



ROOKER

MAY 2010

REPORT

A MONTHLY PUBLICATION OF THE DAVIDSON COUNTY CIRCUIT COURT CLERK'S OFFICE

IN THIS ISSUE

PAGE 2

Scenes Around Courthouse Complex
Coming Events

PAGE 3

Stephenson Retirement Reception
Team Leader Ingro Earns Certification
April 2010 Circuit Trials by Type of Case

PAGE 4

April 2010 Circuit Court Trial Verdicts
(Jury, Non-Jury, Specially Set)

PAGE 5

Statistical Numbers by Each Department
Monthly and Year-to-Date
(Circuit, Probate, Gen Sessions, Traffic)
Quote of the Month

CHIEF JUSTICE URGES PRO BONO SERVICES AS PART OF FLOOD RELIEF EFFORTS

In response to the devastating flooding throughout Tennessee, Chief Justice Janice M. Holder is urging Tennessee attorneys to assist with the relief efforts by providing pro bono legal services.

Although the full damage from this catastrophic event is still unknown, thousands of Tennesseans have been displaced or have suffered severe damage to their homes. As Tennesseans begin to recover from this catastrophic event, many citizens will require assistance with a variety of legal issues ranging from insurance and housing to document recovery.

Attorneys who would like to offer pro bono legal assistance may do so through local pro bono programs or by signing up with the Tennessee Bar Association or Tennessee Alliance for Legal Services. A list of resources is available at www.tba.org/volunteer.

A MONTH TO REMEMBER



HISTORIC FLOOD LEAVES MARK ON NASHVILLE COURT OPERATIONS NOT SPARED

The clear sky and sunshine on Monday, May 3rd stood in stark contrast to the 13 inches of rain that fell on the region during the two prior days. Before the day was over, downtown Nashville and other areas of the county would experience a devastating wave of flooding caused by the heavy rainfall total, excessive water flow from upriver and the storm drain system becoming overwhelmed. All too soon, much of downtown Nashville lay submerged beneath what has been variously described as a historic 500 or 1,000 year flood.

Although the Public Square and the courthouse complex itself remained above flood level due to its more elevated position on the Cumberland River bluff, the impact of the flood, nonetheless, forced the cancellation of most court hearings in the Metro Historic Courthouse and Justice A.A. Birch Building for the week of May 3rd. The offices of the Circuit Court Clerk (i.e., Circuit, Probate, General Sessions Civil and Traffic Violations Bureau), were able, though, to resume operations on May 5th. The Juvenile Justice Center located adjacent to LP Field was not so fortunate. The extent of flood damage to that facility has forced the Juvenile Court and the Juvenile Court Clerk to temporarily relocate most of its operations to the Metro Historic Courthouse during restoration.

Upon request of Presiding Judge Mark Fishburn, the Tennessee Supreme Court entered an Order granting a 30 day extension of mandatory deadlines of the Tennessee Rules of Civil, Criminal, Juvenile and Appellate Procedure, applicable to any document that would have been due to be filed in the 20th Judicial District from May 3 - 7, 2010.

SCENES AROUND THE COURTHOUSE COMPLEX



Water rising on the Cumberland River on Monday, May 3rd near the Metro Historic Courthouse and Justice A.A. Birch Building



Nashville Symphony performs free public concert on Public Square on May 7th just days after being displaced from the Schermerhorn Center by the flood



Dusk at the Metro Historic Courthouse on a beautiful mid-May evening

COMING EVENTS

LAW DAY 2010 EVENTS RESCHEDULED TO JUNE 15th DUE TO FLOOD

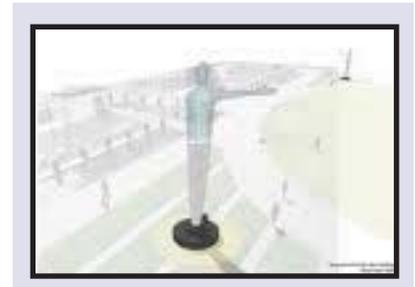


Law Day 2010 activities which were originally scheduled to take place on May 10th at the Metro Historic Courthouse have been rescheduled for Tuesday, June 15th. Sponsored by the Nashville Bar Association, the Napier-Looby Bar Association and the Nashville Bar Foundation, the program this year will honor and celebrate those brave attorneys who defended the Nashville sit-in demonstrators 50 years ago.

To start things off, a commemorative program and lunch will take place from 11:15 a.m. to 1:00 p.m. outside on the Public Square lawn in front of the Historic Courthouse.

After lunch, events will move indoors to the sixth floor of the courthouse where a dramatic re-enactment of the trials of the demonstrators will take place in Judge Randy Kennedy's courtroom. Those wishing to receive CLE credit for attendance at the re-enactment should contact the Nashville Bar Association.

NEW PUBLIC ART PROJECT “CITIZEN” TO BE DEDICATED ON PUBLIC SQUARE ON JUNE 10th



The Metro Arts Commission in partnership with Metro Parks has installed a pair of 30-foot sculptures by famed North Carolina artist Thomas Sayre on the Public Square. The public art project titled Citizen will be dedicated by Mayor Dean on Thursday, June 10th at 9:00 a.m. before the CMA Music Festival begins. A breakfast will take place at 8:00 a.m. on the observation Tower prior to the dedication ceremony.

RETIRING TRIAL COURT ADMINISTRATOR STEPHENSON HONORED AT RECEPTION

On the afternoon of April 29th, friends, colleagues, staff members, judges, and other well-wishers attended a reception in the Jury Assembly Room of the Historic Courthouse to honor the service of Larry Stephenson upon the occasion of his retirement as Trial Court Administrator for the 20th Judicial District after 13 years on the job. Speakers, including Presiding Judge Fishburn and judges Norman, Kennedy and Dozier, shared memories of past times and praised Stephenson for his dedicated and tireless leadership. His tenure may be most remembered for his steady oversight and guidance of the trial court system as it moved in its entirety from downtown Nashville to Metro Center from 2003 to 2007 during the construction of the Justice A.A. Birch Building and the renovation of the Historic Courthouse.

REVISIT FEB 2010 ROOKER REPORT FOR RELATED STORY



Circuit Court Clerk Richard Rooker (left) congratulates Trial Court Administrator Larry Stephenson at his retirement reception

INGRO COMPLETES PUBLIC ADMINISTRATOR CERTIFICATION PROGRAM



JANICE JOHNSON INGRO

Janice Johnson Ingro, Team Leader in the General Sessions Civil Division of the Circuit Court Clerk's Office, has earned certification as a public administrator.

Ingro received her certificate in graduation ceremonies at Montgomery Bell State Park on May 21st following completion of an 80 hour course administered by the University of Tennessee's County Official Training Program.

She becomes the seventh member of Circuit Court Clerk Richard Rooker's current staff to complete the program, which fosters creative leadership, managerial effectiveness, professional skills enhancement and lifelong development.

Rooker himself is among those com-

pleting the program, along with Karen Brown (Chief Deputy Clerk of the General Sessions Civil Division), Glenn Balletto (Chief Deputy Clerk of Circuit Court), Bill Cartwright (Chief Deputy Clerk of the Traffic Violations Bureau), Tracy Cartwright (Rooker's Director of Operations), and Becky Dye (Internal Auditor).

Those completing the course must take an additional 16 hours of training each year to retain their certification.

Ingro joined the Circuit Court Clerk's Office in 1985 and has worked in the General Sessions Civil Division throughout her tenure, eventually attaining the position of Team Leader.

OVERVIEW OF CIRCUIT COURT TRIALS BY TYPE OF CASE

APRIL 2010



AUTO ACCIDENT	APR	YTD
Total Cases Tried	3	8
Plaintiff Verdicts	3	7
Defendant Verdicts	0	1
Other/Under Adv	0	0
Jury Trials	3	8
Non-Jury Trials	0	0
Appeal from G.S.	0	0
Plaintiff Verd.	0	0
Def. Verdict	0	0
Other/None	0	0

MEDICAL MALPRACTICE	APR	YTD
Total Cases Tried	0	3
Plaintiff Verdicts	0	0
Defendant Verdicts	0	2
Other/Under Adv	0	1

CONTRACTS	APR	YTD
Total Cases Tried	6	25
Plaintiff Verdicts	6	19
Defendant Verdicts	0	4
Other/Under Adv	0	2

MISCELLANEOUS	APR	YTD
Total Cases Tried	10	25
Plaintiff Verdicts	7	18
Defendant Verdicts	2	5
Other/Under Adv	1	2

CIRCUIT COURT TRIAL VERDICTS

USE CASELINK TO ACCESS MORE
DETAILED INFORMATION ABOUT
THESE CASES AND OTHERS



CASES TRIED IN APRIL 2010

JURY TRIALS

IF CASE WAS
APPEALED FROM
GENERAL SESSIONS

CASE	TYPE	COURT	CIRCUIT JUDGMENT	GEN. SESSIONS JUDGMENT	APPELLANT
Week of April 12					
01C-3794	PRODUCT LIABILITY	2	MISTRIAL	N/A	
07C-2452	AUTOMOBILE	5	PLAINTIFF \$81,579	N/A	
07C-813	AUTOMOBILE	6	PLAINTIFF \$7,234,787	N/A	
08C-2388	DOG BITE	1	PLAINTIFF \$169,909	N/A	
07C-2252	NEGLIGENCE / INJURY	6	PLAINTIFF \$200,170 (P-25% FAULT)	N/A	
09C-1841	AUTOMOBILE	1	PLAINTIFF \$5,500	N/A	
Week of April 19					
07C-3587	SLIP & FALL	5	PLAINTIFF \$61,395	N/A	

NON-JURY TRIALS

CASE	TYPE	COURT	CIRCUIT JUDGMENT	GEN. SESSIONS JUDGMENT	APPELLANT
Week of April 26					
09C-3746	WRIT OF CERTIORARI	2	9-1-09 G.S. ORDER SET ASIDE	DEFAULT SET ASIDE	PLAINTIFF
08C-2887	ASSAULT	6	PLAINTIFF \$350,000 (DEFAULT)	N/A	
10C-529	CONTRACT/DEBT	5	PLAINTIFF \$4,250	P-\$7,000	DEFENDANT
08C-3468	BREACH OF CONTRACT	6	PLAINTIFF \$40,000	N/A	
08C-3973	WORKERS' COMP	5	PLAINTIFF \$9,012	N/A	
10C-329	CONTRACT/DEBT	2	PLAINTIFF \$22,164	P-\$20,976	DEFENDANT
10C-64	NEGLIGENCE/CONTRACT	5	PLAINTIFF \$10,000	P-\$12,850	DEFENDANT
10C-206	TRAFFIC VIOLATIONS	1	CONDITIONAL DISMISSAL	PLAINTIFF	DEFENDANT
09C-1029	CONTRACT/DEBT	2	PLAINTIFF \$4,221	P-\$4,868	DEFENDANT
10C-404	CONTRACT/DEBT	2	PLAINTIFF \$2,212	P-\$1,772	DEFENDANT

SPECIALLY SET TRIALS (NON-JURY)

CASE	TYPE	COURT	CIRCUIT JUDGMENT	DATE OF TRIAL	GEN. SESSIONS JUDGMENT	APPELLANT
08C-2265	MISREPRESENTATION	1	DEFENSE VERDICT	4-22-10	N/A	
09C-3307	CONTRACT / DAMAGES	5	PLAINTIFF \$263,421	4-8-10	N/A	
10C-238	CONDEMNATION	3	PARTIAL POSSESSION	4-5-10	N/A	

DEPARTMENTS BY THE NUMBER

CIRCUIT COURT

April 2010

NEW CASES

		YTD
New Civil Cases Filed.....	219	834
Jury Demand.....	91	381
Non-Jury.....	128	453
New Divorce Cases Filed	225	892
Domestic Petitions Filed	212	841
New Adoption Petitions	11	34

CONCLUDED CASES

Civil Cases Concluded.....	242	906
Jury Demand.....	148	564
Non-Jury	94	342
Divorce Cases Concluded.....	158	723
Domestic Petitions Concluded	163	1,361

PROBATE

April 2010

CASE OVERVIEW

		YTD
Total New Cases Filed	168	694
Total Cases Closed	148	624

NEW CASE FILINGS BY TYPE

Probate Will	72	307
Probate Will for Muniment of Title.....	6	24
Letters of Administration.....	19	91
Small Estate Affidavits.....	27	103
Conservatorship.....	16	75
Guardianship of Minor.....	3	8
Name Change	8	34
Trust Matters.....	5	9
Other Miscellaneous	12	43

GENERAL SESSIONS

CIVIL

April 2010

NEW CASES

		YTD
Total New Cases Filed	3,922	15,459
Civil Warrants	2,327	8,728
Detainer Warrants	885	3,570
Recovery Warrants.....	18	103
Pet for Order of Protection.....	196	812
Emergency Committals	431	1,921
Other.....	65	325

MISCELLANEOUS

Executions Issued.....	4,845	17,877
Garnishment Payments	4,448	18,226
Judgments Collected.....	\$956,902	\$3,849,174

TRAFFIC VIOLATIONS

April 2010

NEW MATTERS

		YTD
Total Traffic Violations	17,075	63,337
Moving Citations	11,857	44,347
Parking Citations.....	5,218	18,990
Environmental Citations.....	494	1,793

MISCELLANEOUS

Total Fines Collected	\$554,019	\$2,564,765
Nullifications.....	1,218	5,171
Nullification Fees Collected ...	\$14,614	\$62,049
*Credit Card Payments	2,231	14,179

*--Online and phone payments combined

Quote of the Month



Courage is the most important attribute of a lawyer. It is more important than competence or vision. It can never be an elective in any law school. It can never be de-limited, dated or outworn, and it should pervade the heart, the halls of justice and the chambers of the mind.

Robert F. Kennedy

ROOKER REPORT



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Richard R. Rooker..... Circuit Court Clerk
Kyle Sowell..... Editor



If you have a disability and require assistance, please contact 862-5204