defense, Workers' Compensation-Plaintiff, Workers' Compensation-Defendant, Personal Injury-General- Plaintiff, Civil Litigation, and Insurance Law.

30. List the citations of any legal articles or books you have published.

Not applicable.

31. List law school courses, CLE seminars, or other law related courses for which credit is given that you have taught within the last five (5) years.

I have taught the following CLE courses for credit:  
2007- How to Successfully Resolve Automobile Cases  
2008- Ethics Bowl participant for Knoxville Bar Association  
2009- E-Discovery: The Mystery Unraveled- Inns of Court presentation  
2011- Handling the Workers' Compensation Case from Start to Finish  
2012- Knoxville Bar Association Lunch and Learn- Workers' Compensation Update

All of the above presentations were taught jointly with other lawyers.

32. 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.

33. Have you ever been a registered lobbyist? If yes, please describe your service fully.

No.

34. Attach to this questionnaire at least two examples of legal articles, books, briefs, or other legal writings which reflect your personal work. Indicate the degree to which each example reflects your own personal effort.

See attached. All administrative samples are purely my work product. I was assisted by an associate on the *Richardson* brief and I tried the underlying case by myself.

**ESSAYS/PERSONAL STATEMENTS**

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

I have not concentrated my legal career with an eye towards being on the bench. Rather, I have always strived to be the best attorney I can be for my clients. However, when this position came open, I realized that I can have a great impact on my profession in a different way by serving as a judge. At the end of the day, I want to have made a difference. If I am given the opportunity to be just and fair to simply one person, who would not experience those things otherwise, it will be worth my effort. I want to serve and serve well. I am always inspired by great leadership.

36. State any achievements or activities in which you have been involved which demonstrate your commitment to equal justice under the law; include here a discussion of your pro bono service throughout your time as a licensed attorney. *(150 words or less)*

At one point in my career, I served on the Pro Bono Committee of the Knoxville Bar Association. While this service was worthwhile, I relish one-on-one contact with people who need help. In 1994 while I was with the UT Legal Clinic, I represented a man who had been severely beaten and needed public assistance for the resulting brain injury and schizophrenia. We got those benefits for him. After I graduated and entered private practice, I continued to help this man for years by serving as his trustee and doing basic things such as helping him grocery shop. In the last year, I represented someone through Legal Aid in an employment matter that required an administrative hearing. I learned from my father early in life that it is the people that society thinks do not matter that truly do.

37. 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)*

Knox County Circuit Court, Division III, has been a well-respected court and judge in Knox County since I started practicing here. Currently there are four divisions in Knox County Circuit Court with Division IV being devoted to domestic matters only. While improvements and changes can and will be made with a change in judges, I acknowledge that this court is one that does not need vast improvement as it has been run well and with fairness for years. What Circuit Division III does need is continued excellence and a seamless transition to another jurist on the bench so that the system continues to work. I would endeavor to get the docket under control and keep it as clear as possible. If chosen, I will certainly strive to move cases along in an efficient manner and provide the opportunity for timely hearings for all persons involved.

38. Describe your participation in community services or organizations, and what community involvement you intend to have if you are appointed judge? *(250 words or less)*

I have been active in many community organizations over the years, having served on the board of the Florence Crittenton Agency, Character Counts of Knox County, Rocky Hill Elementary School PTO, and the Knoxville Barristers and Bar Association. I have also served as a primary caregiver for church infants at Cedar Springs Presbyterian Church and most recently as a second grade Sunday School teacher at Fellowship Evangelical Free Church. I have volunteered my time with Childhelp fundraisers for five years. In the recent past, I have been much more deliberate about how I volunteer my time with smaller children, but I have and will always volunteer to the extent possible, even if I am on the bench. There is no better perspective than one which is gained by helping those less fortunate than yourself. The Rules of Judicial Conduct encourage participation in educational, religious, charitable, fraternal and civic organizations with certain limitations and I would be involved only to the extent allowed by these Rules.

39. Describe life experiences, personal involvements, or talents that you have that you feel will be of assistance to the Commission in evaluating and understanding your candidacy for this judicial position. *(250 words or less)*

Being a mom is my most important task in life. I want to have successful children with hearts for service. My husband and I have committed to our children through our time and service to their activities. They are 8 and 10 years old. Both are excellent students in the public school system. My son plays several sports including baseball, basketball and swimming. My daughter rides horses, runs, plays soccer, basketball, swims, and participates in Girl Scouts. Both have a wonderful sense of humor and a love of life. They love that I have a career and enjoy the times they have been able to attend court with me. Ultimately, I know my family matters more than anything and this fact is very clear to them. I will not define myself by cases I have won or lost. I will define myself by the character I built in myself and others.

I view the Circuit Court judge position as a calling. Nothing I have done in the way of my career or public service was done in order to put me in the position of judge. I am thankful for the successes, but truthfully I have become who I am because of the disappointments. Before each trial, I pray to God justice will be done- and I remind myself that although I might think I know what justice is, it is not my call and I have to trust in the system no matter the outcome.

40. 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. It is the duty of any judge to uphold the substance of the law. A judge does not have the power to change the law, only to interpret it in the most fair and honest way possible. Most recently, the legislature enacted new workers' compensation legislation that required a benefit review conference to be held prior to court litigation. This statute also allows either party to file suit in a court of appropriate jurisdiction if settlement is not reached at the benefit review process. This legislation has resulted in what has been termed a "race to the courthouse" where either side tries to choose the venue desired. I dislike this process immensely as it reeks of gamesmanship. However, I am obligated to inform my clients of this right and to file suit if they so direct even if I think it is a poor way to handle these affairs.

#### REFERENCES

41. 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. Arthur G. Seymour, Jr., partner, Frantz, McConnell & Seymour, LLP, P.O. Box 39, Knoxville, Tennessee 37901, (865) 546-9321.

B. Steve West, West Properties, partner and former President and owner of West Chevrolet, 3450 Airport Highway, Alcoa, Tennessee 37701, (865) 207-1060.

C. Chancellor Frank V. Williams, III [REDACTED]  
[REDACTED]

D. Angelia Nystrom, Esq., Director of Planned Giving, University of Tennessee Foundation, Inc., 600 Andy Holt Tower, Knoxville, Tennessee 37996, (865) 974-8634.

E. Nancy Christian, M.Ed., President/CEO, Florence Crittenton Agency, 1531 Dick Lonas Road, Knoxville, Tennessee 37909, (865) 602-2902.

**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 [Court] 6th 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: November 8, 20 12.

Mary Elizabeth Maddox  
Signature

When completed, return this questionnaire to Debbie Hayes, Administrative Office of the Courts, 511 Union Street, Suite 600, Nashville, TN 37219.



**TENNESSEE JUDICIAL NOMINATING COMMISSION**

511 UNION STREET, SUITE 600  
NASHVILLE CITY CENTER  
NASHVILLE, TN 37219

**TENNESSEE BOARD OF PROFESSIONAL RESPONSIBILITY  
TENNESSEE COURT OF JUDICIARY  
AND OTHER LICENSING BOARDS**

**WAIVER OF CONFIDENTIALITY**

I hereby waive the privilege of confidentiality with respect to any information which 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 Court of 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 Tennessee Judicial Nominating Commission to request and receive any such information and distribute it to the membership of the Judicial Nominating Commission.

Mary Elizabeth Maddox  
Type or Printed Name

Mary Elizabeth Maddox  
Signature

November 8, 2012  
Date

016576  
BPR #

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

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