

# Rooker Report

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## Traffic Enforcement's Tank Running Low

Traffic enforcement continued to limp along in the slow lane last year, chugging to the lowest output of citations in the current decade.

Both moving and parking categories showed dramatic reductions in cited infractions, decreasing the government's income from fines by more than \$52,000 from the previous year's tepid showing.

Only a carryover of fine collections from 1994 violations kept the deficit from bulging to even greater proportions. Despite a 4,453 ticket decrease in the number of cited moving violations, fine revenue increased in that category by \$2,052.

Parking revenue, however, plummeted \$54,278 as enforcement efforts sputtered to a 9,690-ticket decrease from the previous year, the beginning of a two-year downward skid that now has fiscal guardians looking for

shortcuts to remedy. Of even greater concern is the highway death toll, blamed in large part on undetected speeders. Authorities attributed at least 42 of last year's 94 road fatalities to heavy-footed drivers.

Promises earlier in the year of a concentrated effort to crack down on traffic violators have been slow in materializing, but finally have started to surface in a variety of forms.

The police department has announced plans to dramatically increase the number of patrol officers assigned to traffic enforcement and 48 new Harley Davidson motorcycles have been ordered to maximize performance.

But the biggest impact is expected to come from the legislative branch,

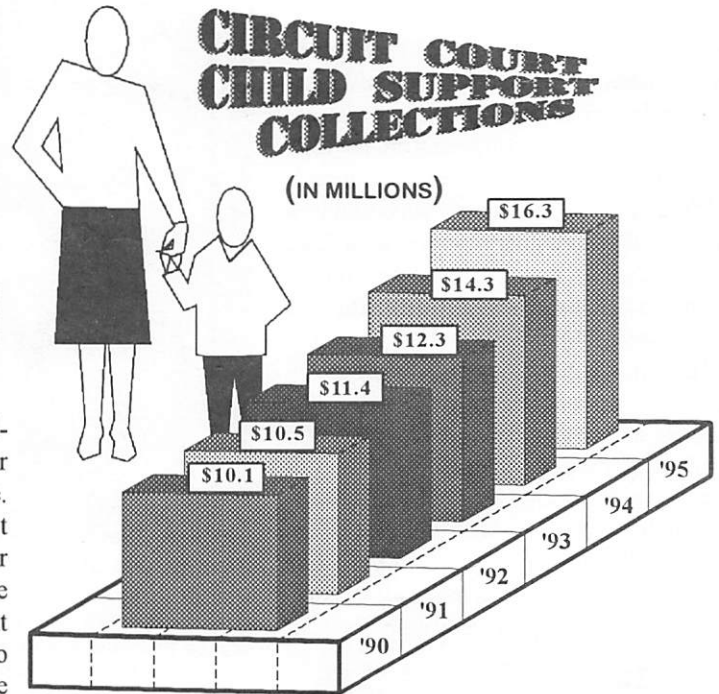
(See TRAFFIC, Page 2)

## Child Support Still Building

Collections Hit Record \$16.3 Million

**A**s the nation's attention continued to focus on deadbeats, responsible divorced parents in Davidson County last year were quietly meeting their financial obligations like never before. Without fanfare, child support payments through the courts shot to a record \$16.3 million -- almost \$2 million more than one year earlier when the quality of life for the state's children of divorce showed its greatest improvement. The increase of 13.7 percent was viewed as a tribute to a unified society's continuing efforts to hold parents accountable for the welfare of the children they leave behind.

**B**oosted by an improved job market and forced employer participation in wage deduction, payments through the courts increased at an even better clip than the previous year with 1,240 new cases bringing to 10,000 the number of individual files under care of the circuit court clerk's office. Of that number, 4,225 -- or 42 percent -- are wage assignment cases that account for 64 percent of the total support dollars paid through the system. The other 36 percent comes from noncustodial parents who are in voluntary compliance, but who risk being transferred to wage assignment status upon becoming in arrears. Each year, the number of complying parents gets smaller and wage assignments increase. In 1994, there were 3 percent more non-wage assignment cases than during the year just passed.



**C**omputer technology has enabled the clerk's office to keep pace with the growing caseload without additional personnel. The same number of staff workers needed to receive, record and distribute \$10.1 million in 1990 efficiently performed the same duties last year when the caseload was 60 percent higher. The system was self-designed and is now being used as a model for a statewide child support network scheduled to go on line sometime this year. An example of its effectiveness is reflected in the tremendous volume of payments it stores in permanent memory. Last year alone, 115,893 payments were entered into the system at a daily rate of 467, representing a per diem average of

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## Traffic: Refueling to Save Lives, Generate Revenue

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which is considering sharp fine increases in an effort to put the 'rev' back in revenue. The foundation for such revision was laid last year when the Metro Council approved raising the ceiling on many ordinance violations from \$50 to \$500. Seven of those ordinance amendments addressed traffic violations.

It is not likely that parking fines will be increased, since hefty hikes have been adopted in recent years, including the doubling of penalties for handicapped parking violations. But the Metro Traffic and Parking Commission, which

is responsible for that phase of enforcement, must be concerned over a 25,000-ticket drop.

The decrease in moving traffic citations is not surprising in light of high-priority events that continued to cause a drain on police department manpower. A record 106 murders, several visits by the vice president and a growing number of special events necessitated the reassignment of traffic officers, minimizing concentration on the motoring public.

Government relies on traffic fines to help finance street and road maintenance and improvements. Also earmarked for that purpose is mon-

ies collected as service fees for handling nullifications of minor non-moving traffic offenses that do not require courtroom adjudication. During the past year, 19,644 motorists paid \$9 for this service, generating \$176,796 for the government coffers. That was an increase of some \$8,000 over the previous calendar year.

The courts also accommodated more requests for driving school placements than the previous year, allowing 22,688 offenders to attend classes in lieu of fines and having violations appear on their driving records. Enrollment fees finance expenses incurred in the operations of the schools.

## Child Support Collections Still Growing

(From Page 1)

\$65,961 to be receipted and distributed to custodial parents. The caseload will continue to increase, despite the fact that dependent children are dropped from the rolls once they reach the legal age of consent. Divorces involving couples with children traditionally add higher numbers than those being deleted. Of the 3,657 couples filing for divorce in Davidson County during the past year, 1,644 of them -- almost 45 percent -- will become eligible statistics for the growing child support collection system. The majority of that number will be required to pay through the courts, either voluntarily or by wage assignment. And private companies, such as Maximus, Inc., will continue to impact collections, along with other state agencies that had a role in bringing accountability to 4,650 support cases here last year.

## Orders of Protection

Easier access to the courts and more severe penalties played roles last year in exposing the true incidence of domestic violence in the county.

With 'get tough' laws on their side, a total of 2,065 abuse victims took their complaints to the General Sessions courts for remedy. Another 124 victims involved in pending divorce actions appealed to Circuit Court for protection.

It was the first full calendar year in which order of protection cases came under jurisdiction of General Sessions where broader penalty powers can be exercised against violators.

During the first six-month period between July and December 1994, the lower courts issued 647 protection orders -- an average of 108 per month. The average rose to 172 during the past year.



**'I'LL BE THE JUDGE OF THAT'**--With the "real" hungry judges looking on, comedian actor George "Goober" Lindsay of Mayberry R.F.D. and Hee Haw fame, samples an entry in this year's city-wide chili cookoff benefitting the Nashville's Table food program. The January 12-13 event, co-sponsored by the Vanderbilt Law School chapter of Phi Delta Phi, was hosted by the Union Station Hotel. Official competition was judged by (l-r) General Sessions Judge Casey Moreland, Court of Appeals Judge William Koch, General Sessions Judges Gale Robinson and John Brown, and Davidson County Chancellor Ellen Hobbs Lyle.

## Oops! Department

We erroneously reported in our December issue that Frank Clement Jr. resigned his position as president of the Nashville Bar Association upon being appointed Probate Court judge.

Actually, Clement was not required to resign because his one-year term as bar president was due to expire at the end of the month in which his judicial appointment became effective. Judicial appointees traditionally are given a grace period

in which to conclude activities attached to their private practice.

Therefore, Clement was permitted to complete his term with the bar association. He did. And we regret having said otherwise.

As a result of that error, we mistakenly reported that president-elect Thomas V. White was elevated to the presidency to complete Clement's term.

White actually assumed the president's post on Jan. 1, the official beginning date of bar office terms. He will serve as president through Dec. 31.



NEW



## BEGINNINGS...

Like all the years before it, 1995 produced its memorable moments -- some of new beginnings, others of sad endings.

First, the new beginnings. Some of our own courthouse family members shared in a record number of marriages while others played a part in increasing the county's population figures.

In the wedding bells department, more marriage licenses than ever before were issued by the county clerk's office. Among the 7,192 couples taking strolls down the aisle were:

Teresa Bryant (Traffic Violations Bureau) and George Johnson.

Cheryl Kennedy (Second Circuit Court minute clerk) and Jon Seaborg.

Kelly York (daughter of Traffic Violations Bureau business manager Phil York and wife Linda) and Barry Brewer.

Kelli Wilkerson (Fifth Circuit Court minute clerk) and Michael Olin.

The record number of weddings was 132 higher than the previous mark set a year earlier. As always, Tennessee's nonrestrictive matrimony policies accounted for a high number of non-resident participants. With no required waiting period, no blood tests or AIDS testing, Nashville is a popular wedding venue for tourists.

The most popular month for tying the knot? May, surprisingly enough, beat out the ever-popular month of June with 808 ceremonies.

June was second with 777, followed by August with 686.

The year also produced nine new arrivals for members of our staff, including a new son for Circuit Court Clerk Richard Rooker and wife Cheryl.

Other employees receiving new babies were Mike Fischer (Traffic Warrants) and wife Lisa; Jim Rusley (General Sessions Civil) and wife Rhonda; Janice Johnson (General Sessions Civil) and husband Todd; Bill Cartwright (Traffic Warrants) and wife Tracy (Circuit); Casey Gibson (Probate) and wife Dena; Ronnell Griffin (Circuit) and husband Adrian; Bill Riggs (Circuit) and wife Angie; and Nancy Capps (Traffic Computers) and husband James.

Failed marriages represented the other end of the spectrum, but the number of couples filing for divorce was down 3.5 percent from the previous year.

The 3,657 divorce petitions in circuit court was the lowest figure yet recorded during the nineties and was only slightly more than half the number of new marriages. The differential was about the same as the year before, eliminating any indication of a trend.

As always, the courts kept pace with the filings, concluding 3,477 of the divorce petitions eligible for disposition during the year.

...AND ENDINGS



## JURY TRIALS FAVORED PLAINTIFFS

Plaintiffs choosing to risk their cases with juries made the right decisions in most instances last year.

Favorable plaintiff verdicts were returned in 78 percent of the 78 total civil cases deliberated by jury panels.

Defendants prevailed in only 15 trials, compared with 61 by plaintiffs. Just two trials failed to produce a verdict for either side -- one resulting in a hung jury and the other a mistrial.

The largest dollar judgment was \$15 million awarded to the mother of a young lady who was slain while making a withdrawal from an automated banking machine. That judgment was considered to be merely ceremonial since it was imposed against three defendants serving prison terms for the girl's death.

Only one other trial produced a seven-figure judgment -- a personal injury suit worth \$1.7 million to the plaintiff.

Of the other cases resulting in plaintiff judgments, the lowest dollar award was \$586 in an auto accident claim.

Discounting the two largest judgments, the average award for winning plaintiffs was \$31,830.

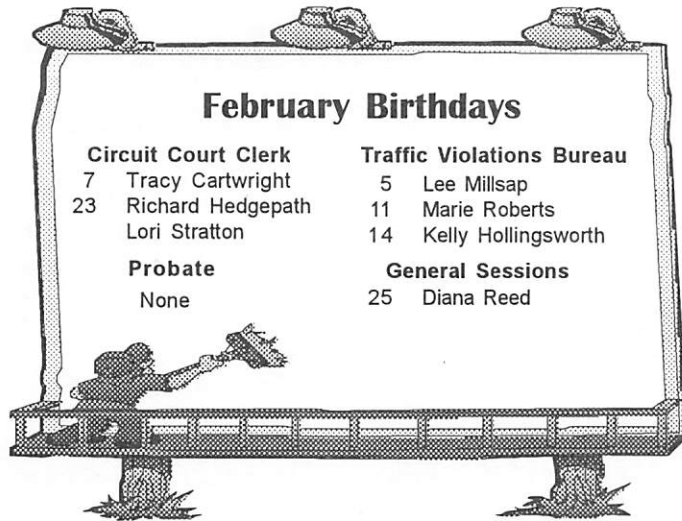
Strangely, four trials in December resulted in judgments for the plaintiffs with no money being awarded.

### Courting the Nineties

YEAR >>>	1990	1991	1992	1993	1994	1995
<b>CIRCUIT COURT</b>						
Civil Suits Filed	4,615	4,609	4,306	4,389	4,594	4,680
Adjudicated	4,482	5,297	4,632	4,676	4,516	4,801
Divorce Cases Filed	3,860	3,884	4,013	3,753	3,793	3,657
<b>SESSIONS CIVIL</b>						
New Cases Filed	41,490	37,511	35,804	35,740	37,198	36,236
Executions Issued	25,800	27,091	29,826	31,225	29,588	29,068
Garnishment Receipts	42,735	46,841	46,705	43,862	44,233	46,532
<b>TRAFFIC (MOVING)</b>						
Tickets Issued	223,913	225,822	243,888	248,421	214,424	209,971
Adjudicated	95,952	83,293	87,293	86,222	82,653	86,030
<b>TRAFFIC (PARKING)</b>						
Tickets Issued	148,715	134,151	125,904	151,188	140,602	115,796
Adjudicated	121,306	106,834	95,845	111,396	98,921	89,231
<b>PROBATE</b>						
Original Filings	N/A	N/A	N/A	1,760	1,961	2,045
Cases Closed	N/A	N/A	N/A	1,859	1,392	1,332
Cases Retired	N/A	N/A	N/A	N/A	407	1,025

## February Birthdays

<b>Circuit Court Clerk</b>	<b>Traffic Violations Bureau</b>
7 Tracy Cartwright	5 Lee Millsap
23 Richard Hedgepath Lori Stratton	11 Marie Roberts
	14 Kelly Hollingsworth
<b>Probate</b>	<b>General Sessions</b>
None	25 Diana Reed



## Cheers...

As we close out our third year of publication, there could be no better time to thank the many people who have cooperated in making this column possible. Through contributions of information, we have been able to share the joys of our employees and associates and to give them at least a small degree of recognition for special occasions in their lives. We are often torn as to which section of the column certain items should be displayed. For there are times when we are sad over certain things that happen, but happy over their results. It is on those occasions that we choose the positive approach. With that in mind, here is this month's Cheers.

Veteran traffic warrant officer **Will Cripps** said good-bye to fellow employees earlier this month. The popular Cripps, who joined the traffic bureau staff in 1984, has accepted a position with a home mortgage company. Fellow workers expressed their best wishes at a Jan. 5 going-away breakfast...Another familiar courthouse face is missing with the retirement of **Reba McMahon**, a Criminal Court docket clerk for 32 years. Reba served a total of five clerks and as many judges during her long, dedicated public service career. Now, she will give all her attention to hubby **Jesse**...And, of course, we extend our best wishes to retired police chief **Bob Kirchner** as he tackles the head security job at Opryland. At the same time, we welcome **Emmett Turner** as Kirchner's replacement on the force...For those of you who might not have gotten the word, **Nancy Capps** finally had her baby. No, it wasn't an extended pregnancy -- it just seemed like it. Nancy, a traffic computer operator, delivered a 6-pound, 9-ounce son at Summitt Hospital on Dec. 19 (just in time for Christmas). His name is **Bryan**; he measured 19 inches at birth, and dad **James Randall Capps** seemed awfully protective during a show-off visit at the bureau this month...Speaking of showing off, probate bookkeeper **Mary Bixler** has been doing a bit of that since beau **David Stephens Jr.** surprised her with an engagement ring. The gleam in Mary's eye now matches the one on her finger as she talks about a summer wedding (probably in August)...We are pleased to report that chief deputy criminal court clerk **Jimmy Shea** is recovering nicely from cancer surgery and hopes to be back on the job soon...Finally, we add our congratulations to attorney **Todd Campbell** upon being appointed to replace U.S. District Judge **Thomas A. Wiseman**, who has taken senior status. Campbell was sworn in by Vice President **Al Gore**, a personal friend who was Campbell's employer before he joined the Nashville law firm of **Doramus and Trauger** more than a year ago.

## ...Tears

We cannot bask in the sunshine of our gains without acknowledging the shadows of our losses. It is with mournful reflection that we respectfully offer a final farewell to the following associates who left our presence during the past year: Attorney **Jack Norman Sr.**, General Sessions Judge **Donald Washburn**, Retired General Sessions Judge **Gale Robinson**, Probate Judge **Jim Everett**, Retired Traffic Warrant Officer **Clyde Waynick**, Traffic Clerk **Charlene Hobson**, Former Traffic Bureau employee **Jim Burnett**, Former Traffic Clerk **Henrietta Woody** and Former Court Officer **Walter Glymp**.

Our sympathy also to Probate Judge **Frank Clement** and Congressman **Bob Clement** in the Dec. 29 death of their mother, former Tennessee First Lady **Lucille Clement**.

We are equally saddened by the Jan. 1 death of **Herman (Pete) Page**, father of traffic warrant officer **Pete Page Jr.**

Our condolences also to the families of two Nashville attorneys who passed away this month.

**Harold (Buddy) Collins**, 64, lost a lengthy bout with cancer.

**Walter M. Parrish Jr.**, 53, was killed when a tractor he was using to clear snow from a driveway overturned and pinned him underneath.

## DATA BANK

Statistics compiled for the month of December

### Case Information

#### Circuit Court

New Civil Cases Filed .....	286
Civil Cases Concluded .....	292
New Divorce Cases Filed .....	214
Divorce Cases Closed .....	282

#### General Sessions Civil

New Cases Filed .....	2,642
Executions Issued .....	2,206
Judgments Collected .....	\$461,845
Orders of Protection Petitions .....	142

#### Probate Court

New Cases Filed .....	129
Cases Closed .....	95
Cases Retired .....	0

#### Traffic Violations

Moving Citations .....	11,738
Parking Violations .....	7,734
Total Fines Collected .....	\$233,578
Nullifications .....	1,234
Nullification Fees Collected .....	\$11,106

EDITOR'S NOTE: No jury trials were held in December other than those reported in our last issue.

## Rooker Report

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

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