



# ROOKER

## DECEMBER 2012

# REPORT

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

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## CIRCUIT COURT CLERK'S OFFICE HONORED AS A WINNER IN MAYOR'S ANNUAL FOOD DRIVE CAMPAIGN

More than 125,000 pounds of food – enough for 98,000 meals for Davidson County families – was raised for Second Harvest Food Bank by the Metro Government-wide food drive led by Mayor Karl Dean. During a news conference at Second Harvest on December 17th, Dean was joined by Governor Bill Haslam and announced the amount of food raised was double the amount collected last year. Dean also recognized three Metro Government departments for winning the "Mayor's Cup." The winner in the general competition among Metro departments was the Circuit Court Clerk's office, which alone gathered and raised enough to provide over 11,000 meals for needy families in the Nashville area.

In the contest between the Fire Department and Police Department, the Fire Department won by raising 15,492 pounds of food. In the public participation contest between Parks and Recreation, the Nashville Farmers' Market and the Metro Transit Authority, MTA won after donating 35,755 pounds of food. For the third year, Dean challenged the Governor's Office to a friendly "food fight," and this year the trophy returned to the Mayor's Office.

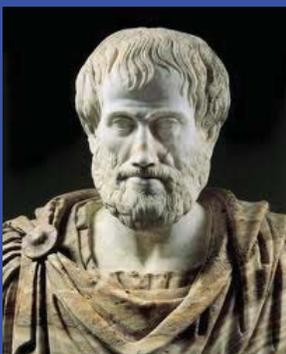
Circuit Court Clerk Richard Rooker expressed his pride and thanks to all those in the clerk's office who participated in the food drive and noted that "the real winners are the many families that will benefit from your generosity."



Dart Gore of the Circuit Court Clerk's Office poses with Nashville Mayor Karl Dean and Governor Bill Haslam after accepting the Mayor's Cup Award on behalf of the Clerk's Office

### QUOTE OF THE MONTH

"At his best, man is the noblest of all animals; separated from law and justice he is the worst."



ARISTOTLE

# CIRCUIT COURT TRIAL VERDICTS DECEMBER 2012

## JURY TRIALS

**IF CASE WAS  
APPEALED FROM  
GENERAL SESSIONS**

CASE	TYPE	COURT	CIRCUIT JUDGMENT	GEN. SESSIONS JUDGMENT	APPELLANT
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**Week of December 3**

12C-2513	METRO APPEAL	1	PLAINTIFF - CASE DISMISSED	N/A	
11C-4666	AUTOMOBILE	6	PLAINTIFF \$15,066	N/A	
12C-2568	AUTOMOBILE	8	PLAINTIFF \$26,800 (P 10% FAULT)	P - \$22,865	DEFENDANT
12C-211	AUTOMOBILE	2	PLAINTIFF \$23,150	N/A	
11C-2293	NEGLIGENCE	5	DEFENDANT VERDICT	N/A	

## NON-JURY TRIALS

CASE	TYPE	COURT	CIRCUIT JUDGMENT	GEN. SESSIONS JUDGMENT	APPELLANT
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**Week of December 10**

12C-3342	CONTRACT/DEBT	6	PLAINTIFF \$2,300 + ATTY FEES & COSTS	P - \$2,500	PLAINTIFF
12C-2870	BREACH OF CONTRACT	5	PLAINTIFF \$32,526 + SPECIFIED INTEREST	N/A	
12C-2569	CONTRACT/DEBT	8	PLAINTIFF \$12,494	P - \$12,944	DEFENDANT
10C-4350	BREACH OF CONTRACT	5	PLAINTIFF \$63,476 + ATTY FEES	N/A	
12C-542	CONTRACT/SWORN ACCT	2	DEFENDANT / CASE DISMISSED	DISMISSED	PLAINTIFF
12C-543	CONTRACT/SWORN ACCT	2	DEFENDANT / CASE DISMISSED	P - \$12,252	DEFENDANT
12C-2080	CONTRACT/DEBT	2	PLAINTIFF \$6,838	P - \$6,838	DEFENDANT
12C-3665	TRAFFIC APPEAL	8	PLAINTIFF \$50 FINE + Ct COSTS	N/A	
12C-4102	BREACH OF CONTRACT	5	PLAINTIFF \$20,128 + ATTY FEES & COSTS	N/A	
12C-1713	SWORN ACCOUNT	5	PARTIAL TRIAL HEARD (RESET SPECIALLY)	N/A	

## SPECIALLY SET TRIALS (JURY & NON-JURY)

CASE	TYPE	COURT	CIRCUIT JUDGMENT	DATE OF TRIAL	JURY OR NON-JURY
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09C-131	CONTRACT/DEBT	5	PLAINTIFF \$28,340	12-18-12	NON-JURY
11C-3251	CERTIORARI & SUPERSEDEAS	2	PLAINTIFF (JUDGMENTS IN GEN SESSIONS SET ASIDE)	12-14-12	NON-JURY

**USE CASELINK TO ACCESS MORE DETAILED INFORMATION  
ABOUT THESE CASES AND THOUSANDS MORE**

# DEPARTMENTS BY THE NUMBER

# December 2012

## CIRCUIT COURT

	DEC	YTD
New Civil Cases Filed.....	189	2,513
Jury Demand.....	87	1,142
Non-Jury.....	102	1,371
New Divorce Cases Filed .....	114	2,303
Domestic Petitions Filed .....	184	2,854
New Adoption Petitions .....	10	146
Civil Cases Concluded.....	157	2,468
Jury Demand.....	99	1,460
Non-Jury .....	58	1,008
Divorce Cases Concluded .....	283	2,356
Domestic Petitions Concluded .....	264	2,852

## GENERAL SESSIONS CIVIL

	DEC	YTD
Total New Cases Filed .....	3,339	49,226
Civil Warrants .....	1,874	25,480
Detainer Warrants .....	581	11,475
Recovery Warrants.....	25	221
Pet for Order of Protection.....	251	3,428
Emergency Committals .....	599	7,856
Other.....	9	766
Executions Issued.....	3,223	49,083
Garnishment Payments .....	4,667	54,597
Judgments Collected.....	\$978,889	\$11,876,196

## PROBATE COURT

	DEC	YTD
Total New Cases Filed .....	129	1,946
Total Cases Closed.....	116	1,976
Probate Will .....	61	861
Probate Will for Muniment of Title.....	7	85
Letters of Administration.....	23	275
Small Estate Affidavits.....	17	303
Conservatorship.....	10	210
Guardianship of Minor .....	1	28
Name Change .....	3	101
Trust Matters.....	3	25
Other Miscellaneous .....	4	58

## TRAFFIC VIOLATIONS BUREAU

	DEC	YTD
Total Traffic Violations .....	7,456	120,247
Moving Citations .....	4,940	81,484
Parking Citations.....	2,516	38,763
Environmental Citations.....	110	2,213
Total Fines Collected .....	\$314,130	\$4,597,842
Nullifications.....	559	8,208
Nullification Fees Collected .....	\$6,707	\$98,481
Credit Card Payments.....	3,384	40,575

## NBA GATHERS AT WILDHORSE SALOON FOR ANNUAL MEETING & BANQUET

On December 6th members of the Nashville Bar Association gathered for their Annual Banquet at the Wildhorse Saloon in downtown Nashville. As part of the evening's festivities, members thanked retiring officers and board members for their service, honored those who upheld the honor of the legal profession by their commitment to the community and the Bar, and welcomed new leaders of the Bar. Following a lively reception, NBA President John Kitch took to the podium to call the meeting to order,



Outgoing NBA President John Kitch (left) accepts a recognition award from incoming NBA President Tom Sherrard

and soon thereafter recognized those retiring their membership on the NBA Board and thanked them for their service to the Bar, including Judge Randy Kennedy (1st Vice President), Judge Marietta Shipley (2nd Vice President), Rebecca Blair, Barbara Holmes, Mandy Haynes Young, Bernadette Welch (Treasurer), and Rebekah Shulman (Secretary).

The Honorable Judge Randy Kennedy presented the 2012 Emeritus Awards to those attorneys who

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# DECEMBER 2012



## AUTO ACCIDENT

	DEC	YTD
Total Cases Tried	3	51
Plaintiff Verdicts	3	40
Defendant Verdicts	0	11
Other/Under Adv	0	0
Jury Trials	3	33
Non-Jury Trials	0	18
Appeal from G.S.	1	3
Plaintiff Verd.	1	3
Def. Verdict	0	0
Other/None	0	0

## CONTRACT

	DEC	YTD
Total Cases Tried	10	55
Plaintiff Verdicts	7	43
Defendant Verdicts	2	11
Other/Under Adv	1	1

## HEALTH CARE LIABILITY

	DEC	YTD
Total Cases Tried	0	11
Plaintiff Verdicts	0	2
Defendant Verdicts	0	6
Other/Under Adv/Hung	0	3

## MISCELLANEOUS

	DEC	YTD
Total Cases Tried	4	68
Plaintiff Verdicts	3	52
Defendant Verdicts	1	12
Other/Under Adv	0	4

## Continued From Page 3 **NBA Annual Meeting**

have participated as members of the Nashville Bar Association for 50 years. Jack Butler, Paul Kent Harrell, and the Honorable Judge Seth Norman each were recognized for their many years of participation and service to the Bar. The CLE Award was presented by Ed Lanquist, Jr. to long-time member Jeff Mobley, who with over 20 years of CLE education instruction in ethics, estate law and more, made the mundane interesting, and improved the quality of continuing legal education.

The Honorable Bill Purcell presented the John C. Tune Community Service Award recognizing the highest degree of dedication as lawyer and for the betterment of the community. He presented it to Harlan Dodson, III, whose father was a mentor of John C. Tune and award recipient in 1985. Dodson's achievements include teacher at Vanderbilt University and Nashville School of Law, author of the annually updated, "Estate Planning and Administration in Tennessee," editor of the Tennessee Practice Series, member of the Tennessee Judicial Council, and founder of the Oasis Center.

President Kitch then concluded the awards portion of the evening by presenting his President's Awards, the first of which went to Tom Lawless, a 12-year volunteer of Dial-A-Lawyer who chaired NBA ethics and professionalism committees, and who is a fellow of the NBA. Judge Robert Echols received the second President's Award and was singled out as a retired army general who was appointed to be the first chair of the newly formed Veterans Committee. James Mackler and James Haltom received the last two President's Awards for their decision to form the Veterans Committee and for their leadership in encouraging its first meeting hosted by Judge Echols.

As one final act as president, Kitch introduced Tom Sherrard as the next President of the Nashville Bar Association. It was noted that Sherrard becomes the 100th President of the NBA. In his remarks, Sherrard recalled his involvement on the Board of the NBA over the last three years and noted that in that time he has been impressed to see so many lawyers actively engaged in productive committee work. On his "pet" project for 2013, Sherrard stated, "We have about 2800 members, a level number over the last few years. I want to entice those who are not yet members to join us. I want our value proposition to remain strong, to focus on retention, moderate growth, and member feedback." President Sherrard also commended John Kitch, complimenting his punctuality, delegation skills and efficiency and focus in running his many meetings throughout the year.

In conclusion, the new president recognized the newly elected 2013 board members: Kay Caudle, Hon. Randal Mashburn, Andrea Perry, Matt Potempa, Saul Solomon, and Jocelyn Stevenson, as well as the new Officers for 2013: General Counsel Gareth Aden, Secretary Cornell Kennedy, Treasurer Trace Blankenship, 2nd VP/Membership John Tarpley, 1st VP/Governance Patricia Moskal, and President-elect Charles Grant.

## ROOKER REPORT

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KYLE SOWELL . . . . . Editor



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