

ROOKER REPORT

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Robinson, Mondelli Provide Judicial Deja Vue

Like Father...



Gale Robinson was a 15-year-old student at Columbia Military Academy when his father of the same name was first elected presiding judge of the General Sessions courts.

Now, armed with a law degree, experience in private practice and a winner in his first political outing, the city's youngest judge has attained that same prestigious milestone.

Robinson was selected by his fellow judges a year ago to preside over the business operations of the nine-division court system. His one-year term began unceremoniously on Sept. 1, the fourth anniversary date of current judicial terms.

Ironically, the judge he succeeded, Michael Mondelli, is also a second generation General Sessions judge in his first term.

Mondelli's father, Leslie Mondelli, retired from the bench in 1990 after serving 18 years. It was the rarest of moments when the elder Mondelli passed the gavel to his son following approval by the voters.

During the first half of their eight-year terms, both Robinson and Mondelli have received high marks for their performances on the bench. Each has been favorably compared to his father for both personality and judicial style.

The Robinson persona attaches itself to an informal looseness that effectively makes those around him feel at ease. As a virtual clone of his father, he has inherited a knack for dealing with people at their own level of intelligence and personality.

Mondelli enjoys the same traits, but administers them with a less flamboyant flair, tending to display a more reserved, businesslike demeanor. That quality was evident a year ago when he instituted a novel committee approach to dealing with the courts' annual multi-million-dollar operations.

The idea behind Mondelli's plan was to provide intermediate resolution of problems

(See ROBINSON, Page 4)



Leslie Allumbaugh Photo
Judge Gale Bright Robinson assumes the presiding role over General Sessions Court, a position formerly held by his father Edward Gale Robinson (inset).

Mondelli Rates Term:



MIKE MONDELLI



LESLIE MONDELLI

'We Made Some Progress, But There's Much More to be Done'

Giving his committee concept a passing grade, Michael Mondelli assessed his year as presiding judge of the General Sessions courts as one of accomplishment in a variety of areas.

But he said the progress should be used as a foundation for building an even more effective court system for the future. "We've made progress," he said, "but there's so much more to be done."

Mondelli said his committee plan to meet day-to-day problems head-on as they occur "is an idea that needs some more work." He noted that judges found the approach to be helpful, "but because it is a change from past practices, it needs more time to be effective."

"The concept is good because it gives at least three different perspec-

(See MONDELLI, Page 4)

Grazing

Occupants of the Ben West Building are breathing much better these days after plumbing repairs corrected a smelly problem that was unsanitary, unappetizing and darn near untrackable.

It took a lot of searching and testing, but the source of the pungent penetration finally was pinpointed. The problem was right under our noses all the time. But it was a deep-seated one.

Seals around the bases of some bathroom commodes had corroded and deteriorated, allowing odors to escape. New seals were installed and the stench was arrested.

We're glad they got to the bottom of that problem.

Next improvements for the Ben West Building is what should be the final phase of a remodeling project that will include new wallpaper for the Traffic Violations Bureau. That undertaking is scheduled for the last week of this month while judges are away attending a judicial conference.

Supposedly, all walls in the building will get some sprucing up, including the ones just inside the west entry where the pay phone used to be located. All messages and phone numbers now written there will become extremely difficult to read.

Court-appointed attorneys for indigent defendants are now entitled to better paychecks for their services as a result of recent authorization by the state supreme court.

The high court doubled from \$20 to \$40 the hourly rate for office work performed by appointed lawyers representing poor defendants and increased hourly courtroom appearance rates from \$30 to \$50. Additionally, maximum fee payments in misdemeanor cases doubled to \$200 and the ceiling on serious felony charges was increased from \$1,000 to \$2,000.

Attorneys have long claimed that the state's payment system failed to ensure adequate legal defense for indigents because the amount of compensation often failed to pay the overhead for handling their cases.

Trial court judges have selected Criminal Court Judge Thomas H. Shriver to serve as presiding judge for a second straight one-year term.

Shriver's selection to succeed himself was made in July -- two months before his first term had ended and well in advance of the customary September election date.

Said Sixth Circuit Court Judge Thomas Brothers, "We snuck up on him and he was kind enough to take it on again."

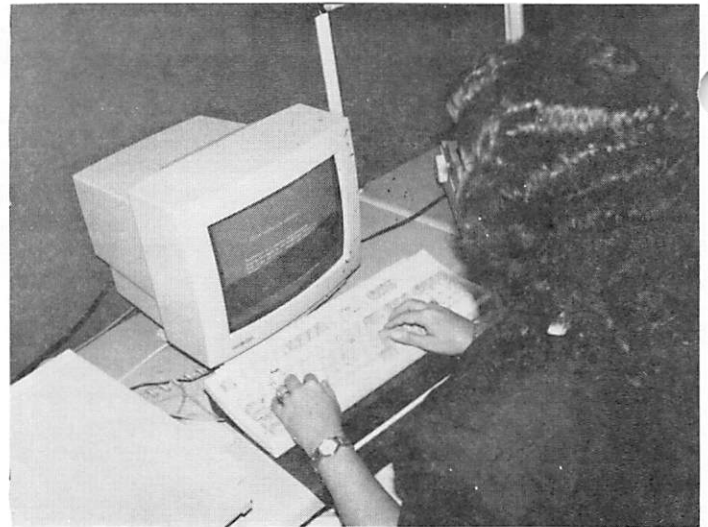
Under existing rules, trial courts can elect a presiding judge for terms of up to four years. "We haven't found anybody willing to take it on for quite that long," Brothers chuckled.

Shriver is the third straight judge to hold the position for two years, following judges Walter Kurtz and Brothers.

Some people just get no respect. Attorney Blake Freeman claims to be one of them.

Freeman says he was the person who came to the aid of General Sessions Judge William Higgins and his two court officers when they were stuck in an elevator at Central State Hospital several weeks ago. Freeman says he discovered the judicial trio's plight and initiated rescue procedures, "or else they might still be there ringing that emergency bell."

The incident was noted in last month's Rooker Report, but sources providing the information failed to credit Freeman as the hero. We are happy to acknowledge the oversight (with all due respect).



Leslie Allumbaugh Photo

Pretrial Diversion Counselor Janet Stanfield
...interacts with her new braille-equipped computer

Braille Computer Gives Worker 'Fingertip Vision'

For a working lady who has no optical vision, Janet Stanfield does okay for herself.

Notice, we said no "optical" vision. Janet Stanfield has plenty of vision of the type derived from ambition, hope and determination. She couldn't have lasted 17 years in her job without it.

That's how long Janet has been tackling, and solving, problems associated with the county's Pretrial Diversion program, an intra-department tentacle of Pretrial Release. Her counseling work outlasted two sheriffs and is now getting high marks from her new bosses, the General Sessions judges, who took over the pretrial evaluation program last year.

Janet, whose husband Richard is fully sighted and works in the time computation program of the sheriff's department, supervises cases of those who qualify for the program's probationary process. That means interviewing and corresponding with clients, typing reports for the district attorney and communicating with attorneys and the courts. To put that in perspective, her "client list" currently totals 133.

Until recently, Janet had to rely on her co-workers to read all of her correspondence aloud. She then would use a typewriter to answer her mail and to draw up legal documents pertinent to the cases assigned to her.

But all of that changed last July when the pretrial office purchased a braille-functioning computer that has enabled Janet to become totally independent and self sufficient in her job.

The specially built machine converts written text to braille, allowing the operator to "feel" the words selected on the computer screen. When type-written materials, such as letters and court orders, are fed through a scanner, they appear both on the monitor and on the braille reader. The operator simply pushes a key on the keyboard to advance the cursor to the next line of the message and the braille reader board automatically changes to conform to the line selected.

Janet will use the system to read this story. Go ahead and smile, Janet.

The computer also is equipped with a Word Perfect program that enables Janet to answer correspondence and prepare orders and other documentation without assistance.

The total system cost about \$6,000 and was ordered from a California company that specializes in braille computer equipment. The pretrial program will realize a good return on the investment through increased productivity from its only employee with fingertip vision.

New Circuit Plan Would Speed Up Smaller Claims

Circuit Court judges are developing a procedure designed to bring smaller claims to speedier conclusion and allow the courts to focus on more complex cases.

If effective, the new "expedited docket" would reduce the number of unnecessary trial dates through early judicial intervention aimed at resolving pretrial issues and promoting a higher percentage of settlements.

Preliminarily, only tort claims involving automobile accidents where the amount of demand is \$150,000 or less would be subject to the new rule. But the docket could later be expanded to include other types of cases in that same value range.

Under the new arrangement, approved by the judges at a special August meeting, cases meeting the described criteria would be placed on the assigned court's calendar for a "status conference" approximately 90 to 120 days from the time of filing. At that time, both sides would be encouraged to seek alternatives to a jury trial.

Cheers...

At the age of 82 and sporting an impressive half-century of public service, the likeable **Joe Torrence** said goodbye to his courthouse family last month, passing his Criminal Court Clerk title to son **David** and settling in for a well-deserved retirement. For sure, the accolades uttered during two different appreciation events were fitting for a devoted public servant whose contributions as a teacher, director of finance and clerk serve as inspiration to those who choose careers in government service. Three cheers for a great role model, whose daily presence in the courthouse will be missed...We also tip our hats to **Terry Peaks** for the expertise he displayed in reviving a heart attack victim outside a General Sessions courtroom in August. Peaks, traffic school coordinator, effected CPR techniques after other rescue personnel were unable to bring the victim around. Unfortunately, the person died after being transported to a hospital. But the unrelenting effort by Peaks gave the victim a chance that would not have existed otherwise...Circuit Court Judge **Marietta Shipley** came to the aid of a court officer who slipped and fell in a courthouse hallway last month. **Linda Dorris**, an employee of Circuit Court Judge **Barbara Haynes**, received a concussion in the fall and was treated at General Hospital. Thanks to Judge Shipley, who was working late that day, Ms. Dorris received necessary immediate care...**Steve Smith**, 31-year-old son of Traffic Warrant Officer **Carl Smith**, has returned home from St. Thomas Hospital where he underwent successful heart bypass surgery...And **Jimmy King** is looking forward to returning to his job with the Criminal Court Clerk's office following recent prostate surgery...So, that brings us down to this month's nursery report. Might as well start with **Kim Clary**, a clerk in our Probate office who defied rumors that she would explode before the baby came. Kim and hubby **Johnny** welcomed 8-pound, 14-ounce **Jonathan Hunter** into the Clary family on Aug. 19...Former Traffic Violations Bureau computer operator-turned-teacher **Julie Johnson** presented husband **Larry** with an 8-pound, 9-ounce son on Aug. 22. The couple chose **Teran Lee** as the name of their first born...Congratulations also to **Brenda Best** of our General Sessions Civil Division, and Sessions Judge **William Higgins**, who became grandparents during the month of August. No, there is no connection. They became grandparents separately and independently of one another. Brenda's son **Billy** and wife **Mary Beth** welcomed **Thomas Evan "Brooks" Best** on Aug. 11. He came in at a whopping 9-pounds, 4-ounces and measured 21 inches in length...Judge Higgins and wife **Janice** traveled to Kohler, Wisconsin to see their newest grandson, **Daniel Donoghue, Jr.**, who weighed a tender 6-pounds, 13-ounces, much to the delight of mom **Jill**...And that concludes our all-male nursery report for August...Finally, we extend our best wishes to **Kim Lowe**, who has resigned from our child support department to enter business for herself. Kim ended 4 1/2 years of dedicated service on Aug. 19.

Three basic alternatives would be suggested:

>A non-jury mini trial restricted to a high-low dollar range agreed upon in advance by both parties;

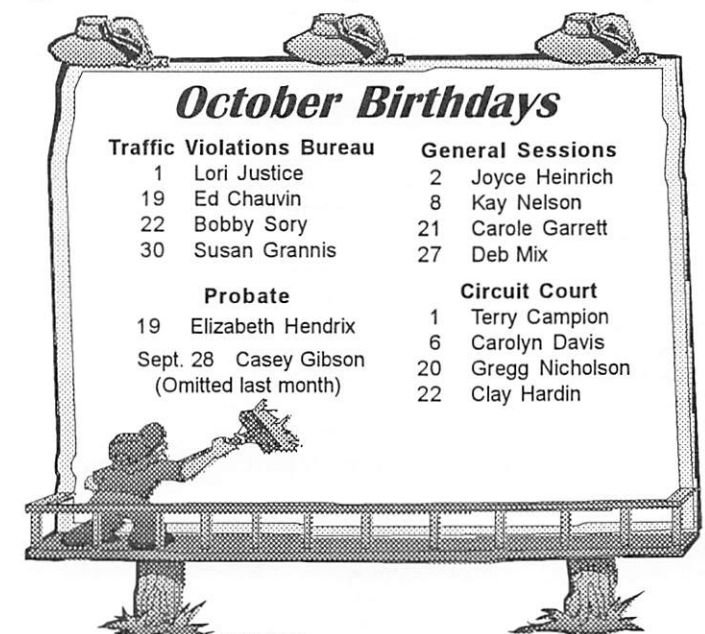
>A settlement conference before a Circuit Court judge other than the one assigned to the case;

>Other dispute resolution methods, such as mediation or arbitration.

If the alternatives were not acceptable to the parties, a trial date would be set, accompanied by a scheduling order with strict deadlines for completing pretrial issues.

The concept, while forcing attorneys to give more immediate and thorough attention to their cases, would prevent a buildup of stagnant lawsuits while also effectively enhancing efforts to improve an overlapping jury selection system.

The circuit court clerk's office is in the process of preparing a list of cases eligible for consideration under the plan.



...Tears

Sen. Avon Williams Jr., was a perfectionist who never left a stone unturned in defending the legal rights of his clients. His tenacity in that regard made him a formidable opponent in the courtroom and helped him succeed in his crusades for racial balance in the schools and other civil rights causes. In the end, it was an unrelenting adversary called Lou Gehrig's disease that doused the fiery radiance of the courageous champion of desegregation. His accomplishments are hereby acknowledged with salutations of respect and shared sympathy of a community that benefited from his deeds.

Deepest sympathy also to the following persons in the recent losses of loved ones:

Carolyn Nickens, court officer for General Sessions Judge Donald Washburn, who lost her brother, Johnny Baker of Gordonsville;

Diane Clark, employee of Probate Judge Jim Everett, whose mother Elizabeth Ruhland passed away on Aug. 22;

Kay Wyatt, wife of Criminal Court Judge Randall Wyatt, in the passing of her mother, Mary Kohl;

Morris Levine in the death of his brother and fellow attorney David Levine;

Robert Coleman, traffic warrant officer, whose 21-year-old niece, Heidi Ainslie of Smyrna, was fatally injured in a car accident.

Wrinkles in the Walls

Because of space limitations, our courthouse series, "Wrinkles in the Walls," will resume next month.



Robinson

(From Page 1)

arising from the various areas of law covered by the courts. The judges then could devote their monthly meetings to matters of more internal concern.

While the concept failed to achieve all the goals -- partly because of the judges' hectic rotational work schedules -- Mondelli feels the idea can be effective, given more time. Robinson agrees and will continue the program during his term as presiding judge.

There is an obvious mutual respect between the two "freshman" jurists who, along with Judge Penny Harrington, have added a new dimension to the otherwise veteran panel. Robinson, at 38, is a full decade younger than Mondelli, but appears more impressed by his counterpart's deeds than the age difference.

"I have a hard act to follow," Robinson says of Mondelli. "Mike did a great job of staying involved in all phases of the courts' operations and I hope to continue that."

Robinson said he has no desire to change the existing docket rotation, even though the presiding judge is empowered to do so by the Metro Charter. He said that added responsibilities placed on the lower courts during the past year -- jurisdiction over orders of protection, judicial control over communicable disease cases and implementation of the county's Pretrial Release program -- dictate a present need for continuity.

In meeting the challenge before him, Robinson can rely upon the heredity factor that has allowed him to adhere to the robe with the greatest of ease. He appears to be as comfortable in his judicial role as his father Edward Gale Robinson, who served an unprecedented six consecutive years as presiding judge during an 18-year stint that ended in 1987 in an unsuccessful bid for mayor.

The seniors Robinson and Mondelli shared bench duty for a number of those years. The contrast was identical. Those who have witnessed both the fathers and the sons say the similarities provide an almost spooky shot of *deja vue*.

And with lots of other little Robinsons and Mondellis waiting in the wings, who knows when it all will end?

Mondelli

(From Page 1)

tives on problems," he said. "And because the issues are addressed while they are still fresh, there is time to reflect on the problems and arrive at reasonable, thought-out solutions. The benefits far outweigh the disadvantages."

The committee concept ideally would free up the presiding judge from routine docket rotation and give him more of an administrative role. So far, that luxury hasn't presented itself, Mondelli noted.

Judge Gale Robinson, who assumed the presiding role from Mondelli, said he would continue the plan.

Mondelli said any shortcomings of the committee plan was overshadowed by the outstanding accomplishments of the system during the year. Specifically, he cited the smooth implementation of the Pretrial Release program, which the judges assumed from the sheriff's department in July.

He said the success of the program was "very important because it kept the jails from being overcrowded, the city out of federal court and it demonstrated that Metro Government could manage jails and people in a constitutional fashion."

Mondelli also praised night commissioners and the Corrections Corporation of America for their diplomacy in handling hundreds of wheelchair patients who were arrested during a sit-in protest at Opryland theme park last fall. "The situation was handled with a great deal of ease and satisfaction, thanks to the cooperative efforts of all agencies involved," he said.

Mondelli noted that the sessions courts also took on additional assignments with the transfer of Order of Protection cases and extended jurisdiction over noncomplying persons with communicable diseases.

① \$ #

DATA BANK

Statistics compiled for the month of August

Case Information

Circuit Court

New Civil Cases Filed.....	308
Civil Cases Concluded.....	323
New Divorce Cases Filed	360
Divorce Cases Closed	360

General Sessions Civil

New Cases Filed	3,660
Executions Issued	2,338
Judgments Collected	\$525,786

Probate Court

New Cases Filed	185
Cases Closed	157

Traffic Violations

Moving Citations	19,382
Parking Violations	10,249
Total Fines Collected	\$322,828
Nullifications	1,649
Nullification Fees Collected	\$14,841

Circuit Court Jury Trial Verdicts

Week of August 15

Case	Type	Court		Verdict
91C-3056 ✓	Breach/Contract	1st (P)		\$1,285,502
93C-2755/3906 ✓	Auto Accident	3rd (P)		200,000
93C-1391 ✓	Auto Accident	5th (P)		16,000

Week of August 22

Case	Type	Court		Verdict
91C-583	Auto Accident	5th		Defendant
93C-3034/3035	Auto Accident	6th		Defendant
93C-1150/1151 ✓	Auto / Appeal	1st (P)		\$9,528
92C-1704/93C-3811 ✓	Auto Accident	3rd		Defendant
91C-3390	Auto Accident	2nd (P)		\$5,460
93C-3125 ✓	Auto / Appeal	1st		Defendant

Week of August 29

Case	Type	Court		Verdict
93C-336 ✓	Auto Accident	2nd		Defendant
92C-1759	Personal Injury	6th (P)		\$400,000
94C-130 ✓	Auto Accident	1st (P)		18,000
89C-2468 ✓	Personal Injury	5th (D)		Directed
93C-686 ✓	Condemnation	2nd (P)		6,000

Rooker Report

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Richard R. Rooker Circuit Court Clerk
Gene Baker Editor