

Rooker Report

November 15, 1994

Published by the Davidson County Circuit Court Clerk's Office

Vol.2, No. 10

Court Systems Move to Stamp Out Inconvenience, Outdated Methods

MAIL CALL

Nashville's courts will soon turn to the U.S. Postal Service for help in improving the way some judicial services are performed — moves designed to provide greater convenience to the general public while establishing a foundation for future reforms dictated by a changing society.

The new year will usher in a new method of selecting jurors for cases in all of the state trial courts, waving good-bye to a long-standing system that officials say no longer accommodates the pace of the courts or the lifestyles of the participants. Taking its place will be a less strenuous, simplified way of satisfying civic responsibility for a shorter period of time.

If the premise sounds too good to be true, go back to the first paragraph and key in on the U.S. Postal Service. That's a tip-off that the new system will center around a mail-in program. And, if it works, being summoned for jury duty should no longer be a hard pill to swallow for anyone involved.

By utilizing the mails, the courts can effectively eliminate the need for many unnecessary personal appearances by prospective jurors, thereby reducing emotional and employment strains while achieving the same end result.

(See MAIL-IN, Page 2)



ED CHAUVIN



PHIL YORK

Chauvin New Bureau Chief; York Promoted

It's now official: veteran business manager Ed Chauvin is the new chief clerk of the Metro Traffic Violations Bureau.

Although Chauvin assumed the chief clerking duties in late September with the health-related departure of Chuck Link, his promotion wasn't effective until Nov. 1.

Circuit Court Clerk Richard R. Rooker named Phillip York to replace Chauvin as business manager.

"Both Ed and Phil have proven their value to our bureau operations through years of dedicated service," Rooker said. "Their leadership qualities will ensure a continuity of the solid business practices that have long existed in that department. At the same time, they each possess the mentality to tackle technological changes necessary to providing maximum efficiency."

The bureau is responsible for collecting all Metro traffic and parking fines. Annual collections of more than \$4 million represent almost 10 percent of total revenues generated by the circuit court clerk's office, which has managed the department since 1975.

Chauvin, 61, is a native of Houma, Louisiana, where he was graduated from Terrebonne High School in 1952. He attended Tulane University at New Orleans and came to Nashville in 1980. Two years later he wooed and married the former Sara Watts.

(See PROMOTIONS, Page 2)

We Pause to Give Thanks

You can almost smell turkey roasting as the traditional holiday season rapidly approaches to inspire family togetherness and confirmation of the year's good fortunes.

It is a time when diets are forgotten, friends are remembered and families are reunited. Afternoon naps are viewed as acceptable medication for mistreated tummies and, for a few short days, the absence of workplace stress joins the list of things for which we are thankful.

It is a time when those of us who are fortunate remember those who are not. For while we are grateful for our abundance, we are greatest blessed in sharing with the meager.

The spirit that is Thanksgiving soon will transform to a different mood of giving when, once again, routine will routinely be interrupted.

Here is the schedule under which the clerk's offices will be operating during this holiday season:

Thanksgiving:

Closed Thursday-Friday, Nov. 24-25; Re-open Monday, Nov. 28.

Christmas:

Closed Friday-Monday, Dec. 23-26; Re-open Tuesday, Dec. 27.

New Year:

Closed Monday, Jan. 2; Re-open Tuesday, Jan. 3

Mail-In Programs Promote Convenience in the Courts

(From Page 1)

Before explaining the logistics of the new program, it should be noted that there is not much of a risk factor involved in its implementation. Similar mail-in systems are being utilized effectively in other metropolitan areas. Officials here have studied some of them and have drawn on their concepts in establishing the forthcoming program.

In fact, a team of Nashville representatives got a first-hand look at an ultra-progressive traffic mail-in program in Chicago recently and has announced plans to implement a start-up phase of the concept here for some traffic offenses within the immediate future.

Initially, the traffic mail-in program will be limited to those violations that are "nullifiable" once proof is shown that the cited offenses have been corrected. Instructions for compliance will be printed on the backside of a pre-addressed envelope which the motorist will receive from the traffic officer at the time the citation is written.

Only those traffic citations that are limited exclusively to nullifiable offenses will be eligible for the mail-in convenience. But that is a significant number. During the last fiscal year, a total of 20,929 individual complying motorists paid \$9 service fees to have minor violations erased from their driving records. And they all endured the hassle of doing so in person -- an element of inconvenience that will be eliminated under the mail-in program.

If a mail-in program promises to reduce logjams at the traffic cashier windows and make penitence a bit less unpleasant for motorists, the prospects for court administrators and jurors appear even brighter.

Under the existing procedure for selecting citizens for jury duty, convenience often shares a back seat with loss of wages, costly parking fees and irritable employers. Toss in the fact that there are three levels of courts, each with its own jury pool and clerical personnel, and you have an overflowing pot of wasted entities.

The problems begin with long, snaky lines of citizens crowding the courthouse hallways, awaiting their turns to answer basic questions qualifying them to be members of a future jury panel. Hundreds of citizens whose names have been randomly selected from voter registration and drivers license lists are exposed to this ritual on a regular basis. The majority have jobs from which they must be excused and there is no monetary compensation for this particular phase. All expenses are footed by the individual and employers are left shorthanded in the process.

While the new approach to selecting jurors has several other redeeming features, such as shorter terms of service and telephone schedule verification, perhaps its greatest contribution is the elimination of personal appearance qualifying. That portion of the process will be handled exclusively by mail.

Instead of receiving the customary summons to appear on a certain date, prospective jurors will get a combination summons-questionnaire that will enable them to handle the qualifying portion by mail. The self-contained form, concise and basic, must be completed and returned to the courts within 10 days of receipt. In addition to six yes/no questions, the form provides space for requesting deferment or to be excused from serving.

Unless the courts agree to defer service (a recent law requires most selected persons to serve within a 12-month period) or excuses a person from serving, a card of acceptance will follow in about a week. The card will contain two important pieces of information: the assigned one-week period of jury service and guide numbers for predetermining by telephone whether your services will be needed, even though you are a member of the venire.

It is that last feature that should bring smiles to the faces of many employers, says State Trial Court Administrator George Prentice, who is chiefly responsible for implementing the new program. "By checking in with an electronic voice mail box on the business day before their assigned date of service, the jurors will learn if their services will be needed the next day," Prentice noted. "If their services are needed, they will be advised *when* to report and to which assembly room. If not, they are free to resume their normal daily routines."

Prentice said the phone instructions will be updated regularly to accommodate daily inquiries by the jurors-to-be. Conceivably, he said, a prospective juror might not be needed for the entire week of his or her schedule. In that case, he added, the individual has fulfilled the commitment to serve by making himself available and will be exempt from jury duty until his next eligibility period.

There are presently two jury assembly rooms. Customarily, one is used for criminal court juries and the other for civil venires. Until a new consolidated jury assembly room is constructed on the ground floor of the courthouse, both gathering rooms will continue to be utilized. But separation of juries by types of cases (criminal and civil) will be abolished and jurors for all cases will be selected from a single pool.

The new program is responsive to juror exit polls that have been conducted over the past several months. Those responding to the surveys generally have been critical of idle time spent without being accepted on jury panels.

Through one-step mailing, the courts appear to be resolving many drawbacks to an antiquated system that, no doubt, will find itself again outdated in a constantly changing age of high-tech internetting. But for now, it is a welcomed improvement.

Promotions (From Page 1)

Chauvin was employed by the Metro Property Assessor's Office before joining the Traffic Violations Bureau's warrant office in 1984. One year later, he was promoted to business manager, a position he held until now.

Although he finds little time to indulge in his favorite hobby sports of hunting and fishing, Chauvin settles for consolation in the kitchen, concocting spicy dishes of his native Cajun heritage. His recipes for "deep fried" turkey and other Thanksgiving delicacies were featured in our newsletter last year.

York, 52, joined the bureau staff in 1989 and was assigned to a variety of positions that enabled him to gain a general knowledge of the overall office operations. That, combined with a background in private business, made him a logical selection for the business manager's post, Rooker said.

York is a 1960 graduate of Goodlettsville High School. He and wife Linda, soon to celebrate their 30th wedding anniversary, are the parents of a son, Greg, and a daughter, Kelly.

York is an avid fan of all major sports, but will pass up his spectator rights to administer personal therapy on the golf links.

Gender Fairness

Ruben on Panel Rating Judicial System

As a veteran General Sessions Court jurist, Leon Ruben has been called upon to determine the legal fairness of a broad range of subjects.

He has never flinched, no matter how complex the case, no matter the amount of research required for rendering a legally sound verdict. And he's not flinching now, despite being handed what could possibly be the toughest assignment of his legal career.

Ruben is one of a select group of 22 Tennessee legal and sociology experts who must devise methods of ensuring gender fairness within the judicial system. Not only is it a venture into a sensitive, complex and difficult issue, it is one with a deadline for achievement.

The Tennessee Supreme Court, which appointed the commission as an adjunct to the Tennessee Bar Association's Commission on the Status of Women and Minorities in the profession, has charged the panel with fulfilling an 11-point agenda by the end of 1996.

In just two years, the commission must "examine the components of the Tennessee Judicial System and recommend revisions in rules, procedures and administration to ensure equal treatment for all persons free from gender bias."

Ruben said his appointment to the committee "caught me by surprise" but that he was flattered to be aligned with the caliber of persons chosen for the commission. Only one other General Sessions judge, Diana Fay Monroe of Celina, was selected to the panel. Other Nashvillians chosen were Corrections Commissioner Christine Bradley, Attorney Marshall Davidson, Mary Tom Plummer of the Administrative Office of the Court, and Vanderbilt Professor Donald Hall.

The high court selected Hall to serve as commission co-chairman, along with Court of Appeals Judge Penny White, the only woman in Tennessee now holding a state judgeship above the trial court level.

Interestingly, Judge White has indicated an interest in the current vacant seat on the court that appointed her to the commission. She has announced that she will apply for the position vacated by the recent resignation of Chief Justice Charles O'Brien. A selection committee will meet on Dec. 6 to screen applicants for that position.

While the new commission on gender fairness is charged with exploring a wide scope of issues, it undoubtedly will focus much attention on the makeup of judgeships. All five seats on the Supreme Court are occupied by

men and, as aforementioned, Ms. White is the only woman on the intermediate appellate courts.

Davidson County judges Muriel Robinson, Marietta Shipley and Barbara Haynes represent half of the state's six women jurists at the circuit court level. Ann Lacy Johns of Nashville is one of only four female criminal court judges in the state. All of Nashville's chancery court jurists are male.



General Sessions Judge Leon Ruben
...on blue ribbon gender bias panel

Statewide gender figures at the non-record court level were not immediately available, but Penny Harrington is the only woman among Davidson County's nine General Sessions court judges. Two more divisions will be added to General Sessions in 1998 and Nashville attorney Andrei Ellen Lee, currently serving as a juvenile court referee, has indicated she will seek one of the seats.

About one-fourth of Tennessee's lawyers are women at present time and the percentage of female attorneys is growing. It is estimated that about half of the state's law school students are women.

Although it is important that guidelines be established to guarantee a fair representation of both sexes in high judicial positions, Ruben and his commission co-members must give thorough examination to a plethora of other areas of possible sex bias, including:

>Courtroom treatment of litigants, witnesses, jurors, court reporters, bailiffs, clerks and attorneys;

>Continuing legal education programs for all judicial employees, lawyers and judges regarding gender fairness;

ing gender fairness;

> Methods to improve the judicial nominating, selection and evaluation processes;

> Existing court rules, jury instructions, regulations, statutes, practices and procedures;

>Gender bias relating to employment and promotions within the judicial system, along with the usage of gender neutral language in the courtrooms.

Under a single title, the areas of concern could be loosely defined as sexual harassment in the judicial workplace. The immediate attention devoted to the problem following the infamous Anita Hill-Clarence Thomas scandal has tapered by degrees. But the courts recognize that overt gender bias continues to be a problem for which a remedy must be found.



ROBINSON



SHIPLEY



HAYNES



JOHNS



HARRINGTON

\$ DATA BANK

Statistics compiled for the month of October

Case Information

Circuit Court

New Civil Cases Filed.....	279
Civil Cases Concluded.....	353
New Divorce Cases Filed.....	306
Divorce Cases Closed.....	295

General Sessions Civil

New Cases Filed.....	3,136
Executions Issued.....	2,283
Judgments Collected.....	\$488,102

Probate Court

New Cases Filed.....	166
Cases Closed.....	112
Cases Retired.....	91

Traffic Violations

Moving Citations.....	18,570
Parking Violations.....	11,317
Total Fines Collected.....	\$297,456
Nullifications.....	1,552
Nullification Fees Collected.....	\$13,968

Circuit Court Jury Trial Verdicts

Week of October 3

<u>Case</u>	<u>Type</u>	<u>Court</u>	<u>Verdict</u>
93C-2287 ✓	Auto Accident	2nd (P)	\$255,697
93C-1535 ✓	Auto Accident	5th	Defendant
93C-2154 ✓	Auto Accident	3rd	Mistrial

Week of October 10

<u>Case</u>	<u>Type</u>	<u>Court</u>	<u>Verdict</u>
92C-2287 ✓	Medical Malpractice	6th	Defendant
94C-916 ✓	Auto Accident (GSA)	1st	Defendant
92C-391 ✓	Auto Accident	3rd (P)	\$15,000
92C-931 ✓	Slip & Fall	5th (P)	350,000
92C-1338 ✓	Condemnation	2nd (P)	80,000
93C-2880 ✓	Auto Accident	1st	Mistrial

Week of October 17

<u>Case</u>	<u>Type</u>	<u>Court</u>	<u>Verdict</u>
93C-3256 ✓	Auto Accident (GSA)	1st (P)	\$5,000
93C-713 ✓	Personal Injury	5th	Defendant
92C-1561 ✓	Assault	3rd	Defendant
93C-518 ✓	Auto Accident	5th	Defendant
90C-2531 ✓	Auto Accident	1st (P)	\$2,350

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Published by the Davidson County Circuit Court Clerk's Office
506 Metro Courthouse, Nashville, TN 37201

Established by George L. Rooker (1929-1993),
(Circuit Court Clerk, 1968-1993)

Richard R. Rooker Circuit Court Clerk
Gene Baker Editor

December Birthdays

General Sessions Traffic Violations Bureau

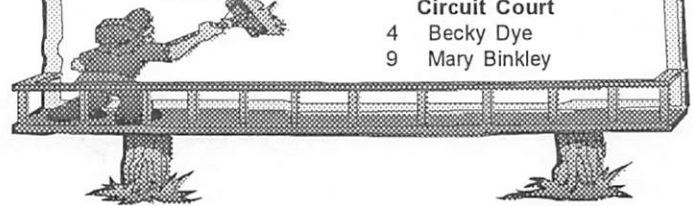
2 Denise Dill	10 Carlton Sloss
16 Irene Dady	11 Connie Murff
25 Marie Anderson	16 Jim Moreland
27 Brenda Best	27 Monty Russell
31 Jackie Knight	29 Lori Davis
	Pat Baxter

Probate

None

Circuit Court

31 Don Clunan
4 Becky Dye
9 Mary Binkley



Cheers...

Circuit Court Clerk **Richard Rooker** will become president of the Tennessee Court Clerks Association in 1996. Rooker was selected for the top post during an October meeting in Chattanooga. He will succeed Knox County Criminal Court Clerk **Martha Phillips**, who is currently president-elect for 1995. The association is made up of clerks from the criminal, circuit, chancery and juvenile courts from all 95 counties. Juvenile Court Clerk **Kenny Norman** of Nashville headed the organization in 1993...General Sessions Court Officer **Bob (Slick) Griffiths** could be seen briefly in Reba McEntire's recently aired television movie "Is There Life Out There?" Griffiths earned a non-speaking role in the flick, but was visible for only a few seconds. Most of us would call that a "bit" part; Griffiths calls it a "cameo performance"...Our own **Ginny Laarz** turned in a real-life performance at Donelson Hospital this week, giving birth to a beautiful baby girl. **Wendy Lynn** became the third daughter for Ginny and husband Bill. Ginny is a deputy clerk in our circuit court office...Earlier this month, Circuit Court Judge **Barbara Haynes** and state senator husband **Joe Haynes** became grandparents to twin boys. Son **Jeff** and his wife **Lucy** became the proud parents of **Richard Furman Haynes** and **Benjamin Hardin Haynes** in ceremonies at Baptist Hospital. Richard weighed in at 7 pounds, 11 ounces and Benjamin was close behind at 7 pounds, 6 ounces...**Dot Patton** has returned to her job as secretary to the General Sessions Court judges after undergoing wrist surgery.

...Tears

Tennessee said good-bye this month to two of its special citizens, attorney **A.B. Neil, Jr.**, and former Olympic gold medalist **Wilma Rudolph**. Both were champions who hurdled all obstacles in quest of success. But neither was a match for mankind's most formidable opponent, cancer. Mr. Neil was a true champion in the field of law, the son of a former State Supreme Court justice and a legal scholar in his own right. He was an accomplished practitioner whose skills were relied upon by his colleagues during many years of service as Supreme Court clerk. The accomplishments of Ms. Rudolph as a world class athlete were punctuated by her unrelenting determination to overcome insurmountable odds in pursuit of her dream. The impact she made in life, both on and off the track, will forever serve as inspiration to those who would be winners...like A.B. Neil, Jr. and Wilma Rudolph.