



ROOKER NOVEMBER 2011 REPORT

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

IN THIS ISSUE

Page 2

Tennessee Supreme Court
Launches New Website to Improve
Access to Justice

Project Underway to Preserve
10,000 Boxes of Old Tennessee
Supreme Court Records

Page 3

November 2011 Circuit Court
Trial Verdicts
(Jury, Non-Jury, Specially Set)

Page 4

Statistical Numbers by Each
Department for
November 2011
and Year-to-Date
(Circuit, Probate, Gen Sessions,
Traffic)

Nashville Bar Association
Memorial Service

Quote of the Month

Page 5

Overview of November 2011
Trials By Type of Case

Employees of Circuit Court Clerk's
Office Participate in Mayor's 5K
Walk/Run Challenge (with photos)

HOLIDAY SCHEDULE

The offices of the Circuit Court Clerk (i.e., Circuit, Probate, General Sessions Civil and Traffic Violations) will be closed Friday, December 23rd and Monday, December 26th for the Christmas Holiday and will be closed Friday, December 30th and Monday, January 2nd for the New Year's Holiday.

FORMER METRO COUNCIL MEMBER MIKE JAMESON APPOINTED TO FILL VACANCY ON GENERAL SESSIONS BENCH

When the final vote was tallied on November 15th, Nashville's Vice Mayor Diane Neighbors declared, "Mr. Jameson is now a judge." The scene was the Metro Council chamber, and the forty member Council had just voted to appoint Mike Jameson to fill the judge position left vacant in General Sessions Court as a result of the recent death of Judge Leon Ruben. Jameson, who himself previously served on the Council representing East Nashville's 6th District from 2003 to 2011, was one of seven local attorneys who were considered by the Council for the seat. In the first round of voting, which failed to produce a majority, Jameson, attorney Blake Freeman and attorney Lynda Jones collected 18, 15 and 7 votes respectively. The run-off immediately followed with Jameson garnering 26 votes versus Freeman's 16 votes.

Jameson is a native Nashvillian and a graduate of Father Ryan High School. He obtained his undergraduate degree from Vanderbilt University and is a 1990 graduate of the University of Tennessee College of Law. Upon completing law school, Jameson worked as an Assistant Public Defender in the 23rd Judicial District before moving to private practice and eventually becoming a partner in the firm of North, Pursell, Ramos & Jameson, PLC. His private practice primarily involved general civil trial litigation in state and federal courts. He is a Fellow of the Nashville Bar Association, and a member of the Tennessee Bar Association and the 2011-2012 class of Leadership Nashville.

In putting on the robe, Jameson steps into the fast-paced world of General Sessions Court. The Court is a high volume limited jurisdiction court that hears civil, misdemeanor, felony, traffic, environmental, and metropolitan ordinance violations.

It is often the public's first introduction to the judicial process. There are eleven divisions of the Metropolitan General Sessions Courts with an elected judge to serve in each division. The eleven judges rotate each week to preside over the various civil and criminal dockets.

Jameson will immediately have to transition to campaign mode since the appointment by the Metro Council is only to fill the judge seat until the next county-wide election which is this next March.



JUDGE MIKE JAMESON

TENNESSEE SUPREME COURT LAUNCHES NEW WEBSITE TO IMPROVE ACCESS TO JUSTICE

JusticeForAllTN.com

The Tennessee Supreme Court launched a new website the last week of November to provide the public with valuable resources to help navigate the court system. The new site - - JusticeForAllTN.com - - is intended to assist people with civil legal issues who cannot afford legal representation. The Justice for All website includes downloadable court forms, resources for representing yourself in court, information about common legal issues and an interactive map with resources for each of the state's 95 counties. As a result of a partnership with the Tennessee Alliance for Legal Services and the



Tennessee Bar Association, the site also gives visitors the ability to email a

volunteer attorney with questions. "We view the Justice For All website as a clearinghouse of information and legal resources for Tennesseans facing civil legal issues without the assistance of an attorney," said Tennessee Supreme Court Chief Justice Cornelia A. Clark. "We hope this site can make the legal system more accessible for all Tennesseans, regardless of income level."

The Justice For All website also features a dedicated section for attorneys, business leaders and community members who wish to offer their assistance to the access to justice effort. This section of the site includes tools for attorneys to create their own pro bono clinic and links to various volunteer opportunities with legal aid organizations and bar associations across the state. The launching of this new website is the latest step in the Supreme Court's Access to Justice Initiative. In response to the growing civil legal needs gap in Tennessee, the Supreme Court made access to justice its number one strategic priority in 2008. The Court formally announced the Access to Justice Initiative in December 2008 and formed the Access to Justice Commission in April 2009. The Access to Justice Commission was tasked with creating a strategic plan, which was submitted to the Court on April 1, 2010, and unveiled to the public in June 2010. Since then, the Court hosted a pro bono summit in January 2011 in addition to unveiling its new access to justice website.



PROJECT UNDERWAY TO PRESERVE 10,000 BOXES OF SUPREME COURT RECORDS FROM THE STATE'S BIRTH TO THE 1950s

Tennessee court records dating back more than two centuries -- including the Scopes "monkey trial" case file, lawsuits challenging Jim Crow legislation, and cases involving Andrew Jackson both as a judge and as a litigant -- are among materials unearthed in the Tennessee State Library and Archives' efforts to create a database that the public can search online. The project will preserve 10,000 boxes of Supreme Court cases from the state's birth to the 1950s. The boxes take up an entire half of the eighth floor of the library and archives building, and about twenty employees

devote four hours a week to the project. The case files were largely neglected in the attic of the Capitol building for years, where they accumulated coal dust during the latter half of the 19th century because most Nashville buildings were heated by coal. Thus, the records are in dire need of inventorying and preservation. The preservation project was spearheaded by the Tennessee Supreme Court Historical Society in 2006 and has been kept afloat with about \$100,000 in grants over the years from various sources, including the federal government and Ancestry.com, a genealogy website. The case files are being indexed and basic information about the cases is being recorded into a database that the public can search online. Individual cases are not being read and summarized due to the time it would take, but employees are on the lookout for anything historically significant as they clean and index the files. Before that painstaking work however, the documents have to go through another time-consuming process so they are simply safe to handle. Many of the documents are rolled up like scrolls. To avoid breaking the brittle documents, they have to be humidified before they are unrolled. The pages are suspended for hours in rubber tubs above a shallow pool of water. Afterward, they are unrolled and placed into one of two antique flattening presses for weeks. The project is only twenty percent complete at this point and will take several more years to conclude. But when finished, everyone will have access to the rich history of our state's legal foundation.

CIRCUIT COURT TRIAL VERDICTS

NOVEMBER 2011

JURY TRIALS

**IF CASE WAS
APPEALED FROM
GENERAL SESSIONS**

CASE	TYPE	COURT	CIRCUIT JUDGMENT	GEN. SESSIONS JUDGMENT	APPELLANT
Week of November 7					
09C-3699	HEALTH CARE LIABILITY	6	DEFENDANT VERDICT	N/A	
08C-2797	AUTOMOBILE	2	DEFENDANT VERDICT	N/A	
Week of November 28					
09C-3055	INVASION OF PRIVACY	1	COMPROMISE & SETTLEMENT (ON 11-29-11 AFTER 2 DAYS OF TRIAL)	N/A	

NON-JURY TRIALS

CASE	TYPE	COURT	CIRCUIT JUDGMENT	GEN. SESSIONS JUDGMENT	APPELLANT
Week of November 14					
10C-3336	WORKERS' COMP	5	PLAINTIFF \$10,528 + \$2,105 ATTY FEES	N/A	
09C-3505	BREACH OF CONTRACT	5	PLAINTIFF \$293,563 BY DEFAULT	N/A	
11C-3659	CONTRACT/DEBT	2	PLAINTIFF \$2,945 + COSTS & INTEREST	P - \$4,511	DEFENDANT
10C-32	AUTOMOBILE	2	PLAINTIFF \$66,000	N/A	
11C-2483	AUTOMOBILE	5	PLAINTIFF \$5,500,000	N/A	
09C-2914	WORKERS' COMP	5	PLAINTIFF \$27,612 + BACK TTD BENEFITS	N/A	
09C-935	NEGLIGENCE	5	DEFENDANT / DISMISSED FOR FTP	N/A	
11C-3229	CONTRACT/DEBT	6	PLAINTIFF \$22,029	P - \$15,000	DEFENDANT
11C-3656	CONTRACT/DEBT	6	DISMISSED BY CT./G.S. JUDGMENT STANDS	P - \$7,500	DEFENDANT
08C-2924	WORKERS' COMP	5	UNDER ADVISEMENT	N/A	

SPECIALLY SET TRIALS (JURY & NON-JURY)

CASE	TYPE	COURT	CIRCUIT JUDGMENT	DATE OF TRIAL	JURY OR NON-JURY
11C-472	BREACH OF CONTRACT	2	PLAINTIFF \$98,666	11-18-11	NON-JURY
11C-2939	DETAINDER	2	PLAINTIFF - DEFAULT GRANTED	11-21-11	NON-JURY
11C-1757	AUTOMOBILE	2	PLAINTIFF \$60,624	11-18-11	NON-JURY
08C-2924	WORKERS' COMP	5	PLAINTIFF \$121,396	11-30-11	NON-JURY
11C-1432	GEN SESSIONS APPEAL (VEHICLE REPAIR)	5	DEFENDANT \$200 NET RECOVERY (P AWARDED \$1,000 VALUE OF VEHICLE AND D AWARDED STORAGE FEE)	11-22-11	NON-JURY

DEPARTMENTS BY THE NUMBER

November 2011

CIRCUIT COURT

	NOV	YTD
New Civil Cases Filed.....	208	2,291
Jury Demand.....	103	1,043
Non-Jury.....	105	1,248
New Divorce Cases Filed	167	2,138
Domestic Petitions Filed	181	2,538
New Adoption Petitions	13	132
Civil Cases Concluded.....	198	2,425
Jury Demand.....	122	1,448
Non-Jury	76	977
Divorce Cases Concluded	179	2,272
Domestic Petitions Concluded	203	2,575

GENERAL SESSIONS CIVIL

	NOV	YTD
Total New Cases Filed	4,106	44,739
Civil Warrants	2,117	23,080
Detainer Warrants	992	10,777
Recovery Warrants.....	23	318
Pet for Order of Protection.....	231	2,624
Emergency Committals	670	6,785
Other.....	73	1,155
Executions Issued.....	3,237	41,517
Garnishment Payments.....	4,483	48,392
Judgments Collected.....	\$914,748	\$10,336,493

PROBATE COURT

	NOV	YTD
Total New Cases Filed	150	1,758
Total Cases Closed	126	1,667
Probate Will	64	771
Probate Will for Muniment of Title.....	6	62
Letters of Administration.....	22	265
Small Estate Affidavits.....	21	262
Conservatorship.....	19	190
Guardianship of Minor.....	2	31
Name Change	6	101
Trust Matters.....	4	16
Other Miscellaneous	6	60

TRAFFIC VIOLATIONS BUREAU

	NOV	YTD
Total Traffic Violations.....	8,603	127,610
Moving Citations	5,209	83,855
Parking Citations.....	3,394	43,755
Environmental Citations.....	128	2,752
Total Fines Collected	\$349,210	\$4,994,938
Nullifications.....	803	10,775
Nullification Fees Collected	\$9,638	\$129,291
*Credit Card Payments	2,717	32,706

MEMORIAL SERVICE HONORS LOCAL ATTORNEYS WHO PASSED AWAY THIS PAST YEAR

The Nashville Bar Association's annual Memorial Service was held Thursday, November 19th at the Downtown Presbyterian Church. A project of the NBA's Historical Committee, the memorial service honors the memory of those Nashville lawyers and judges who passed away during the preceding 12 month period. Memorial resolutions, recounting the lives and legal careers of the deceased individuals, were prepared and then read at the service by friends and colleagues.

Those attorneys honored were Jack Kershaw, Alfred Abbey, Gail Greenfield, Fran Wallas, James Neal, Michael Moore, Mike Franks, Philippa Thompson, James Havron, William F. Howard, John Michael Morgan, Thomas W. Schalter, III, Paige (Robin) Dixon, Jr., Justice Adolpho A. Birch, Jr., and Larry Wilks.

QUOTE OF THE MONTH

JAMES HAVRON (1908 - 2011)

This month's quote comes from James Havron, one of the attorneys honored at the Nashville Bar Association's Memorial Service this year. Mr. Havron died at the age of 102 on April 10, 2011. According to the Resolution read in his honor at the Memorial Service, he was fond of telling his family that he had learned three truths in his life. They are:

1. Human nature has not noticeably changed since the days of the Old Testament.
2. The severity of most problems is only a matter of degree.
3. There is no one in the world more dangerous than an individual with certain beliefs and convictions sincerely held, who has the power to enforce those beliefs and convictions on others, and who is, in fact, wrong.



NOVEMBER 2011



AUTO ACCIDENT

	NOV	YTD
Total Cases Tried	4	35
Plaintiff Verdicts	3	25
Defendant Verdicts	1	8
Other/Under Adv	0	2
Jury Trials	1	21
Non-Jury Trials	3	14
Appeal from G.S.	0	6
Plaintiff Verd.	0	4
Def. Verdict	0	2
Other/None	0	0

CONTRACT

	NOV	YTD
Total Cases Tried	5	54
Plaintiff Verdicts	5	48
Defendant Verdicts	0	6
Other/Under Adv	0	0

HEALTH CARE LIABILITY

	NOV	YTD
Total Cases Tried	1	9
Plaintiff Verdicts	0	2
Defendant Verdicts	1	5
Other/Under Adv/Hung	0	2

MISCELLANEOUS

	NOV	YTD
Total Cases Tried	8	61
Plaintiff Verdicts	4	37
Defendant Verdicts	2	20
Other/Under Adv	2	4

“TEAM ROOKER’S RUNNERS”

EMPLOYEES OF CIRCUIT COURT CLERK’S OFFICE RISE TO MAYOR’S 5K WALK/RUN CHALLENGE

Over 5,000 people came downtown to Public Square Park on Sunday, November 13th to participate in Mayor Karl Dean’s 5K Walk/Run Challenge. Among those taking part was a team of approximately three dozen employees from the Circuit Court Clerk’s office. “I am proud for our office to support the efforts of the mayor to encourage Nashvillians to participate in a healthy lifestyle,” said Circuit Court Clerk Richard Rooker. The event followed on the heels of the mayor’s “Walk 100 Miles with the Mayor” initiative which was hugely successful. Since one in three Tennessee adults are at an unhealthy weight and after learning that Nashville made the Top 20 “Most Out of Shape Cities” in the USA, Mayor Dean decided to challenge all Nashvillians to help change this statistic.



Brian Kahrs, Chief Deputy Clerk of the Probate Division (left), and Glenn Balleto, Chief Deputy Clerk of the Circuit Court Division (right), seen here with Nashville Mayor Karl Dean following the 5K Walk/Run Challenge



Ricky Deatherage, Deputy Clerk in the Probate Division and Deanna Alexander, Appeals Clerk for Circuit Court and Probate Court, pause at the finish line after completing the 5K Walk/Run Challenge

ROOKER REPORT

Published by the Davidson County
Circuit Court Clerk’s Office
1 Public Square, Suite 302, Nashville, TN 37201
Internet - - circuitclerk.nashville.gov
Established by George L. Rooker (1929-1993)
(Circuit Court Clerk, 1968-1993)

RICHARD R. ROOKER Circuit Court Clerk
KYLE SOWELL Editor



To request an ADA accommodation,
please call 880-3309

