

ROOKER REPORT

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CIRCUIT-PROBATE

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Domestic Motion Docket: Cutting Through the Maze

Friday in Judge Muriel Robinson-Rice's court is something less than a joyous prelude to the weekend. It is that one day set aside to dispose of legal requests known as motions. And every seven-day cycle brings between 75 and 100 litigants and/or their attorneys converging on her fourth-floor emporium to argue their positions on motions affecting divorces and other domestic cases before the court.

Armed with a simple list of case numbers and names, the veteran jurist traditionally sits through lengthy explanations and arguments from legal adversaries as to their clients' positions on the motions being considered. Often, a clerk is asked to retrieve a file to provide the court with information vital to a ruling. Various and sundry other time-consuming elements leave anxious parties squirming in their seats and constantly sneaking glances at their wristwatches.

But wait. Put this scenario in reruns. There's a new show in town.

Since March 1, instead of a raw list of numbers and names, Judge Robinson-Rice has been working from a new, comprehensive computer-generated motion docket that provides her with fingertip data and enables quicker conclusions to the matters at hand.

This streamlined domestic motion docket is another in a series of improvements that have been taking place as the clerk's office continues its program for increased efficiency through the use of electronics. By entering case information into a computer at the time a motion is filed,

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the clerk is able to produce a docket that not only provides basic information as before, but one that also includes a description of each particular case. Consequently, the judge has instant access to vital elements on which to make her ruling.

Another plus is the fact that the motion docket is printed and made available to the judge on Monday, allowing her an opportunity to review the agenda in advance. Similar dockets will be added soon for divorce cases, both contested and uncontested.

While the new service is designed to make each person's day in court go smoother and to create a more organized caseload flow, it will not alter that great ambiance that prevails strongest in courtrooms where domestics are at issue. No, that little piece of Americana will remain intact. Only the means to manage it with a greater degree of expediency has been changed.

CHEERS & TEARS

A hardy welcome back to Judge Thomas Brothers.

Our presiding judge says his recent experience in federal court will strengthen his sense of fairness as he weighs evidence in cases under his purview. We applaud his reaffirmation of faith in the judicial system. A lesser person might have emerged with a deep sense of bitterness.

...Funeral services were held Monday for Walter Adams, a longtime employee of the Circuit Court Clerk's office. Mr. Adams, 39, passed away April 16 at Ddonelson Hospital where he had been undergoing treatment for some time. He had been a dedicated employee of the clerk's office since Sept. 28, 1983. He will be missed.

...Clerk's office nighttime employee Danny Lamb is now recovering at home from surgery he received recently at Parkview Hospital. For those wishing to send Danny a get-well card or other items, his address is 1424-A Janie Avenue, Nashville, 37216. We wish Danny a speedy recovery.

Oops! THERE GOES ANOTHER DAY AT THE OFFICE

Ever had one of those days when the morning coffee tasted like mud, there was a flat tire on your Lamborghini and you discovered during a meeting with your banker that the black sock on your right foot didn't match the blue one on your left?

If not, then you probably won't appreciate this story. Sympathy will come, however, from those who suffer through bad hair days and static electricity in their trouser legs.

It all began just a few days before Easter as staffers on the fifth floor worked feverishly to tie up loose ends before the long weekend ahead. As always, lawsuits were being entered into the computer system as fast as they were filed. Pleadings, sheriff's returns and receipts were being punctually added to the day's worklog. The courtrooms were closed for the holidays and there was no outside interference to prolong the routine.

Now, no computer worth its hard disk would tolerate this type of complacency. And our computer is a pretty sophisticated piece of machinery.

Imagine, if you will, a comic book character with his finger inserted in an electrical outlet. You have congered up a fairly accurate mental image of deputy clerk Mike Garrett when he suddenly discovered that every minute particle of the day's data entry had figuratively gone up in smoke. The computer had gotten revenge.

But the story has a happy ending. We probably wouldn't be telling it otherwise.

Every bit of data was recreated the following day and the software problem that caused the panic was corrected via implementation of a backup system.

How were the clerks able--a full day later--to recreate an entire day's intake of litigation when documents are promptly placed into the paper file folders and tucked away in a Lektriever? Simple. The clerk who does the filing was out sick that day.

As for retrieving all the other information, the staff dug really deep--into the trash cans. It seems that the cleaning crew had also taken a night off.

Guess Mr. Computer failed to calculate that variable.

PROBATE:**NEGLIGENT ESTATE WARDS ORDERED TO 'SHOW CAUSE'**

Complying with new regulations stiffening attribution in estate representation, the Probate Court Clerk's office has issued half a dozen citations requiring personal representatives to show cause for their negligence.

The orders were the first to go out as part of an intensified effort to enforce new statutory guidelines requiring better accountability by personal representatives appointed to care for estates in probate status.

Those receiving the citations will be asked to explain to the clerk their failures to meet their responsibilities of properly handling the estates under their control.

The clerk also mailed out 49 first-time notices in March, asking estate wards to provide final accountings for the purpose of closing their cases. Another 76 representatives received second notices while 125 were cited to appear before the clerk with proper accounting records.

Among the new requirements, estate representatives must submit a proposed property management plan and update it for the clerk each time revisions are made.

The pending caseload in Probate Court shrunk by approximately 100 in March with 181 new cases being opened and 192 being closed, including about 70 staledated cases that were escheated to the state because the involved parties were never located. There are presently 8,536 pending cases.

Receipts showed a sharp rise during March, accompanied by a marked increase in fees collected. The 701 total for the month overshadowed February's 486 receipts.

MEANWHILE, ON THE OTHER SIDE OF THE STREET.....

Now and again, events that make news on one side of the street are worth repeating for those on the other side. Such is the case of last month's record-breaking collections of fines by the Traffic Violations Bureau.

The bureau took in \$381,699 in raw fines alone, plus \$20,956 in county litigation taxes and another \$7,194 in Metro Court non-traffic cases. That spelled \$409,849 for the Metro general fund--definitely worth mentioning.

Message from the Clerk

At the time of his death, my father had a number of projects in the works to improve the operations of the clerk's office. Most of those changes addressed themselves to providing greater efficiency and service for those doing business with the courts. But his newest project was this newsletter, which he envisioned as a solution to a communications gap between the judiciary and administrative branches.

He had been considering ways to cope with this dilemma for some time because of increasing workload demands on both sides that simply forbade one-on-one personal discussions. Hence, the left hand was becoming a stranger to the right hand.

Dad's hope for a resolution to the problem was a monthly newsletter that would keep the judicial members apprised of important developments taking place in his department. Two editions would be distributed each month--one to the General Sessions division and the other to the Circuit and Probate judges. He settled on the title "Rooker Report" as an appropriate means of identification.

Unfortunately, he passed away after the maiden publication in February. In his memory, a March issue was distributed, devoted exclusively to his biography as a public servant.

Earlier this month the Metro Council selected me to complete my father's elected term through August of next year. I have pledged to continue all the projects my father had undertaken and to see them through to fruition. And that includes the continuation of this newsletter.

Appropriately, the name will remain the same.

In the months ahead, efforts will be made to expand the reports to include a wider range of information from both business and personal viewpoints. Other exciting aspects are under study for possible publication as well.

To paraphrase a slogan from the advertising industry: "A strange thing happens without advertising... Nothing!" The same philosophy applies to communications. We want you to read our reports, but we also would appreciate some feedback. Let us know what you think. Suggestions on how we can improve the report will be welcomed.

Richard (Ricky) Rooker