

Rooker Report

December 15, 1993 Published by the Davidson County Circuit Court Clerk's Office Vol. 1, No. 11

Seasons Greetings

A Nashville
Christmas Story

*'Twas
the day
before Christmas,
The courthouse was
quiet... The doors were
all locked; Not a person
in sight. The lots were all
empty; Where could every-
one be? At home wrapping gifts?
Decorating the tree? But today is
my deadline, My ticket's past due;
And I want to file suit...Pay my child
support, too. Then out of the blue, It
dawned on my mind; At this time of year,
They won't count me behind. So I ran to my
car, Drove off in relief, Knowing on Tuesday I
could still file my brief. As I looked in my mirror,
While driving away, I saw someone waving From
what looked like a sleigh, With a smile and a nod,
I stopped and looked back, It just had to be him For
he was totin' a sack. I pulled to the curb, Sat there for
a while, 'Til I saw at my window A stubble- faced smile.
It wasn't Saint Nicholas, Just a harmless, old man, He
asked me for money; I stuck some in his hand. After all,
it was Christmas, He had no place to go; The streets were
deserted, Heck, nobody would know. He gave me his thanks,
Then he ambled away, In his pocket the jingle Of another day's pay.
"Merry Christmas," I shouted. He looked back through a tear.*

"Same to you, Santa Claus...

*I'll see
you next
year."*

Richard Rooker & Staff

Dial-A-Case Expanding to Circuit Court Cases

Starting Jan. 3, subscribers to our Dial-A-Case modem access service will be getting more for their money and new customers will be encouraged to join the network as the system expands to include Circuit Court cases.

The service, which allows attorneys and others to electronically access case file information without leaving their offices, currently is applicable only to General Sessions Civil Division cases. But

equipment modifications are now being completed to allow review of circuit cases as well.

Circuit Court Clerk Richard Rooker, who initiated the program, said the expansion will automatically be added to existing subscriptions at no extra charge. New subscribers, he said, will have access to case files in both court systems at the same applicable rates.

The service offers three subscription options to best accommodate a variety of specific needs. There is a basic party line shared by eight or more subscribers, a deluxe party line for three or more subscribers, and a premium package designed for private use.

Chief Administrative Clerk Carole Garrett said prospective subscribers to party line packages should not be concerned about enlisting others to attain subscription minimums. Such interested parties should simply express their service preference, she said, and those handling the program will assist in coordinating customer packaging.

The basic party line offers up to four hours of computer time monthly for \$100, with a surcharge of 48 cents for each additional minute of usage. The deluxe party line costs \$252 a month for up to 20 hours and 40 cents a minute for additional time. Premium users pay \$680 for 40 hours a month and 32 cents for each additional minute.

Customers have 24-hour, seven-days-a-week access to all case files in the two civil court systems with data updates being available daily after 3 p.m.

A brochure detailing the program is available upon request.

Cheers...

Circuit Court Deputy Clerk **Gregg Nicholson** and **Beth Ann Davis**, a clerk with the Metro Public Works Department, gave themselves time to digest Thanksgiving dinner, then tied the knot on Nov. 27 at historic Shadowbrook in Joelton. Then it was off to Gatlinburg for a week-long honeymoon before getting back into the work routine...Meanwhile, the ever-present smile of **Renee Ruben** became even more radiant to her fellow workers in General Sessions Civil Division as she showed off her engagement ring from **Scott Geltzer**. The two have been an item for some time and will add the exclamation point next December. ...We applaud Gov. **Ned McWherter's** interim appointment of **A.A. Birch** to the state Supreme Court. Judge Birch moves up from the state Court of Criminal Appeals. He will serve until August when a special election will determine who will fill out the remaining four years of **Judge Martha Craig Daughtrey**, who now is on the 6th Circuit Court of Appeals. Birch is a logical choice for the judicial post, based on his distinguished record. . . Best wishes to **Susan Gore** in her new job with the Metro Pretrial Release program. Mrs. Gore transferred from our Traffic Violations Bureau Warrant Office.

...Tears

We are deeply saddened by the sudden death last month of retired Tennessee Supreme Court Justice **William J. Harbison**, who suffered a massive heart attack at the age of 70. Mr. Harbison served his profession with dignity, first as a general practice lawyer for 24 years, then as a supreme court justice for 16 years and finally as a member of the **Sherrard & Roe** law firm. We agree with those who called him a "gentleman scholar" and we shall miss his presence in the legal community.



Circuit Court Jury Trial Verdicts

WEEK OF NOVEMBER 8

Case Number	Type of Case	Verdict
86C-3087 1034	Medical Malpractice	Defendant
92C-2634 mistrial	Auto Accident	*(P) Pending
91C-1854 524	Medical Malpractice	Defendant
90C-3202 756. H	Medical Malpractice	Defendant
92C-1445 e	Warranty/Contract	Directed Verdict
92C-3261 e	Contract	(P) \$890

WEEK OF NOVEMBER 15

Case Number	Type of Case	Verdict
90C-1832 1213. H	Auto Accident	(P) \$2,000
92C-2466 322	Personal Injury	Defendant

*Jury declined to assess damages.

Service Ideal for Law Firm 'Pooling'

For law firms with multiple partnerships, the Dial-A-Case modem service can be a practical, economical instrument of resource pooling.

A single, centrally located computer terminal equipped with a modem could be shared by all attorneys in a firm with the monthly cost being prorated equally among them. Such use would be available under the "premium" plan only, since the service would apply to a single equipment base. But the cost to each user would be comparable to the party line fee schedule.

For example, a firm with eight co-subscribers would share a monthly fee of \$680 for 40 hours of use. That nets out to only \$85 each with each user getting five hours of query time. The rate for four hours of use by a basic party line subscriber is \$100.

January Birthdays

Circuit Court Clerk

14 Janet Parrish
29 Deborah Hennessee

General Sessions

7 Susan McDonald
11 Betty Newton
27 Faye Coleman
30 Connie Colley

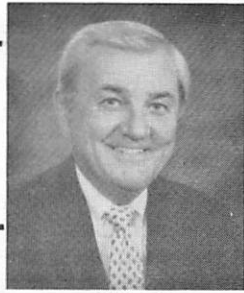
Traffic Violations

2 Bessie Fox
Richard Arnold
7 Phil York
15 Ron Gibson

Probate

None

One good thing about having a birthday at this time of year...the heat from the candles does wonders for your arthritis.



WILLIS



HARWELL

Bar Honors Willis; Harwell Installed

The Nashville Bar Association suited up in its finest this month to honor its most worthy and to inaugurate its new leaders.

The affair was the association's annual banquet at the Stouffer Hotel where there was enough legal knowledge gathered to rewrite a complete law library.

They came to recognize their own for professional achievements and to receive motivation from those selected to lead them in the year ahead. They weren't disappointed in either area.

In the achievement department, it was veteran barrister William R. Willis picking up the accolades by receiving the John C. Tune Public Service Award, the bar's highest honor.

Willis shared the podium with fellow attorney Frank Scanlon, who was honored for his work in training lawyers to help poor people with problems involving unemployment compensation laws. Scanlon, a 1973 graduate of the University of Maine, is affiliated with the firm Watkins, McGugen, McNeilly and Rowan.

Willis, a former association president and a civil and legal affairs leader, was labeled as a "Renaissance man" and a "lawyer's lawyer" by Attorney Charles H. Warfield, who picked up the same award last year.

Among his many accomplishments, Willis is perhaps best noted for his role in helping establish the Tennessee Supreme Court's

Board of Professional Responsibility, the state's disciplinary agency which he chairs. He also has been chairman of the Metro Board of Hospitals for the past 18 years.

Willis is a graduate of Vanderbilt University, the same school that produced the association's new president, Aubrey Harwell.

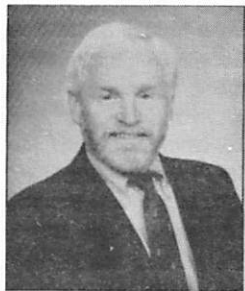
Harwell, of the firm Neal & Harwell, was installed as the 1994 president, succeeding James M. Doran, Jr. When Harwell steps down, he will be succeeded by Frank G. Clement, Jr., who was selected by the body as president-elect.

Other new officers include John R. Tarpley, first vice-president; Jane L. Davis, second vice-president; Tom Wiseman III, secretary, and Douglas E. Jones, treasurer.

Elected to three-year terms to the association's board of directors were Gail V. Ashworth, Dot Dobbins, Circuit Court Judge Barbara Haynes, Stafford McNamee, George H. Thompson III and Larry R. Williams.



CLEMENT



SCANLON



Bordeaux Hospital Gift Tree

Employees of the General Sessions Civil Division put final trimmings on the office Christmas tree that will reap gifts for elderly patients of Bordeaux Hospital. The clerk's office holds the gift drive each year to help bring Christmas joy to the patients. Doing the trim work, left to right, are Margaret Blair, Chief Clerk Jeff Filson and Joyce Heinrich.

State Trial Courts Name Administrator

George Prentice, a 32-year-old native of New Orleans, has been named administrator of Davidson County's 14 state trial courts, a position sought by more than 100 applicants.

Prentice assumed the position on Dec. 6. He becomes the first court administrator for the trial judges. His duties will encompass about every area of administrative functions attached to the operations of the Criminal, Circuit, Probate and Chancery courts--from budgets to dockets to space coordination.

"We've never had a court administrator before," said Presiding Judge Thomas H. Shriver, "so we're just feeling our way along until we can get organized."

Shriver said that while most of Prentice's initial work will be in the non-judicial area, eventually it will include more intense responsibilities, such as organizing a unified jury system for all courts.

"There is lots to be done and I am excited about the position," said Prentice, whose background includes eight years in court administration.

A graduate of the University of New Orleans, Prentice attended graduate school at American University where he received his master's degree in justice, specializing in court management.

After working in the New Orleans court system for five years, Prentice moved to Washington, D.C., where he served with the U.S. District Court for three years.

He and wife Erin have two daughters, Hilary, 5, and Emily, 2. They are expecting their third child in June.



PRENTICE

Community Police, Small Knives Clear Security

Keeping up with courthouse security changes...

More system modifications were made last month to accommodate community law enforcement agencies and owners of small utility knives.

Police officers from municipalities outside Metro had been required to surrender their weapons at the courthouse door under the original security rules. They complained bitterly, claiming they held the same certification rank as Metro policemen who are permitted to go armed inside the building.

Judges, who played a key role in devising the security operational plan, finally recanted on their initial position, agreeing to exempt the weapons prohibition for all agencies with state certification. The judges also relaxed the rule against possession of small

pocketknives. Originally, all knives had to be checked at the security stations, regardless of their size. But the revised rules allow possession of such instruments that are four inches or shorter in length. That same guideline is used by most airport security programs, based on the premise that such items are not considered to be potentially dangerous weapons.

That same reasoning was adopted earlier in regards to possession of aerosol containers of Mace, which was considered to be a defensive mechanism not carried for offensive purposes. The earlier prohibition against Mace inside the building was amended primarily in the interest of female employees who often work beyond the security cutoff time and are subject to attack en route to their vehicles.

Traffic

November is a record!

Davidson County motorists paid the government \$336,184 in traffic fines last month, making it a record-breaking November in fine collections.

The previous November record was \$285,438, set last year.

A sharp increase in the number of parking citations was the biggest contributor to this year's record fine total. The \$148,429 collected under that classification represented a total of 10,608 citations.

Last year's aggregate fine payments included only 7,536 parking tickets. The Traffic and Parking Commission, which employs meter patrol personnel, increased its staff by one person this year, a factor that played at least a small part in the increase.

Moving violations showed very little variation in revenue generation, although fewer citations were adjudicated. A total of 6,827 offenses this November brought in \$187,755 in fines, compared with \$186,760 for 7,140 citations last year.

Neither the number of tickets issued nor the amount of fines collected can be correlated with a particular month's activity by law enforcement. Tickets written for traffic violations this month, for example, do not become due until the assigned court date. Many offenders pay their fines early, rather than appearing in court, and others take advantage of a 10-working-day grace period following adjudication by judges.

Consequently, there is no way to align one month's fine revenues with the number of tickets written during the same period.

Historically, there is only a slight variation in the number of moving traffic citations issued by police. During the current decade, the number of tickets issued during the month of November has ranged from a high of 20,116 in 1990 to 19,228 this year.

The issuance of parking citations, on the other hand, has been less consistent. After 9,982 tickets were written in 1990, the number plummeted to only 6,868 the next year, then rose to 10,145 in 1992. There were 14,421 written this November.

Probate

Cases going on computer

Operations in our Probate clerk's office will soon be getting an efficiency boost, following installation of computer equipment this month.

The new system will provide instant access to probate file information dating back to 1982 and will generate both court and master dockets once testing has been completed.

Installation of the equipment was completed on Dec. 8. Optimistically speaking, the system could go "live" in early January, but Circuit Court Clerk Richard Rooker said paralleling (backup) would continue for as long as necessary to assure flawless performance.

Software programs written specifically for the probate operations already contain a complete index of all cases filed in the office during the past 11 years. New case activity will be added as it occurs.

The probate office is the latest office in our four-department operation to be computerized. Since realizing benefits from the first system in the General Sessions Civil Division, similar programs have been added in the Circuit Court Clerk's office and in the Warrant Office of the Traffic Violations Bureau. In addition, a modem access subscriber service introduced by our General Sessions Civil Division will soon be expanded to include Circuit Court file access.

While the probate system will enhance efficiency, customer terminals will not be immediately available for self-serve inquiries. Clerks will operate the terminals in accommodation of customer requests.

Law Firm, Clerks Exchange Role Information at Seminar

Varying rules of procedure in three of the county's civil court systems were detailed during a seminar hosted last month by the law firm of Manier, Herod, Hollabaugh and Smith.

Included in the guest list were Chief Deputy Circuit Court Clerk Karen Rooker, Deputy General Sessions Court Clerk Gay Parker and Chief Deputy Chancery Court Clerk and Master Doris Willis.

While each of the deputy clerks had an opportunity to explain rules and regulations governing operations of their respective offices, they, in turn, gained insight into the functional methods employed by their counterparts.

"It was very informative for them and for us," said Mrs. Rooker.

In addition to members of the hosting law firm, secretaries, paralegals, runners and some of the county's newer attorneys were on hand for the luncheon-seminar.

Rooker Report

Published by the Davidson County Circuit Court Clerk's Office
506 Metropolitan Courthouse, Nashville, TN 37201
Estb. February, 1993 by George L. Rooker (1989-1993)

Richard R. Rooker Circuit Court Clerk
Gene Baker Editor