



ROOKER

JUNE 2011

REPORT

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

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Quotes of the Month



JURY COORDINATOR CHERYL KENNEDY SAYS

ADIOS

"After you hear 20 times a week the same story of - - 'I can't serve on a jury. Do you know who I am? Do you know how important I am?' - - It's just time to do something else."

For the past 15 years Cheryl Kennedy has served as the jury coordinator for Davidson County. She has heard it all. She's been screamed at. Cursed at. One person even returned a jury summons with urine on it. Not letting these obstacles and distractions get in her way, she has met the challenge, and under her guidance, Nashville's jury assembly operation has been a model to be emulated.



CHERYL KENNEDY LISTENS TO A PROSPECTIVE JUROR

But now Kennedy, a wife and mother of three children and three stepchildren, all of whom are now grown, is ready to retire and move on to the next phase of her life south of the border. She and her husband, Jon Seaborg, Assistant District Attorney

for Davidson County, are moving to the beautiful town of Ajijic nestled on the scenic shore of Lake Chapala in southwest Mexico. So on June 23rd a crowd of friends, colleagues, court officials, family and others gathered in the Jury Assembly



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KENNEDY

FROM PAGE 1



Tim Townsend, *Trial Court Administrator*, Cheryl Kennedy, Richard Rooker, *Circuit Court Clerk*, and Larry Stephenson, *former Trial Court Administrator*

Room in the Justice A.A. Birch Building to celebrate her years of public service to the citizens of Nashville and to wish her well before she embarks on this new adventure.

But wherever Kennedy may roam, she will always have with her the indelible memories borne from her work as a jury coordinator.

After all, jury duty for many is about as appealing as undergoing extensive dental work. Some have extremely feeble bladders. Others have pets that must be hand-fed at certain hours in the day. Others insist they just can't keep a secret. Some who have not even been chosen for a jury arrive for service on the first day with suitcases, in case they



Mayor Karl Dean reads a special proclamation in honor of Cheryl Kennedy

are sequestered. "There are a lot of misconceptions about jury service," Kennedy said, "TV does not help."

But jury selection has come a long way. Kennedy remembers blindfolding former Judge Marietta Shipley years ago and having her pick the jury pool from folded-up names in a drum. Now, a computer system does most of the work. About 700 summons are sent out eight weeks before trial week. Of those, 180 will show up. Some of the jury duty delinquents have valid excuses. Some have a physical or mental disability proved by a doctor's note. Some are not citizens or are not 18. Some are dead. Others just don't show. Of those, some are ordered to jury service on a specific day by an individual judge. Others are fined.

On the other hand, Kennedy notes that there have been a few who are enthusiastic about their chance to serve on a jury. They would bring cakes and cookies for Kennedy and their fellow jurors. They send thank you notes to the lawyers and judges.

Tim Townsend, trial court administrator, noted that every week she would be dealing with 180 people who preferred to be doing something else. He further remarked that she had a rare balance of talents. She dealt with the public. She dealt with the judicial staff. They both wanted different things, and she had the tact and knowledge to make it all work.

Kennedy often jokes that she could compile her tales and the outlandish excuses in a book she would call "It's a Summons, Not an Invitation."

With Kennedy's retirement, Ronny Nollner now serves as Jury Coordinator for Nashville.



Jennifer Wilee, Sandy Smith, Charlotte Pirtle, Cheryl Kennedy, Kitty Lammers, and Kelli Olin

Exploration & Discovery

Nashville's Newest Public Art is Dedicated in Public Square Park

Exploration & Discovery, a three-piece installation funded by Metro's Percent for the Arts program, was unveiled on Monday, June 6, at the Davidson County Courthouse Public Square. The Metro Arts Commission retained prominent sculptor and former Nashvillian Ken Rowe to craft the series of figurative bronze works.

According to the artist, these three sculptures, titled "The Spark of Discovery," "The Scholar" and "To the Moon" represent the active pursuit of exploration and the application of knowledge gained through discovery. Jennifer Cole, executive director of the arts commission, described Rowe as a master of telling stories through human figures. She noted the Exploration & Discovery pieces are universal yet

call upon Nashville's history.

"As you look at the pieces, you just continue to find new things — a radio tuned to WSM, a telescope pointed towards the Capitol, a book about James Robertson," she said. "You discover more about yourself and more about Nashville the more you inspect the work."



(1) Metro Arts Commission Director Jennifer Cole listens as Mayor Karl Dean speaks at the dedication ceremony; (2) Sculptor Ken Rowe discusses his piece "To The Moon"; (3) "The Scholar"; and (4) "The Spark of Discovery"

PRO BONO

LEGAL NEWS

Tennessee lawyers volunteered 567,374 hours of service in 2010 according to data collected by the Tennessee Board of Professional Responsibility. In the second year of voluntary reporting of pro bono hours, 7,745 Tennessee lawyers indicated they had performed some type of voluntary service -- more than double the number who reported in 2009 and 39 percent of the state's total attorney population. The data also indicates that the majority of hours donated were spent performing free services for individuals with limited means. Finally, the information shows that 48 percent of those who reported also contributed financially to organizations providing legal services to needy clients.

Courthouse Humor



"Not much, just installing a "Get-to-the-point" button in the jury box . . ."

CIRCUIT COURT TRIAL VERDICTS

May and June 2011

JURY TRIALS

IF APPEALED FROM
GENERAL SESSIONS

CASE	TYPE	COURT	CIRCUIT JUDGMENT	GEN. SESSIONS JUDGMENT	APPELLANT
Week of May 2					
03C-1472	CONTRACT/DEBT	5	PLAINTIFF \$495,252	N/A	
Week of May 9					
10C-2569	CONTRACT/DEBT	2	PLAINTIFF \$26,500	P-\$10,357 & D- \$3,255	BOTH
09C-1773	AUTOMOBILE	3	DEFENDANT VERDICT	N/A	
10C-4333	DAMAGE/TORT AUTO	6	DEFENDANT VERDICT (PRESIDED OVER BY SENIOR JUDGE W. KURTZ)	P-\$18,500	DEFENDANT
Week of May 16					
09C-892	DOG BITE	2	DEFENDANT VERDICT	N/A	
10C-170	SLIP & FALL	6	HUNG JURY (PRESIDED OVER BY SENIOR JUDGE W. KURTZ)	N/A	
No Jury Trials in June					

NON-JURY TRIALS

CASE	TYPE	COURT	CIRCUIT JUDGMENT	GEN. SESSIONS JUDGMENT	APPELLANT
Week of May 23					
11C-528	TRAFFIC APPEAL	2	MOTORIST GUILTY/FINES & COSTS IMPOSED	N/A	
11C-437	CONTRACT/DEBT	1	PLAINTIFF \$25,000 + ATTY FEES	D (ONLY LIABLE FOR 1 DAY OF CARE)	PLAINTIFF
10C-1271	CONTRACT/DEBT	2	PLAINTIFF \$51,042 + ATTY FEES	N/A	
11C-546	CONTRACT/DEBT	2	PLAINTIFF \$3,931 + COSTS	P - \$6,495	DEFENDANT
09C-4387	WORKERS' COMP	5	PLAINTIFF \$32,748 (RECONS. AWARD)	N/A	
10C-3332	TRAFFIC APPEAL	5	METRO (DEFENDANT DRIVER DROPPED APPEAL)	N/A	
11C-269	AUTOMOBILE	5	DEFENDANT VERDICT	P - \$60	PLAINTIFF
09C-4155	CONTRACT/DEBT	2	PLAINTIFF \$40,000	N/A	
Week of June 20					
10C-3056	CONTRACT/DEBT	2	PLAINTIFF \$31,928	P - \$33,333	DEFENDANT
10C-986	CONTRACT/DEBT	6	PLAINTIFF \$4,523 + COSTS	DISMISSED	PLAINTIFF
09C-2067	WORKERS' COMP	2	12% IMPAIRMENT + COSTS	N/A	
11C-547	CONTRACT/DEBT	6	DEFAULT GRANTED	P - \$14,100	DEFENDANT
11C-82	CONTRACT/DEBT	6	PLAINTIFF \$4,151 + COSTS	P - \$4,460	DEFENDANT

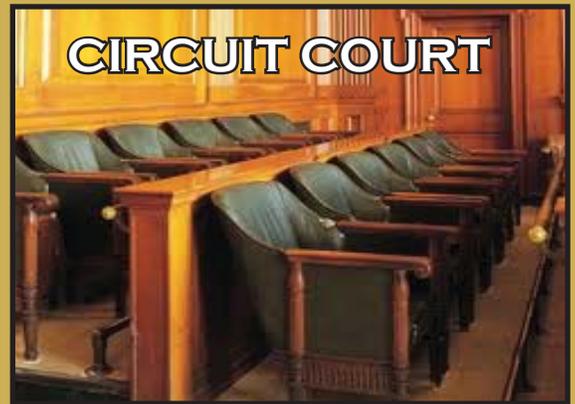
SPECIALLY SET TRIALS

CASE	TYPE	COURT	CIRCUIT JUDGMENT	DATE OF TRIAL	JURY OR NON-JURY
09C-1081	WORKERS' COMP	5	PLAINTIFF \$10,883 NET AWARD	5-6-11	NON-JURY
11C-868	MALICIOUS PROSECUTION (GSA)	2	FOR DEFENDANT/CASE DISMISSED	5-12-11	NON-JURY
10C-904	CONTRACT/DEBT (GSA)	5	PLAINTIFF \$923 (DOWN FROM \$20,146 JUDGMENT IN G.S. FOR P)	5-26-11	NON-JURY
02C-2251	WORKERS' COMP	5	PLAINTIFF \$7,740 + COSTS	6-9-11	NON-JURY
06C-528	AUTOMOBILE/DAMAGES	2	PLAINTIFF \$40,000	6-10-11	NON-JURY

DEPARTMENTS BY THE NUMBER

May & June 2011

	MAY	JUNE	YTD
New Civil Cases Filed.....	235	255	1,249
Jury Demand.....	112	113	582
Non-Jury.....	123	142	667
New Divorce Cases Filed	202	214	1,236
Domestic Petitions Filed	231	242	1,570
New Adoption Petitions	9	13	64
<hr/>			
Civil Cases Concluded.....	251	284	1,348
Jury Demand.....	141	154	806
Non-Jury	110	130	542
Divorce Cases Concluded	255	197	1,329
Domestic Petitions Concluded	252	227	1,602



	MAY	JUNE	YTD
Total New Cases Filed	4,388	4,057	23,970
Civil Warrants	2,340	2,054	12,858
Detainer Warrants	1,023	1,031	5,544
Recovery Warrants.....	51	27	169
Pet for Order of Protection.....	258	249	1,312
Emergency Committals	624	650	3,471
Other.....	92	46	616
<hr/>			
Executions Issued.....	3,650	3,823	22,630
Garnishment Payments	4,481	4,435	25,755
Judgments Collected.....	\$915,463	\$1,042,025	\$5,629,820

	MAY	JUNE	YTD
Total New Cases Filed	164	152	1,014
Total Cases Closed	179	128	872
<hr/>			
Probate Will	73	62	449
Probate Will for Muniment of Title.....	5	3	34
Letters of Administration.....	19	28	148
Small Estate Affidavits.....	31	24	149
Conservatorship.....	15	17	109
Guardianship of Minor.....	2	4	21
Name Change	11	9	62
Trust Matters.....	3	1	9
Other Miscellaneous	5	4	33



	MAY	JUNE	YTD
Total Traffic Violations.....	12,544	11,220	69,828
Moving Citations	8,820	7,626	47,328
Parking Citations.....	3,724	3,594	22,500
Environmental Citations.....	314	314	1,613
<hr/>			
Total Fines Collected	\$445,427	\$474,983	\$2,973,992
Nullifications.....	954	1,038	6,110
Nullification Fees Collected	\$11,452	\$12,457	\$73,317
*Credit Card Payments	3,191	3,169	18,227

CIRCUIT COURT TRIALS
BY TYPE OF CASE

**MAY & JUNE
2011**



AUTO ACCIDENT

	MAY	JUN	YTD
Total Cases Tried	3	1	10
Plaintiff Verdicts	0	1	6
Defendant Verdicts	3	0	4
Other/Under Adv	0	0	0
Jury Trials	2	0	6
Non-Jury Trials	1	1	4
Appeal from G.S.	2	0	3
Plaintiff Verd.	2	0	3
Def. Verdict	0	0	0
Other/None	0	0	0

CONTRACT

	MAY	JUN	YTD
Total Cases Tried	7	4	35
Plaintiff Verdicts	6	4	31
Defendant Verdicts	1	0	4
Other/Under Adv	0	0	0

MEDICAL MALPRACTICE

	MAY	JUN	YTD
Total Cases Tried	0	0	4
Plaintiff Verdicts	0	0	1
Defendant Verdicts	0	0	2
Other/Under Adv/Hung	0	0	1

MISCELLANEOUS

	MAY	JUN	YTD
Total Cases Tried	7	2	28
Plaintiff Verdicts	4	2	17
Defendant Verdicts	2	0	10
Other/Under Adv	1	0	1

**SCENES AROUND THE COURTHOUSE
COMPLEX IN JUNE**

June 29 - Passersby were witness to a video shoot by country music artist Joe Nichols. In addition to a large inflatable swimming pool at the corner of 3rd and Union, dozens of extras spent the day performing in beach attire as Nichols sang and downtown Nashville traffic just rolled on by. Keep your eye out for its debut.

COUNTRY MUSIC VIDEO SHOOT



June 3 to 5 - The Taste of Music City Festival stretched from Public Square Park up Deaderick Street to Legislative Plaza. Thousands of visitors enjoyed live music and Nashville's largest food and drink festival with a local focus. Samples could be obtained from approximately 50 local participating restaurants as well as from top local brewers.

TASTE OF MUSIC CITY FESTIVAL



Quotes of the Month



“A jury consists of twelve persons chosen to decide who has the better lawyer.”
Robert Frost

“We operate under a jury system in this country, and as much as we complain about it, we have to admit that we know of no better system, except possibly flipping a coin.”
Dave Barry

**ROOKER
REPORT**

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