

ROOKER REPORT

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Merry Christmas



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Rooker
& Staff*

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ETC.

ROOKER HOSTS STATE CLERKS

Circuit Court Clerk Richard Rooker hosted board members of the Tennessee Clerks Association earlier this month, kicking off his term as president of the state group.

Rooker said the meeting was held for the purpose of organizing committees and setting the association's agenda for the coming year.

Directors will return to Nashville next month, he said, for an orientation on the new statewide child support network. That seminar will be conducted by administrative officials of the state supreme court.

White Replaces Clement

Attorney Thomas V. White has been selected to complete the one-year term of Frank Clement as president of the Nashville Bar Association.

White was named to the top post during the association's annual banquet earlier this month. He will serve until next December when new president-elect Gail Ashworth will assume the presidency.

Larry Williams was elected first vice president and Circuit Court Judge Barbara Haynes second vice president.

Legal Aid attorney Gordon Bonnyman was presented the John C. Tune public service award for his representation of indigent clients. And lawyer Lucinda Smith was presented the Pro Bono Volunteer of the Year award for providing no-cost legal aid to those unable to pay.

The NBA membership also selected Laura Chastain, Jacqueline Dixon, Riney Green, Bill Harbison, Al Knight and Roger May to its board of directors.

Third Judge to Occupy Bench

Clement Ushers in New Era of Stability for Probate Court

The selection of Frank G. Clement Jr. as judge of Davidson County's Probate Court signals the promise of a new era of stability for a tribunal clouded by the tragic demise of Judge James Everett.

Clement, a surviving son of one of Tennessee's most respected former governors and brother of Congressman Bob Clement, assumed the judgeship this month following his unanimous election by the Metro Council.

Clement becomes only the third judge to preside over the court, which was established in 1963 to share jurisdiction with the Fourth Circuit Court.

The first probate judge was Shelton Luton, who had previously served as county judge. He remained in the probate post until his retirement in 1982.

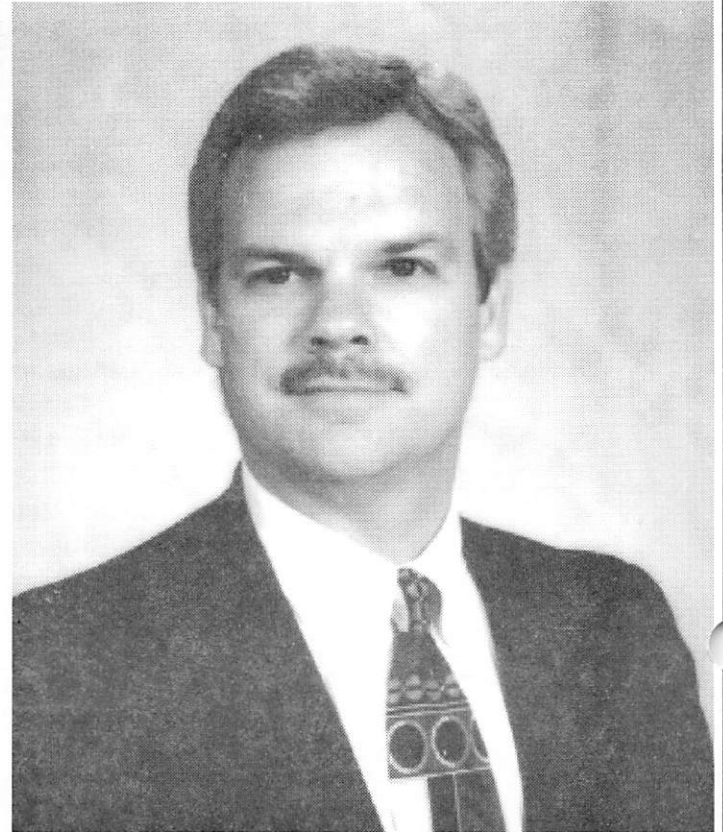
The late judge Everett succeeded Luton and was re-elected to a second eight-year term in 1990. There were slightly more than three years left of that term at the time of his death in October.

The sudden vacancy attracted a large field of aspiring candidates, but Clement became the odds-on favorite when he received the endorsement of the Nashville Bar Association, of which he was president.

By the time the matter came to a vote in the council, two of Clement's strongest competitors -- General Sessions Judge John Brown and probate lawyer Jeff Mobley -- had withdrawn their names from consideration.

Following his swearing-in, Clement expressed a vote of confidence in the existing court staff and retained all the employees.

The new judge also has retained control of a DUI probation program while transferring the court's DUI school program to the supervision of the Gen-



PROBATE COURT JUDGE FRANK G. CLEMENT JR.

eral Sessions safety school. That decision will be subject to review, Clement said, after a fair trial period to determine the effectiveness of the system.

Realignment of the DUI program necessitated the elimination of two staff positions, but Clement said every effort would be made to help find other jobs for the two employees affected by the change. He assured the misplaced workers that their performance had nothing to do with their termination.

A part of that office revamp included creation of an office manager, a position Clement said would be filled by Diane Clark, longtime secretary and court officer for Everett.

In accepting the judgeship, Clement resigned as president of the Nashville Bar Association and vacated an active role in the

law firm of Clement, Gibson and Gregory, of which he was a senior partner.

Clement is a graduate of Memphis State University and the Nashville School of Law. He began a private law practice in 1979, specializing in civil litigation, business/corporate representation and estate planning.

His many civic affiliations include the American Red Cross, Nashville City Club, Downtown Kiwanis Club, the Frank G. Clement Foundation and Tennesseans for Better Schools.

He and wife Erma are the parents of one child, daughter Jennifer.

Clement's probate court appointment is effective until the next county primary election next August when he will ask voters to approve him for the balance of Everett's term.

Holiday Judge

LIKE SANTA CLAUS AND MICKEY MOUSE, RUBEN ALWAYS ON THE JOB AT CHRISTMAS

Give him credit, Judge Leon Ruben knows how to turn a negative situation into something positive.

When a slip of the tongue led to his being portrayed in the press as a "mouse," he responded by becoming a major collector of Mickey Mouse artifacts.

And when he volunteered to help out local judges by working in their stead one Christmas Day long ago, he turned it into a tradition.

This month, the General Sessions jurist will mark his 25th anniversary as the only judge on duty on Christmas Day.

Because he is the General Sessions court's only judge of Jewish faith, Ruben considers the holy day assignment to be reflective of his respect for fellow judges and their beliefs. He will already have fulfilled his religious tenets by observing the eight days of Hanukkah, which ends Christmas Day.

Ruben was still a practicing attorney when he first volunteered to be a special Christmas Day judge. That was in 1970.

"The judges were calling what few Jewish lawyers there were around town at that time, asking for someone to fill in for them on Christmas Day," Ruben recalled. "So when they called me, I agreed to do it."

Little did he know that he would still be doing it a quarter of a century later. But he is. And he not only enjoys it, but looks forward to it each year.

The tour of duty runs from 8 a.m. to 4 p.m. There is no regular docket but a number of cases of all types usually require judicial attention. Ruben takes them as they come.

"I can always tell when it's 2 o'clock," Ruben said. "I don't even have to look at my watch. That's when the DUI cases start coming in."



**General Sessions Judge Leon Ruben and friend
Celebrating 25th year of Christmas on the bench**

Because it's Christmas, Ruben says he tries to be as lenient as possible with the people brought before him. He admits to a high degree of frustration, however, when divorced parents ask for custody of their children on Christmas Day and he has to explain that he doesn't have jurisdiction to grant their requests.

Happier requests help brighten the day for Ruben and his wife Myra, who is always there to assist her husband and to hand out special gifts she has personally made for the special day in court. For example, a wedding has been scheduled for this Christmas Day. And other couples are subject to dropping in unannounced to duplicate the blessed event.

In fact, *anything* could happen that day. Ruben remembers some of the strange events of the past.

"For one thing," he said, "when the weather is really cold, there are always more alcohol-related cases." Could he give an example? Sure.

"I remember this one year when the weather was bitter cold," he said. "A police officer came to me in my office and said he had brought in a woman and that I needed to try her case in the jail cell rather than the courtroom."

"Sure enough, he was right. When I got to the cell, there she was in all her glory -- stark naked."

Ruben said the woman had consumed so much alcohol she didn't realize it was cold. He ordered that

she be clothed, then found her guilty of public drunkenness.

One of the biggest obstacles of working on Christmas Day, the judge admits, is the absence of places to eat. Most restaurants -- especially those in the general vicinity -- are closed for the holiday.

Knowing this, fellow judge Barbara Haynes and husband Joe catered lunch for the Rubens one Christmas. But most of the time, breakfast must hold them through the eight-hour shift.

Of course, the Rubens aren't the only ones on duty that day. The judge's alter ego symbol is always present in the form of colorful pins attached to the Santa Claus hat worn by Ruben when he isn't officially conducting court business.

The hat pins are part of a collection that includes thousands of replicas of the famous little Disney creature -- more than 2,000 in Ruben's Ben West Building office alone.

The Mickey collection was started in 1977 when Ruben was a Metro councilman and still four years away from becoming a judge. As a member of a committee to build a new justice center, Ruben became frustrated over repeated delays in getting the project off the ground. During a council meeting, he released his anger by banging his fist on the desk and extolling the council to "stop this Mickey Mousing around" and get the building project completed.

The following day, an editorial cartoon appeared in the Nashville Banner, depicting Ruben as Mickey Mouse. Rather than being offended, he embraced the symbol as a characterization of effective meekness.

One with a sense of humor might say that the good judge provoked the media into slipping him a "mickey." If so, it was a classic case of entrapment.

Holiday Closing Schedule

Our offices and the courts will be closed on both Monday and Tuesday, Dec. 25-26, in celebration of Christmas.

We will reopen on Wednesday, Dec. 27 but will close again the following Monday, which is New Year's Day.

\$ DATA BANK

Statistics compiled for the month of November

Case Information

Circuit Court

New Civil Cases Filed	315
Civil Cases Concluded	329
New Divorce Cases Filed	305
Divorce Cases Closed	284

General Sessions Civil

New Cases Filed	3,176
Executions Issued	2,347
Judgments Collected	\$514,499
Orders of Protection Petitions	175

Probate Court

New Cases Filed	148
Cases Closed	107
Cases Retired	0

Traffic Violations

Moving Citations	15,692
Parking Violations	9,944
Total Fines Collected	\$268,340
Nullifications	1,528
Nullification Fees Collected	\$13,752

Circuit Court Jury Trial Verdicts

Week of November 27

Case	Type	Court	Verdict
94C-1027	Auto Accident	6th (P)	\$658
92C-521	Personal Injury	Criminal 1 (P)	\$1,735,000
94C-706	Auto Accident	2nd (P)	\$4,422
94C-3927	Auto Accident	5th (P)	\$3,750
93C-3695	Auto Accident	1st (P)	\$7,500
94C-2137	Auto Accident	5th (D)	Default
94C-3626	Auto Accident	5th (P)	\$2,750

Week of December 4

Case	Type	Court	Verdict
94C-4096	Auto Accident	1st (P)	No award
91C-3473	Condemnation	2nd (P)	No additional
94C-3389	Auto Accident	5th (P)	\$6,500
93C-2276/2334	Auto Accident	6th (P)	\$24,100
93C-3766	Auto Accident	5th	Defendant
94C-1686	Auto Accident	1st (P)	No award
94C-3190	Auto Accident	6th (P)	\$3,200
93C-2504	Unlawful Repo	2nd (P)	No award
94C-255	Contract	6th (P)	\$45,000

NOTE: Jury trials have now been concluded for the year.

Rooker Report

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

Richard R. Rooker Circuit Court Clerk
Gene Baker Editor

January Birthdays

Circuit Court Clerks

14	Janet Parrish
18	Myers Brown
27	Christy Allen
29	Deborah Hennessee

Traffic Violations Bureau

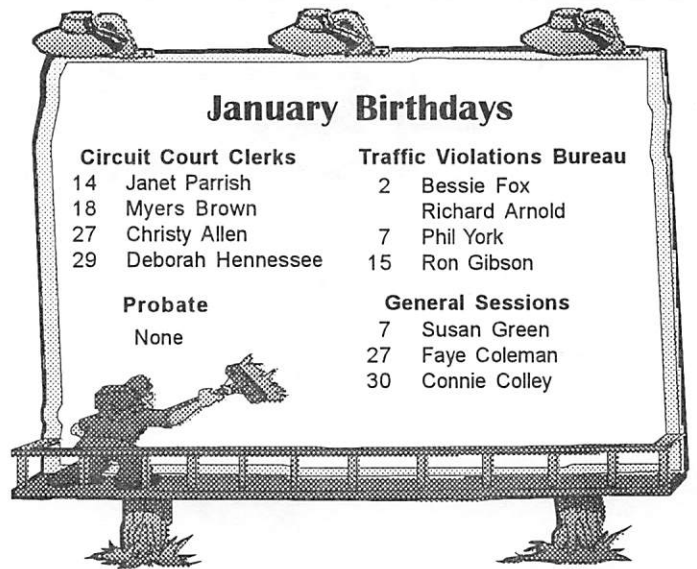
2	Bessie Fox
	Richard Arnold
7	Phil York
15	Ron Gibson

Probate

None

General Sessions

7	Susan Green
27	Faye Coleman
30	Connie Colley



Cheers...

The selection of Nashville appellate attorney Jerry Smith ended speculation over who would get Gov. Don Sundquist's nod to fill a vacancy on the state's Court of Criminal Appeals. Smith, a member of the state attorney general's staff for the past 15 years, replaces retiring Judge Jerry Scott of Waynesboro. He was among three finalists recommended for the post by a judicial merit screening committee...Davidson County Chancellor Irvin Kilcrease is recuperating from eye surgery and hopes to return to the bench after the first of the year. The surgery was performed last month at the Centennial Medical Center...Congratulations to Metro Councilman Ronnie Steine upon being appointed executive director of the Oasis Center, a vital contributor to the welfare of troubled teens and their families. Steine replaces Mary Jane Dewey, who served the center for seven years...When the Phi Delta Phi chapter of Vanderbilt Law School holds its second annual chili cook-off next month, the panel of judges will be...well, real judges. Publicist James Roberts Jr. says General Sessions judges Gale Robinson and Casey Moreland have agreed to be on the panel, along with Court of Appeals Judge William Koch and Davidson County Chancellor Ellen Hobbs Lyle. New Probate Judge Frank Clement has also been invited but has not yet committed to serve. Proceeds from the event go to Nashville's Table, an organization that helps feed the community's hungry. The two-day benefit will be held Jan. 12-13 at the Union Station Hotel.

...Tears

Family and friends said goodbye last month to Charlene Hobson, the veteran Traffic Violations Bureau continuation clerk whose 21-year career as a public servant ended in a futile struggle with cancer. Mrs. Hobson died at home on her own terms, having shunned chemical dependency in favor of religious faith. That was no surprise to those who best knew the spunky, petite woman whose stubborn resolve marked both professional and personal aspects of her life. Indeed, that was the dominating characteristic of her personality -- one that enhanced her popularity among her peers and endeared her to those needing guidance in the courts. At no time was her determination more evident than when she successfully crusaded for a historical marker to permanently recognize her alma mater, Immaculate Mother Academy, the city's only black catholic school. That marker today assures that the unique educational facility will never be forgotten. Neither will the lady responsible for putting it there.



MRS. HOBSON