



ROOKER

JUNE 2010

REPORT

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

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REMINDER OF IMPORTANT CHANGES TAKING EFFECT

JULY 1, 2010

Personal Property Exemption Limit for Judgment Debtors Goes From \$4,000 to \$10,000. (See April 2010 Rooker Report for detailed article)

All court reporters must be licensed. (See March 2010 Rooker Report for detailed article)

Discovery of Liability Insurance Policies now allowed by new rule of civil procedure. (See February 2010 Rooker Report for detailed article)

Electronic service on Attorneys now allowed by new rule of civil procedure. (See January 2010 Rooker Report for detailed article)

JUDGE BARBARA HAYNES HONORED WITH OUTSTANDING JUDICIAL SERVICE AWARD

HAYNES ALSO NAMED AS 2010 HONOREE BY ACADEMY FOR WOMEN OF ACHIEVEMENT



Judge Barbara Haynes accepts her Award at the TBA's annual convention

Davidson County Circuit Court Judge Barbara Haynes was honored with the Tennessee Bar Association's "Justice Frank F. Drowota III Award for Outstanding Judicial Service" on June 3 at the association's annual convention held at the Renaissance Hotel in downtown Nashville.

The award is given annually to a judge or judicial branch official of a federal, state or local court in Tennessee who has demonstrated extraordinary devotion and dedication to the improvement of the law, our legal system and the administration of justice as exemplified by the career of former Supreme Court Justice Frank F. Drowota III -- the award's first recipient.

The award was established in 2006 making Haynes only the fifth recipient. Past honorees are Court of Appeals Judge Herschel P. Franks (2009), former Supreme Court Justice William M. Barker (2008), Lance Bracy, Chief Disciplinary Counsel for the Board of Professional Responsibility (2007) and former Supreme Court Justice Drowota (2006).

Before the month was through, Haynes received word of another honor.

See HAYNES Page 2

HAYNES

FROM PAGE 1

She and Tennessee Supreme Court Justice Cornelia Clark were announced as 2010 Academy for Women of Achievement honorees at a reception held June 24 at the Tennessee State Museum. Clark and Haynes are two of the seven Nashville women that will be inducted into the Academy for Women of Achievement at a celebration and induction dinner to be held on October 5, 2010.

The Academy for Women of Achievement was launched locally in 1992 by the YWCA of Middle Tennessee. The Academy honors women who, through excellence and leadership in their chosen fields, serve as role models for other women. This year's recipients join 98 other women who hold this distinctive honor.

On the road to achieving these honors, Haynes was elected to the Davidson County General Sessions Court in 1982 and then moved to the Circuit Court in 1990. From 1986 to 1994, Haynes was chair of the Tennessee Sentencing Commission. She also has served in the past as a legal assistant for a congressional office and a partner in the law firm of Haynes & Haynes. She earned her law degree from the Nashville School of Law in 1976.

LAW DAY 2010

First came a luncheon on the Public Square...



Members of the Nashville Bar Association, the Napier-Looby Bar Association and the Nashville Bar Foundation gathered on June 15th on the lawn of the historic Metro Courthouse for a luncheon to honor and celebrate those brave attorneys who defended the Nashville sit-in demonstrators 50 years ago. The keynote address was delivered by Dennis Archer, the first African-American president of the American Bar Association, former mayor of Detroit and former member of the Michigan Supreme Court.



(1) Tents set up on the Public Square provided much-needed shade. (2) Keynote speaker Dennis Archer. (3) Those at the head table enjoy lunch.

... followed by a dramatic re-enactment of the

Nashville sit-in trials in Judge Kennedy's courtroom



The performance of "Tired of Waiting: A Dramatization of the Nashville Sit-In Trials" featured several prominent faces from the Nashville legal community. The re-enactment was broadcast on Metro Channel 3 and is archived at the public library.



(1) Attorney Charles Grant played the role of lead defense lawyer Z. Alexander Looby (2) Metro Channel 3 camera recording the event (3) Circuit Court Probate Judge Randy Kennedy played the part of Special Judge Harris who presided over the trials in 1960 (4) U.S. Attorney Ed Yarbrough assumed the role of the arresting police officer (5) District Attorney Torry Johnson played the role of the prosecuting Assistant City Attorney (6) Defense cross-examining a witness

CITIZEN



Multi-color lights illuminate the two sculptures at night

NASHVILLE'S NEWEST PUBLIC ART PROJECT POINTS THE WAY IN PUBLIC SQUARE PARK

On June 10, Nashville Mayor Karl Dean formally dedicated "Citizen," the city's newest public art, during ceremonies on the Public Square Park at the historic Metro Courthouse. "It is fitting as we dedicate this new public art called "Citizen," that we celebrate what it means to be a citizen of Nashville," Dean said. "Over the past six weeks, I have seen so many examples of Nashville citizens who opened their arms and their hearts to help those fellow Nashvillians who need help. As our lives have changed since the first weekend in May, the one thing we could count on was each other and the giving, caring community that we live in. We should all be so very proud to be citizens of Nashville, Tennessee."

"Citizen," designed by Raleigh, N.C. artist Thomas H. Sayre, is composed of two sculptures, 18 feet high, representing citizens having a conversation. They are located in spaces at the southeast and southwest corners of the oval lawn on the Public Square. Both sculptures are composed of a tall, vertical base holding a torso of a man and a woman, made of a radial pattern of glass "fins" which are clearly recognizable as humans pointing with an outstretched arm. The exterior of the columnar bases are made of woven stainless steel, acting as a durable skin to a mechanical system which will allow the public at any time to slowly rotate the glass torsos via a large, durable crank.

Sayre said the design pays tribute to Nashville leaders pointing the way, going back to founders James Robertson and John Donelson pointing to the riverbank site of the first

settlement in Nashville. He also references the Fisk and Tennessee A&I University (now Tennessee State University) students who pointed the way to Civil Rights reform when they came to the courthouse steps to state their position on desegregation to then-Mayor Ben West.

Sayre is a nationally recognized artist who has public art commissions all over the United States as well as abroad. His works can be found in venues such as Hartsfield International Airport in Atlanta, GA, the North Carolina Museum of Art in Raleigh, NC, the Criminal Justice Center in Clearwater, FL, and the University of Colorado Hospital in Aurora, CO.

Sayre was selected out of 171 artists by a panel comprised of artists and other design professionals, community representatives, a Metro Parks and Recreation representative and a national public art professional.

A PHOTO DISPLAY OF THE INSTALLATION AND DEDICATION OF "CITIZEN" APPEARS ON THE NEXT PAGE

TENNESSEE SUPREME COURT ANNOUNCES PLAN FOR ITS ACCESS TO JUSTICE INITIATIVE

On June 22, as part of its Access to Justice Initiative, the Tennessee Supreme Court unveiled some of its action plan designed to improve access to justice in Tennessee and address the problems contributing to this situation. First on the agenda will be a statewide pro bono summit to be held in Nashville on January 21, 2011. This summit will bring together members of the legal community to discuss pro bono issues, preview available technology, and seek input on the development of a statewide pro bono referral system.

The Court also announced plans for an access to justice

website which will be a repository of resources and information for Tennesseans. The site will include videos about the court system, links to local resources throughout the state, and downloadable plain-language forms, approved by the Supreme Court. The new site is expected to launch in January 2011.

The Court also unveiled its new access to justice video which will be used to educate the legal community and business leaders about the civil legal needs crisis in Tennessee. The video is available at www.justiceforalltn.com.

CITIZEN COMES TO LIFE IN PUBLIC SQUARE PARK



May 13 - The roof of the underground parking garage lays exposed as workers prepare the foundation to support each sculpture weighing 6,200 pounds



May 25 - After assembly, the two glass torsos sit at the corner of 3rd Avenue and Union Street waiting to be hoisted atop the 18 ft. tall woven steel bases



May 25 - The crane arrives at Public Square Park and begins preparing for the task of lifting and placing the glass torsos on top of the two bases



June 7 - The male "Citizen" sculpture stands roped off and fully assembled waiting for the dedication ceremony



June 10 - Artist Thomas Sayre speaks to the gathered crowd at the dedication ceremony following a celebratory breakfast held on the Observation Tower in Public Square



June 10 - Mayor Dean and artist Thomas Sayre (white shirt) pose for photos after taking a turn on the crank wheel to point "Citizen" in a chosen direction

SCENES AROUND THE COURTHOUSE COMPLEX



CMA MUSIC FESTIVAL

The Public Square served as one of the venues for the CMA Music Fest June 10 - 13 where fans of all ages enjoyed everything from inflatable water attractions (above) to live music on the Music City Zone stage (below).



TASTE OF MUSIC CITY FESTIVAL

On June 5, attendees of the 8th Annual Taste of Music City Festival enjoyed live music and food offered by dozens of local restaurants. The festival stretched from the Public Square (above) to Legislative Plaza via Deaderick Street (below).



OVERVIEW OF CIRCUIT COURT TRIALS BY TYPE OF CASE MAY 2010

AUTO ACCIDENT

	MAY	YTD
Total Cases Tried	3	11
Plaintiff Verdicts	2	9
Defendant Verdicts	1	2
Other/Under Adv	0	0
Jury Trials	1	9
Non-Jury Trials	2	2
Appeal from G.S.	0	0
Plaintiff Verd.	0	0
Def. Verdict	0	0
Other/None	0	0



MEDICAL MALPRACTICE

	MAY	YTD
Total Cases Tried	0	3
Plaintiff Verdicts	0	0
Defendant Verdicts	0	2
Other/Under Adv	0	1

CONTRACTS

	MAY	YTD
Total Cases Tried	2	27
Plaintiff Verdicts	2	21
Defendant Verdicts	0	4
Other/Under Adv	0	2

MISCELLANEOUS

	MAY	YTD
Total Cases Tried	4	29
Plaintiff Verdicts	2	20
Defendant Verdicts	2	7
Other/Under Adv	1	2

CIRCUIT COURT TRIAL VERDICTS

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



CASES TRIED IN
MAY 2010

JURY TRIALS

IF CASE WAS
APPEALED FROM
GENERAL SESSIONS

CASE	TYPE	COURT	CIRCUIT JUDGMENT	GEN. SESSIONS JUDGMENT	APPELLANT
Week of May 10					
FOUR TRIALS CONTINUED DUE TO FLOOD					
Week of May 17					
07C-2859	AUTOMOBILE	2	DEFENDANT VERDICT	N/A	
09C-3602	CONTRACT / DEBT	5	PLAINTIFF \$3,282	DISMISSED	PLAINTIFF

NON-JURY TRIALS

CASE	TYPE	COURT	CIRCUIT JUDGMENT	GEN. SESSIONS JUDGMENT	APPELLANT
Week of May 24					
09C-1100	PRO SE DEFAMATION	4	DISMISSED - FAILURE TO PROSECUTE	DISMISSED	PLAINTIFF
06C-263	WORKERS' COMP	1	AGREED ORDER POST-TRIAL (PLAINTIFF \$275,000 + FUT MED)	N/A	
09C-4400	CONTRACT/DEBT	1	PLAINTIFF BY DEFAULT \$2,346	P-\$2,346	DEFENDANT
09C-4029	APPEAL FROM BELLE MEADE CITY COURT	5	TRAFFIC CHARGES DISMISSED	N/A	

SPECIALLY SET TRIALS (JURY & NON-JURY)

CASE	TYPE	COURT	CIRCUIT JUDGMENT	DATE OF TRIAL	JURY OR NON-JURY
09C-851	METRO CODES (IMPROPER HOSTING OF EVENT)	6	PLAINTIFF METRO CODES \$100	5-19-10	NON-JURY
07C-2271	AUTO/PEDESTRIAN DEATH (UNINSURED MOTORIST)	5	PLAINTIFF \$85,182 (AFTER 35% FAULT APPLIED TO PLAINTIFF)	5-24-10	JURY
08C-909	AUTO COLLISION DEATH	1	PLAINTIFF \$510,000 (AFTER 49% FAULT APPLIED TO PLAINTIFF)	5-25-10	NON-JURY

DEPARTMENTS BY THE NUMBER

CIRCUIT COURT

May 2010

NEW CASES

		YTD
New Civil Cases Filed.....	178	1,012
Jury Demand.....	77	458
Non-Jury.....	101	554
New Divorce Cases Filed	171	1,063
Domestic Petitions Filed	177	1,018
New Adoption Petitions	10	44

CONCLUDED CASES

Civil Cases Concluded.....	215	1,121
Jury Demand.....	128	692
Non-Jury	87	429
Divorce Cases Concluded.....	175	898
Domestic Petitions Concluded	499	1,860

PROBATE

May 2010

CASE OVERVIEW

		YTD
Total New Cases Filed	143	837
Total Cases Closed	159	783

NEW CASE FILINGS BY TYPE

Probate Will	71	378
Probate Will for Muniment of Title.....	7	31
Letters of Administration.....	20	111
Small Estate Affidavits.....	22	125
Conservatorship.....	8	83
Guardianship of Minor.....	4	12
Name Change	5	39
Trust Matters.....	1	10
Other Miscellaneous	5	48

GENERAL SESSIONS

CIVIL

May 2010

NEW CASES

		YTD
Total New Cases Filed	3,753	19,212
Civil Warrants	2,072	10,800
Detainer Warrants	934	4,504
Recovery Warrants.....	27	130
Pet for Order of Protection.....	190	1,002
Emergency Committals	467	2,388
Other.....	63	388

MISCELLANEOUS

Executions Issued.....	3,765	21,642
Garnishment Payments	4,165	22,391
Judgments Collected.....	\$898,268	\$4,747,442

TRAFFIC VIOLATIONS

May 2010

NEW MATTERS

		YTD
Total Traffic Violations	7,230	70,567
Moving Citations	6,835	51,182
Parking Citations.....	395	19,385
Environmental Citations.....	317	2,110

MISCELLANEOUS

Total Fines Collected	\$447,132	\$3,011,897
Nullifications.....	1,031	6,202
Nullification Fees Collected ...	\$12,369	\$74,418
*Credit Card Payments	2,174	16,353

Quote of the Month



In honor of the brave student sit-in demonstrators 50 years ago who faced jail in the fight for justice

“One who breaks an unjust law that conscience tells him is unjust, and who willingly accepts the penalty of imprisonment in order to arouse the conscience of the community over its injustice, is in reality expressing the highest respect for law.”

Martin Luther King, Jr.

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