

# Rooker Report

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## FISCAL FITNESS

### Recapping Another \$50 Million Year

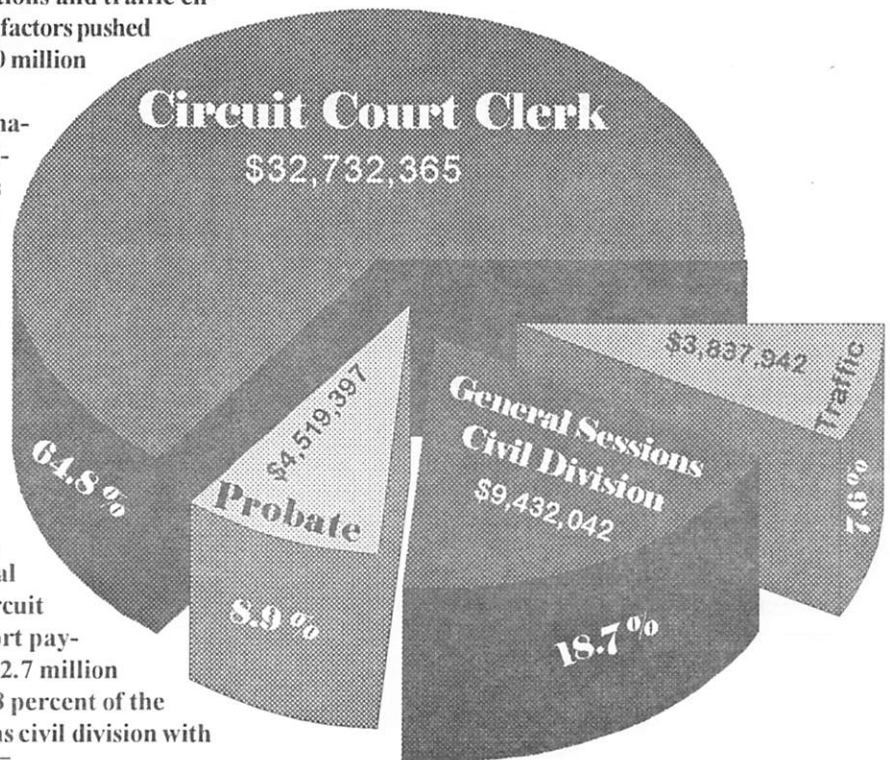
There were no major government land acquisitions and traffic enforcement continued to sputter, but other improving factors pushed the Circuit Court Clerk's cash flow beyond the \$50 million mark for the second straight fiscal year.

Total revenue administered by the clerk's four major departments was \$50,521,746 through the budget period, some \$3 million below the previous year's record figure, which was inflated by a \$12 million Metro payment toward the purchase of a landfill site.

Clerk Richard Rooker said this year's report reflected a more realistic picture of the county's judicial climate. And even though there was not a significant change in total case filings, he said, better litigant compliance and improved collection procedures helped achieve greater parity.

Of the four departments under Rooker's fiduciary umbrella -- circuit court, general sessions civil, probate court and traffic violations -- the principal portion of revenue was generated through the circuit courts where a record \$17 million in child support payments represented more than half of the total \$32.7 million distribution. Circuit revenues accounted for 64.8 percent of the total financial pie, followed by the general sessions civil division with

(See FISCAL FITNESS, Page 2)



## Child Support: \$17 Million and Growing

There were signs of improvement on the domestic front during the past 12 months with fewer couples seeking divorce and -- best of all -- more dollars being spent on children of broken marriages.

In Davidson County, there were 250 fewer divorce filings than the year before and non-custodial parents shelled out a record \$17 million in court-administered child support payments.

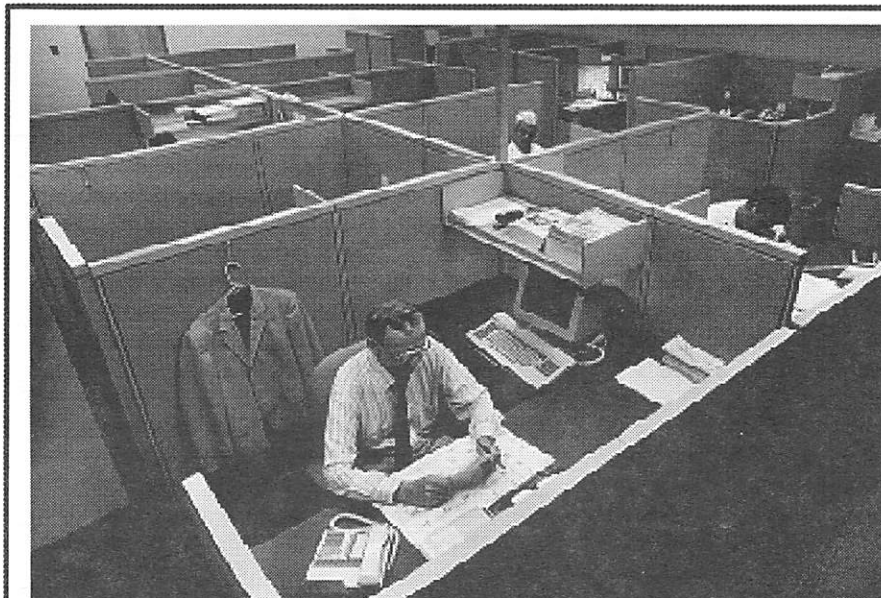
Authorities credit tougher attitudes by society in general for the continuing headway being made in both areas. Because of unwavering persecutory stances against deadbeat parents, more support money is coming into the system while sending a signal to those contemplating separation.

The 9.4 percent increase in support collections through the circuit court clerk's office during the past fiscal year represented a normal growth rate. But the percentage is expected to be higher during the current reporting period with the enactment of a new law of even more severe consequences than those already in existence.

Noncustodial parents finding themselves in arrears on support now could also find themselves in dire straits in other aspects of their lives. The new law (Public Chapter 892) provides for denial or revocation of licenses for failure to pay child support. Licenses at risk include those for driving, hunting, fishing, occupational, trade, industry, business and professional.

Wage assignment has proven to be an effective tool in the collection of support payments. The courts have made it a common practice to invoke payroll deduction in cases where arrearages occur. As a result, 65 percent of all payments through the clerk's office now are tendered by employers on behalf of workers, according to Jeff Parkinson of the child support division.

Parkinson said support payments hit an alltime record of \$1,540,095 during the month of April, topping the previous mark of \$1,528,997 in January. The \$17,056,097 aggregate bested last year's record collections by \$1,465,202.



## A-maze-ing

Modular work stations provide both privacy and comfort to employees of the traffic warrant office. The units were recently added -- along with individual computer terminals for each worker -- as part of a renovation project designed to provide better working conditions and greater customer efficiency. The new furnishings, along with ceiling tile replacement, new carpet and wall paint, complement other recent improvements in the cashier/customer reception area of the office. Similar improvements are tentatively scheduled for next year in the main traffic violations offices on the main floor of the Ben West Building.

--Photo By Gary Layda

## New State Laws Target Students, Inmates, Bondsmen

A reduction in frivolous lawsuits by prison inmates, stricter academic requirements for student drivers and continuing education for bail bondsmen are goals of new legislation now in effect in Tennessee.

The bill (Public Chapter 913) on inmate lawsuits became law on May 8. Lawmakers labeled it an attempt to reduce the number of frivolous and malicious filings by requiring proof of indigency and fining inmates for court costs.

If an inmate is claiming inability to pay, the inmate must file a separate affidavit with a complete list of every lawsuit or claim previously filed, as well as information about those suits and a current certified copy of the inmate's trust account. Courts may dismiss unwarranted claims and require fines, fees and costs to be paid from an inmate's trust account.

Secondary school students could be denied a driver's license or permit if they fail to make satisfactory academic progress, under a law (Public Chapter 763) that went into effect July 1.

The new law requires students to pass at least three academic courses before becoming eligible for a driver's license.

Because of continuous revisions of criminal codes, lawmakers agreed that bail bondsmen should be required to keep abreast. So, a new law (Public Chapter 856) that becomes effective this month requires eight hours of continuing education annually for license retention. The statute sets a maximum fee of \$240 for the courses, which are to be provided by the Tennessee Association of Professional Bail Agents.

## Fiscal Fitness: Recapping Another \$50 Million Year

(From Page 1)

18.7 percent. The probate clerk's office showed a \$1 million increase over the previous year and improved its percentage share from 7.5 to 8.9 percent.

Traffic revenue fell by less than \$200,000, despite drastic reductions in the numbers of both moving and parking citations.

Police wrote 10,521 fewer moving tickets than the previous year, a reduction of almost 5 percent.

The number of parking tickets dropped a whopping 22 percent with only 101,268 citations for the 12-month period.

Combined revenue for the traffic violations bureau, which also collects fines for Metro codes violations, was \$3.8 million, compared with \$4,032,426 the year before.

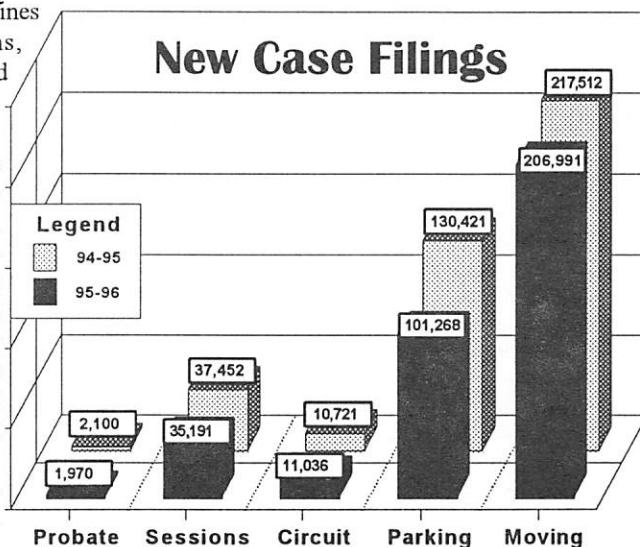
Monies paid into the clerk's operation are distributed to a variety of areas, such as trust funds, investments, court costs, child support and fines. The state legislature sets the amount of fees applicable to the type of services rendered and those funds go toward paying operational costs.

Revenues generated by this year's fees covered op-

erational expenses for the four departments and produced a surplus for the Metro general fund, Rooker said.

A chief contributor was the high-percent-age collections performance of the general sessions civil division, which produced an alltime high \$9.4 million in revenue, despite a decline in new case filings. With \$6,174,516 in judgments, the department toppled its own record from the previous year.

Sessions courts also handled 2,127 order of protection cases (up from 1,547 the previous year) which are not reflected in the chart below.



## Benefit Board There to Help

### WHEN INSURANCE COMPANY SAYS 'NO' TO DRUG REFILLS



An employee of ours recently became frustrated when his group insurance carrier repeatedly refused to approve refills of a prescription drug, even though the requests were made within the proper time frame established by his doctor.

Each time the worker (whom we shall hereafter refer to as "patient") attempted to renew the medication, the insurance company declined payment approval on grounds that the refill request was "too soon."

The patient insisted that he had been taking the blood pressure medicine in accordance with the prescribed dosage -- two pills per day.

The original prescription, filled on the first day of the month, was for 32 pills. The patient requested a refill on the 16th day of the month and was rejected by the insurance company for the aforementioned reason.

Because the prescription was for a maintenance drug and because the patient's history consistently included other types of blood pressure medication, the pharmacist "advanced" enough pills to accommodate the patient until the approved refill date.

It wasn't until the same scenario repeated itself a fifth time that the patient decided to seek an explanation. After all, he was a premium-paying client and was entitled to benefits covered under his insurance plan. And those benefits included prescription drugs.

He set out his dilemma in a letter to the Metro Employee Benefit Board, which oversees the group insurance program. Why, he wanted to know, was the insurance company giving him such a hassle over doctor-

approved refills that were requested in a timely manner?

Approximately four weeks later, a return letter from the benefit board's Dianna Vincent, supervisor of the board's medical and life insurance programs, pinpointed the problem as human error. A thorough investigation of the patient's account revealed that wrong information had been provided to the insurance company by the pharmacist who entered the original prescription information into the Blue Cross Blue Shield computer system.

Instead of the prescribed two pills per day, the pharmacist mistakenly entered the daily dosage as "one" pill per day. Based on that information, the insurance company was within its rights to decline payment.

Insurance company guidelines allows for a prescription to be refilled after "approximately 75 percent of the time has passed that it would take to use the prescription," says Vincent. "A general rule is that the prescription may be refilled about one week before it should run out."

In our patient's case, the wrong computer information indicated a large lapse of only 50 percent between refill requests.

Could the problem have been detected earlier and corrected?

Yes, says Vincent, explaining that if the pharmacist had realized he had entered the wrong daily supply on the original prescription, he could have called the insurance company help desk and gotten an override.

"It is also possible to request an override if a person needs a prescription filled sooner than what was allowed," Vincent added. "This has been done on a limited basis for people going out of state, for instance, on vacation for a long period of time."

In many instances, physicians increase daily dosages of medicines a patient is already consuming without writing a new prescription. On those occasions, the patient should inform the pharmacist of the change so the insurance computer information can be updated. The pharmacist might telephone your doctor for confirmation of the change, which should also be reflected on your prescription label.

From the response to our employee's inquiry, it is obvious that the insurance carrier has the patient's best interest at heart. And the Employee Benefit Board stands ready to protect that interest.

### Brandt Retiring As Chancellor



BOB BRANDT

When former Gov. Ray Blanton was looking for a person of high integrity to become Davidson County's third Chancery Court judge in 1976, his search ended with Nashville lawyer Bob Brandt.

Two years later, when called on to determine Blanton's authority in granting pardons, Brandt ruled that the governor had acted illegally. The decision proved to be the beginning of the end for the governor, who was eventually ousted from office and later sent to prison.

That ruling was one of the highlights of Brandt's 20-year career on the bench, an impressive assignment that will come to an end on Sept. 1.

Brandt announced his retirement plans earlier this month, opting to accept senior judgeship status that will allow him more time to pursue personal interests. Those interests include hiking, photography and writing a second book on Middle Tennessee. An earlier guidebook, *Touring the Middle Tennessee Backroads*, is now available in area bookstores.

Brandt's departure from the bench gives Gov. Don Sundquist a second chancery court vacancy to fill. The governor earlier appointed Ellen Hobbs Lyle to replace Chancellor C. Allen High. The governor also must appoint a criminal court judge to fill the upcoming retirement of Judge Ann Lacy Johns.

Brandt will continue to hear cases across the state on a limited basis. He also will remain active in programs to modernize the court system.

### Circuit's Karen Rooker Earns UT Certification

Chief Circuit Court Clerk Karen Rooker has been recognized as a certified public administrator, becoming only the second official in Davidson County to earn the prestigious honor.

Carole Garrett, administrative assistant to Circuit Court Clerk Richard Rooker, completed the 115-hour training program in 1993.

The course is offered by the University of Tennessee's Center for Government Training to promote increased efficiency of county government through professional development. Graduates of the program are required to take 12 hours of training per calendar year to retain their certification.

Karen Rooker was among 21 officials honored last month at Henry Horton State Park for completing the three-level course. Since the program's inception in 1989, a total of 435 county officials from across the state have earned certification.

The training program offers some courses designed for specific offices and others for general managerial and governmental functions. Regardless, the entire program teaches practicality and skill building that county officials and their personnel need on a day-to-day basis.

Richard Rooker said other employees of the circuit court clerk's various departments would complete the course in the near future.



KAREN ROOKER

## Cheers...

If **Lady Justice** could speak, she would surely get laryngitis from thanking all the volunteers who gave her a sprucing up last month. Some 250 attorneys, five professional painting crews, judges, jail inmates and courthouse employees joined General Services workers in giving the courthouse interior freshly painted walls, polished brass and clean fixtures. The one-day cleanup was the brainchild of Nashville Bar Association president **Tom White**, who convinced Mayor **Phil Bredesen** to furnish the supplies. Among the most noticeable improvements is the Probate Court clerk's office, which got a fresh coat of paint to complement new carpet, which was installed a week later. New furnishings will follow on Aug. 8. White lauded all volunteers for their contributions of time and services and singled out General Services director **Sam McPherson** for special praise, along with professional teams from **Gaylord Entertainment**, **Phillips Homebuilders**, **Textron, Inc.**, **Laidlaw Environmental Services** and **Fox Ridge Homes**...Speaking of building improvements, the new security system is now in place at the Ben West Building, which houses most of the county's General Sessions courtrooms and related administrative offices. Unlike the security system at the courthouse, this one is designed to restrict unauthorized entry into non-public areas of the building...Did you catch General Sessions Judge **Casey Moreland** on television when he welcomed President **Bill Clinton** to Nashville? Moreland was the first civilian to shake hands with the president upon his descent from Air Force One. The judge was accompanied by son **Jay** and daughter **Kelsey**, both of whom drew the attention of the commander in chief and wife **Hillary Rodham-Clinton**. The president chided Jay about his haircut and the First Lady was amused by a nervous Kelsey, who mistakenly gave her name as "Jackie" when asked to identify herself. Jackie is her mother's name...Names can be confusing sometime -- especially when they change. For example, **Stacey Woods** (Traffic Violations) is now **Stacey Poole** following her June 29 marriage to **Michael Poole**. And **Angie Watson** of Franklin will become **Angie Brown** on March 15 when she exchanges vows with our man **Myers Brown**. She is an admissions counselor with Belmont University and he is a deputy circuit clerk...Court officer **Jack Gunter** is recovering from heart bypass surgery at Baptist Hospital...And **Tam Gordon** has resigned her post as the mayor's press secretary to become communications director of Vanderbilt's Freedom Forum First Amendment Center.

## ...Tears

**Earl Reed**, a member of our Traffic Violations Bureau team, passed away on June 30 at St. Thomas Hospital where he was undergoing treatment for kidney failure. Our deepest sympathy to his widow and other family members. Mr. Reed had been in declining health for some time but continued to handle his responsibilities as an indigency clerk until shortly before his demise. He was a dedicated employee whose services will be sorely missed...Condolences also to the family of former Tennessee Attorney General **David M. Pack**, who died at St. Thomas Hospital one day earlier than Mr. Reed and just 18 days after the death of another former state attorney general, **William Leech**. Mr. Pack, 74, who served in the cabinets of two governors and who once ran for governor himself, passed away after suffering a massive stroke resulting from heart bypass surgery.

## Rooker Report

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

### August Birthdays

<b>Circuit Court Clerk</b>	<b>Traffic Violations Bureau</b>
None	2 Sarah Dunn
<b>General Sessions</b>	Faye White
9 Gay Parker	Jean Hart
18 Janice Johnson	3 Joe Foster
29 Kim Davenport	Sharon Nixon
<b>Probate</b>	8 Johanna Rothberg
None	23 Billye Barnard
	25 Pat Trimble
	29 Robin Smith

### DATA BANK

Statistics compiled for the month of June

### Case Information

#### Circuit Court

New Civil Cases Filed .....	364
Civil Cases Concluded .....	301
New Divorce Cases Filed .....	31
Divorce Cases Concluded .....	310

#### General Sessions Civil

New Cases Filed .....	3,175
Executions Issued .....	2,878
Judgments Collected .....	\$522,898
Orders of Protection Petitions .....	175

#### Probate Court

New Cases Filed .....	167
Cases Closed .....	134
Cases Retired .....	0

#### Traffic Violations

Moving Citations .....	16,593
Parking Violations .....	5,610
Total Fines Collected .....	\$272,487
Nullifications .....	1,656
Nullification Fees Collected .....	\$14,904

### Circuit Court Jury Trial Verdicts

#### Week of June 17

Case	Type	Court	Verdict
94C-1993	Medical Malpractice	2nd	Defendant
91C-2642	Medical Malpractice	5th	Defendant
94C-641	Dog Bite	6th	Defendant
94C-828	Auto Accident	1st (P)	\$7,500
94C-3470	Personal Injury	6th (P)	\$5,649
94C-1403	Auto Accident	5th (P)	\$65,000

#### Week of June 24

Case	Type	Court	Verdict
95C-1771	Fire Death	6th	Defendant