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**CONTACT:** Jill Presley, *Marketing & Communications Director*  
[jill.presley@nashvillebar.org](mailto:jill.presley@nashvillebar.org) | 615-242-9272



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## FOR IMMEDIATE RELEASE

### The Nashville Bar Association Issues Statement on Independent Judiciary

**Nashville, TN** – The [Nashville Bar Association](#), the [Tennessee Chapter of the American Board of Trial Advocates](#), and past presidents of the Nashville Bar Association—Gail Ashworth, Laura Baker, Jonathan Cole, Lew Connor, Jim Doran, Charles Grant, Bill Harbison, Aubrey Harwell, Trey Harwell, John Kitch, Lela Hollabaugh, Bob Mendes, Erin Palmer Polly, Gregg Ramos, Scott Sims, Bob Walker, and Tom Wiseman—join together to defend the independence of the judiciary in Tennessee.

The resolution introduced recently in the Tennessee House of Representatives to remove Chancellor Ellen Hobbs Lyle from the bench is dangerous because it threatens our independent judiciary and undermines the rule of law. Chancellor Lyle was appointed in 1995 by a Republican Governor. The citizens of Davidson County have since elected her numerous times. Significantly, no judge in the history of the state of Tennessee has ever been removed because the Legislature did not agree with the judge’s ruling. Judges must be free to issue rulings based on the facts and law as they see the cases before them, especially in controversial cases and those involving the government.

Chancellor Lyle has been recognized by her peers as one of the top judges in Davidson County and the state of Tennessee. This is reflected in the Tennessee Supreme Court’s decision in 2015 to select Chancellor Lyle to preside over Tennessee’s first business court docket pilot project. Chancellor Lyle is also active in the community and has served as a board member for the Lawyers’ Association for Women and is a member of the board of the Nashville Bar Association.

Alexander Hamilton taught that the Judicial Branch “is beyond comparison the weakest of the three departments of power . . . it can never attack with success either of the other two . . . ; all possible care is requisite to enable it to defend itself against their attacks.” The judiciary is unable to defend itself from attacks on its independence. Accordingly, it is up to the community and attorneys to stand up for this fundamental principle. We urge others to join us in defending against this attack on the independent judiciary.

The Nashville Bar Association takes official positions on matters of public interest relating to the legal system, the courts, and/or the administration of justice that the NBA Board believes necessary and appropriate to provide public awareness and understanding of these matters.

*Judges must be able to decide controversial cases based on the facts and the law, not based on how their decision may be perceived by the Legislature. No judge in the history of our State has been removed because the Legislature disagreed with the judge’s decision. Violating that precedent threatens the people’s rights under our Constitution. The Nashville Bar Association is working with other organizations to urge our Legislature to oppose this Resolution. —[Mike Abelow](#), NBA President*

#### **About the Nashville Bar Association**

The Nashville Bar Association, established in 1831, is a professional organization serving the legal community of Nashville, Tennessee. The NBA—with almost 3,000 members—is the largest metropolitan bar association in Tennessee.

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