

Wade V. Davies

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Information

- Criminal Defense & White Collar Investigations
- Representation of Professionals in Licensure & Discipline Matters
- Managing Partner, RDJS
- Fellow, American College of Trial Lawyers
- Past President, Knoxville Bar Association
- Columnist on Criminal Law, *Tennessee Bar Journal*

Mr. Davies attended Pomona College in Claremont, CA where he obtained a Bachelor of Arts in history before attending the University of Tennessee College of Law. During his first year in law school, he joined the firm and went on to graduate first in his class in 1993. Mr. Davies became a partner at RDJS in early 1999, and is now the managing partner at the firm.

Mr. Davies represents his clients at both trial and appellate levels in his criminal defense practice, offering legal assistance for everything from state court cases to complicated federal trials. In his civil practice, Mr. Davies focuses on litigation against both federal and state government and agencies. He has provided representation for attorneys and healthcare professionals in civil, criminal, and administrative matters. He has also

served as an expert witness on the standards for defense counsel in criminal cases.

Mr. Davies is a Fellow in the American College of Trial Lawyers and is listed in *The Best Lawyers in America*. He has been honored with Martindale-Hubbell® Law Directory's highest ranking (AV) and is a graduate of the National Criminal Defense College. He is a member of numerous organizations, including the Knoxville Bar Association, Tennessee Bar Association, and the American Bar Association, as well as the Tennessee Association of Criminal Defense Lawyers and the National Association of Criminal Defense Lawyers. Additionally, Mr. Davies has been named a Master of the Bench of the Hamilton Burnett American Inn of Court.

After serving a full term on the KBA Board of Governors and Executive Committee, Mr. Davies served as President of the Knoxville Bar Association in 2014. He has served two full terms on the Board of Directors of TACDL and was recently elected to a third term. The Tennessee Supreme Court appointed Mr. Davies to the Board of Professional Responsibility, where he served two full terms. Additionally, he is past-Chair of the Helen Ross McNabb Center Board of Directors and was recently asked to return for a third term.

Selected Publications:

- “[Getting in Trouble by Accident, Part II](#),” *Tennessee Bar Journal*, November 2019, Vol. 55, No. 11.
- “[Stethoscopes or Bars: Prosecution of Health Care Professionals Ramps Up](#),” *Tennessee Bar Journal*, July 2019, Vol. 55, No. 7.
- “[‘I’m Sorry’: Are Apologies Effective?](#)” *Tennessee Bar Journal*, March 2019, Vol. 55, No. 3.

- [“Did You Really Post a Picture of Yourself Committing a Crime?: Authentication of Social Media,”](#) *Tennessee Bar Journal*, November 2018, Vol. 54, No. 11
- “It’s Amazing What You Can Find in Those Books: Underutilized Rules for the Criminal Law Practitioner,” *Belmont Criminal Law Journal*, Vol. 1, 2018.
- [“Who Goes First? Did Traditional Rules for Non-Sequestered Witnesses Survive Rule 615?”](#) *Tennessee Bar Journal*, July 2018, Vol. 54, No. 7.
- [“Should the Defendant Testify? Is There Any Research?”](#) *Tennessee Bar Journal*, March 2018, Vol. 54, No. 3.
- [“Guilty Minds,”](#) *Tennessee Bar Journal*, November 2017, Vol. 53, No. 11.
- [“Crime & Punishment: Bitcoin Criminals,”](#) *Tennessee Bar Journal*, July 2017, Vol. 53, No. 7.
- [“Using the Summary Rule to Advance Your Trial Theory.”](#) *Tennessee Bar Journal*, March 2017, Vol. 53, No. 3.
- [“Practical Ethics,”](#) *Tennessee Bar Journal*, November 2016, Vol. 52, No. 11.
- “Defining and Limiting the ‘Community Caretaking’ Exception,” *Tennessee Bar Journal*, July 2016.
- [“Public Records as Evidence in Criminal Cases,”](#) *Tennessee Bar Journal*, March 2016; <http://www.tba.org/journal/public-records-as-evidence-in-criminal-cases>
- “(Not) Summary Judgment,” *Tennessee Bar Journal*, November 2015; http://www.tba.org/sites/default/files/journal_archives/2015/TBJ1115.pdf
- “Attempting to Remedy the Erroneous Use of Microscopic Hair Comparison in Tennessee,” *Tennessee Bar Journal*, July 2015; http://www.tba.org/sites/default/files/journal_archives/2015/TBJ0715.pdf

- “Legislative Initiatives on Privacy and Criminal Law,” *Tennessee Bar Journal*, March 2015; http://www.tba.org/sites/default/files/journal_archives/2015/TBJ0315.pdf
- “Is Our Capacity Diminished to Understand Diminished Capacity,” *Tennessee Bar Journal*, November 2014; <http://www.tba.org/journal/is-our-capacity-diminished-to-understand-diminished-capacity>
- “Regrets,” *DICTA*, President’s Column, November 2014; <http://www.knoxbar.org/images/DICTA.November.2014.pdf>.
- “(Alleged) Crime Doesn’t Pay (Lawyers),” *Tennessee Bar Journal*, July 2014; <http://www.tba.org/journal/alleged-crime-doesn-t-pay-lawyers>.
- “Warrantless Entry of a Residence: Exigent Circumstances,” *Tennessee Bar Journal*, March 2014; <http://www.tba.org/journal/warrantless-entry-of-a-residence-exigent-circumstances>.
- “Indigent Defense, Mandatory Minimum Sentences and an Update,” *Tennessee Bar Journal*, November 2013; <http://www.tba.org/journal/indigent-defense-mandatory-minimum-sentences-and-an-update>.
- “Alternatives to Revocation of Judicial Diversion,” *Tennessee Bar Journal*, July 2013; <http://www.tba.org/journal/alternatives-to-revocation-of-judicial-diversion>.
- “Preventing Ineffective Assistance of Counsel: Advice Regarding Plea Offers,” *Tennessee Bar Journal*, March 2013; <http://www.tba.org/journal/preventing-ineffective-assistance-of-counsel-advice-regarding-plea-offers>.
- “Confronting Expert Testimony,” *Tennessee Bar Journal*, Vol. 48, No. 11, November 2012; <http://www.tba.org/journal/confronting-expert-testimony>.
- “Electronic Monitoring: GPS, Computer & Telephone Searches,” *For the Defense*, Vol. 26, No. 4, September/October 2012; <http://www.tacdl.com>.

- “Can We Talk? Inadvertent Admissions During Negotiations in Criminal Cases,” *Tennessee Bar Journal*, July 2012; <http://www.tba.org/journal/can-we-talk-inadvertent-admissions-during-negotiations-in-criminal-cases>.
- “Confrontation Clause and Hearing Post-Crawford,” *DICTA*, April 2012 (cover article).
- “Criminal Investigation During a Traffic Stop,” *Tennessee Bar Journal*, vol. 48, no. 3, March 2012.
- “Educating the Public About the Disciplinary System,” *DICTA*, March 2012 (cover article).
- “Protecting the Attorney Client Privilege for Detained or Incarcerated Clients” *Tennessee Bar Journal*, November 2011.
- “Put it in Writing? Effective Judgement of Acquittal Motions” *Tennessee Bar Journal*, July 2011.
- “The Effective Use of Subpoenas in General Sessions Court” *Tennessee Bar Journal*, March 2011.
- “The 2011 Amendments to the Rules of Professional Responsibility: Affirming the Privilege of Self-Regulation,” *DICTA*, January 2011.
- “Upjohn Warnings: Best Practices and Tennessee Ethical Requirements,” *Tennessee Bar Journal*, November 2010.
- “White Collar Crime 2009” *DICTA*, 2009
- “Computer Forensics – How To Obtain and Analyze Electronic Evidence,” *The Champion*, Vol. XXVII, No. 5 June, 2003
- “Supreme Court Clears the Way for Parallel Criminal & Civil Proceedings,” (Co-Author with Robert W. Ritchie), *Hospital Law Newsletter*, Vol. 15, No. 12 October 1998

Selected Cases:

- *United States v. Timothy Parkes*, United States Court of Appeals for the Sixth Circuit, 09-6525 (February 2, 2012), (reversing bank fraud conviction with instructions to enter judgment of acquittal).

- *National Parks Conservation Association v. Tennessee Valley Authority*, 480 F.3d 410 (6th Cir. 2007)
- *United States v. Frost*, 125 F.3d 346 (6th Cir. 1997)
- *United States v. Huguenin*, 154 F.3d 457 (6th Cir. 1998)
- *United States v. Valentine*, 63 F.3d 459 (6th Cir. 1997)
- *State of Tennessee v. Butler*, 955 S.W.2d 78 (Tenn. Crim. App 1996)
- *State of Tennessee v. Easterly*, 77 S.W.3d 226 (Tenn. Crim. App. 2002)
- *State of Tennessee v. Gomez, et al*, 239 S.W.3d 733 (Tenn. Crim. App. 2007)

Taught Seminars:

- Tennessee Law Institute, Fall 2018.
- Tennessee Law Institute, Fall 2017.
- Tennessee Law Institute, Fall 2016.
- Tennessee Law Institute, Fall 2015.
- Tennessee Law Institute, Fall 2014, lectures in Criminal Law, Criminal Procedure and Evidence.
- University of Tennessee Right to Counsel Symposium, Panel, October 31, 2014.
- “Ethical Issues in Criminal Law,” Tennessee Bar Association General Practice Fast Track, August 22, 2014.
- Tennessee Law Institute, September 12-13, October 3-4, October 17-18, November 7-8, November 21-22, December 12-13, 2013.
- “Computer Crime/Identity Theft,” Tennessee Bar Association, White Collar Crime Seminar, December, 12, 2012.
- Tennessee Law Institute, September 6-7, 20-21, October 4, 18-19, November 1-2, December 6-7, 2012.

- “Electronic Monitoring: GPS, Computer & Telephone Searches,” Tennessee Association of Criminal Defense Lawyers, Annual Meeting, August 2012.
- “Professional Responsibility and Ethics for Government Attorneys,” TVA, December 16, 2011.
- “Practical and Legal Implications of a Digital Trial,” Knoxville Bar Association, October 27, 2011.
- “Criminal Law/ Criminal Procedure,” Tennessee Law Institute, December 13, 2011, November 17, 2011, November 3, 2011, October 13, 2011, October 6, 2011, September 13, 2011.
- “Health Care Fraud Defense,” East Tennessee Health Care Fraud Working Group, September 28, 2011.
- “Drafting the Suppression Motion,” Federal Defender Services, Eastern District of Tennessee, September 1, 2011.
- “Search & Seizure: Federal Developments,” TACDL, June 24, 2011
- “Ethics in Pretrial Publicity,” Tennessee Bar Association, December 6, 2010.
- “Media Panel,” Inn of Court, September 16, 2010.
- “Practical Applications from Gant,” TACDL Round Table, 2010
- “Corporate Investigations and White Collar Crimes: Identity Theft,” Knoxville Bar Association, 2008
- TACDL Ethics Seminar, December 11, 2009
- “Defense Experts Identification Section & Teamwork,” Tennessee Association of Criminal Defense Lawyers, 2008
- “The Criminal Defense Trial From Start to Finish,” National Business Institute, 2007
- “Practical Lessons Not Taught in Law School,” Tennessee Bar Association, 2007
- “Practical Lessons from a Master: Bob Ritchie and the Little Things That Matter in the Practice of Criminal Law,” Tennessee Bar

Association, 2006 “Little Things Mean A Lot: Practice Tips,”
Tennessee Association of Criminal Defense Lawyers, 2004

- “When OIG Comes Knocking,” Tennessee Bar Association Health Law Forum, 2004
- “Warrantless Searches,” Federal Defender Services of Knoxville, 2002
- “Ethical Resources for the Zealous Advocate,” TN Public Defender’s Conference Annual Meeting, 1999

Honors and Awards:

- Graduate, National Criminal Defense College, 1997
- Robert W. Ritchie Award for Service to Tennessee Association of Criminal Defense Lawyers, 2008
- Named the *Best Lawyers*® 2020 Criminal Defense: White-Collar “Lawyer of the Year” in Knoxville

Professional Associations, Memberships & Service:

- American College of Trial Lawyers
- Knoxville Bar Association, President 2014
- Knoxville Bar Association, 2007 – 2009, Board of Governors
- Knoxville Bar Association, 1994 – Present, Member
- Tennessee Association of Criminal Defense Lawyers, Board of Directors, 2 Terms
- American Bar Association, 1994 – Present, Member
- Tennessee Bar Association, 1994 – Present, Member
- Tennessee Bar Association, 2007 – Present, Editorial Board
- National Association of Criminal Defense Lawyers, 1994 – Present, Member

- Hamilton Burnett American Inn of Court, 2004 – Present, Master of the Bench, Emeritus
- Tennessee Board Professional Responsibility, 2008 – 2011, Hearing Committee Member
- Tennessee Board of Law Examiners, 2010 – 2014, Assistant Examiner
- Member, Board of Professional Responsibility of the Supreme Court of Tennessee, 2011 – 2016
- Helen Ross McNabb Center, Inc., Board Member Chair 2015
- Tennessee Bar Foundation, Member 2014
- Knoxville Bar Foundation, 2011 – present