

Rooker Report

November 1996

Published by the Davidson County Circuit Court Clerk's Office

Vol.4, No. 10

HAPPY THANKSGIVING

Richard Rooker & Staff



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Photo by Carole Garrett

INTERNAL AUDITOR SANDY ADAMS REVIEWS ACCOUNTS ON COMPUTER SCREEN WHILE ENJOYING PRIVACY IN NEW OFFICE SPACE ON GROUND FLOOR OF THE METRO COURTHOUSE.

INTERNAL AUDIT TEAM KEEPS TABS ON ACCOUNTS FROM NEW SPACE

Ever wonder how court clerks keep up with all those millions of dollars that pass through their hands during a year's time?

Does the money always get to the right place? Do the court records correspond with the receipts? Are the funds deposited in the proper accounts? Do the account balances perfectly match the bank reports?

The answer to all those questions, of course, is "yes." But a lot of teamwork and proficient accounting goes into ensuring that result.

Each transaction provides a proverbial paper trail that is routinely followed by cashiers, bookkeepers and accountants to guarantee uninterrupted passage to its final destination.

But it doesn't end there, at least not for the Circuit Court Clerk's office, which utilizes a team of internal auditors to verify that every integral element has been fulfilled.

Sandy Adams and Janice Yearwood comprise the audit team, verifying that every penny has been accounted for in each of the clerk's four major departments -- circuit court, general sessions civil, probate and traffic violations. The work they perform today will correct any mistakes that might be of concern to outside auditors in the days ahead.

Working from their new office space on the ground floor of the courthouse, the two auditors are connected by computer network to all of the clerk's offices, allowing them to audit and evaluate accounts on a regular monthly basis. They also reconcile bank accounts for all departments and fill in for absentee bookkeepers.

The internal audit department is located in space that previously served as temporary office quarters for Circuit Judge Barbara Haynes, who now has returned to a renovated facility on the fifth floor of the courthouse.

Chief Justice Discourages Use of Attorneys

'Special' Committee Pursues Solutions

That special legislative committee assigned to find a solution to the state's quandary over the use of special judges made its initial report to the state Supreme Court this month.

But the 15-member panel did more listening than talking. And the message was the same: the use of private attorneys as special judges undermines confidence in the courts.

Chief Justice A. A. Birch said that while the high court does not plan to propose legislation to ban the use of lawyers as bench replacements, the commission should concentrate its assignment on producing alternative methods.

The panel, which includes General Sessions Judge Leon Ruben and Nashville Bar Association Executive Director Allan Ramsaur, has until February to recommend corrective legislation.

Regardless of what those recommendations turn out to be, said Ruben, counties with only one general sessions court will probably not be affected.

Procedural guidelines are of primary concern in counties with multiple courts, such as Davidson, Shelby and Knox, Ruben added.

The commission appears to be leaning toward a plan that would require the appointment of other judges -- either active or retired -- to sit special in the absence of regular judges. In situations where no qualified judge were available, the state administrative office of the courts would be asked to locate one from another jurisdiction. Only if those procedures fail could a private attorney be selected.

Basically, that is in line with the philosophy adopted by the Tennessee General Sessions Judges Conference for a three-month trial period that ended with only partial compliance.

Since the question is one of constitutional application, the state legislature will have final say-so about how the matter will be settled. Until then, the question remains one of special interest to the state's legal community.

Nothing Slow About Bo In Local Debut as a Pro

Roy T. (Lil Rock) Bohannon, son of traffic warrant officer Roy (Bo) Bohannon, was disappointed when it took him only 20 seconds to knockout his opponent in his professional boxing debut at Municipal Auditorium.



BIG BO

"I worked hard for this fight," the 140-pound junior welterweight said afterwards, "and for it to go that quick...it's not right."

One would think the young Bohannon would be accustomed to things happening fast; he's a burger server at a fast food restaurant. Perhaps he was just following occupational cadence



LIL BO

when he floored an outmanned John Thomas with just three punches.

Bohannon was featured in this publication last year when he participated in the Olympic trials. He came up just two fights short of earning a trip to Atlanta. A controversial decision ended that dream, but it might have fired up the young pugilist for a successful pro career.

If you want to discuss his potential, pop Bohannon will probably be happy to oblige. Big Bo ought to know; he's thrown a few gloved punches in his time. But now he's living his dream through his son. And he hopes he doesn't wake up any time soon.

A TONGUE IN CHEEK PREVIEW

Here Come Those Holiday Closings

Get ready to take a turkey and stuff it!

We mean that in the traditional cuisine sense, of course. Just our way of acknowledging that the year-end holiday season is upon us. You know, the time when we pause to give thanks for those things for which we still owe money and prove once again that we actually *can* live beyond our means.

But we look forward in great anticipation to bringing joy into the lives of those we love and those we wish to impress.

You might say it's the season of fulfillment and good will.

Before the first big Christmas sale *fills* our malls, we *will fill* our tummies with enough calories to impair our *will* to shop.

But we *will* shop, of course. It's the law!

It's just that our enthusiasm will be somewhat zapped by the extra weight around our middles. And all thoughts of "comparison shopping" *will* be rejected like weekend leftovers as we hurriedly strive to "get it over with."

It is during this period of shoulder-to-shoulder combat that we will develop a tinge of admiration for Ebenezer Scrooge while vowing to never again buy anything "red."

But we're getting our sleigh before the turkey.

Rooker Praises Workers For Charity Donations

Circuit Court Clerk Richard Rooker praised employees of his four departments for their record-breaking contributions to the Metro Employee Consolidated Charity Campaign and other charity events.

Rooker said pledges and cash donations to this year's MECCC campaign totaled \$4,229, topping the previous high of \$3,721 contributed in 1995.

Workers in circuit court, probate, general sessions civil and traffic violations bureau also participated in a variety of other charity campaigns during the year. Among them was a Walktoberfest in Murfreesboro for the American Diabetes Association.

With \$1,240 in sponsorship donations from fellow workers and others, deputy circuit court clerk Virginia Laarz captained a six-member team and (excuse the pun) "walked away" with a prize as the individual with the highest amount of pledges. Her prize was a 27-inch color television set, donated by a Murfreesboro merchant.

"Each year, our employees share their hearts and their pocket-books to help support a number of charity events," Rooker said. "I am extremely proud of the difference they make -- not only in government-sponsored fund drives, but in their response to the many other campaigns for the needy."

Rooker noted that his employees traditionally participate in such charity events as the Second Harvest Food Drive for Families, the March of Dimes and a variety of Christmas projects for those less fortunate.

Local Sessions Rules Available on Internet

Local rules of procedure for both criminal and civil divisions of General Sessions Court are now available on the internet.

The 11-page guide can be located under the Metro section and accessed via <http://www.nashbar.org/gensess.htm#15>.

Inquirers will notice one significant rule change relative to the rescheduling of continued cases. Written notice of rescheduling must now be given at least 21 days in advance, rather than the previous 10 days.

Thanksgiving comes first in this trilogy of family celebrations known familiarly as "the holidays." The encompassing label comes from the fact that one follows the other in a relatively short period of time and all three -- Thanksgiving, Christmas and New Year's Day -- are recognized nationally in scope.

For working men and women, that means extra time off from their jobs -- usually more for government employees than many of their neighbors who make their living in the retail business. In a sense, the latter group could be classified as heroes of the season, serving the whims of a commercial-minded public while sacrificing their own participation.

We salute those dedicated workers and remind those who have business with the courts of our holiday closing schedule:

THANKSGIVING

Closed Nov. 28-29. Reopen Monday, Dec. 2.

CHRISTMAS

Closed Dec. 24-25. Reopen Thursday, Dec. 26.

NEW YEAR

Closed Jan. 1. Reopen Thursday, Jan. 2.



JEFF FILSON



GAY PARKER

Filson, Parker Complete Certification Program

Davidson County now has five certified public administrators -- all employees of Circuit Court Clerk Richard Rooker.

The latest to complete the three-level, 115-hour University of Tennessee certification program are Jeff Filson and Gay Parker, both clerks in the General Sessions Civil Division. Filson is chief clerk of the department.

Filson and Parker were among 26 county government officials completing the course this month at Henry Horton State Park. They will be required to take 12 hours of continued training annually to retain their certification.

The program is administered by the UT Center for Government Training to promote increased efficiency of government through professional development. Since the training program's inception seven years ago, a total of 461 county officials have been certified.

Other Rooker employees who have completed the program are administrative assistant Carole Garrett, chief circuit clerk Karen Rooker and deputy circuit clerk Carol Cullom.

In addition to his certificate, Filson picked up an award for being the most creative in the class. He was presented the "Red Hot Chili Pepper" certificate for producing a skit.

\$ DATA BANK

Statistics compiled for the month of October

Case Information

Circuit Court

New Civil Cases Filed.....	328
Civil Cases Concluded.....	319
New Divorce Cases Filed.....	314
Divorce Cases Concluded.....	279

General Sessions Civil

New Cases Filed.....	3,247
Executions Issued.....	3,293
Judgments Collected.....	\$594,065
Orders of Protection Petitions.....	197

Probate Court

New Cases Filed.....	157
Cases Closed.....	129

Traffic Violations

Moving Citations.....	21,228
Parking Violations.....	9,105
Total Fines Collected.....	\$308,009
Nullifications.....	1,769
Nullification Fees Collected.....	\$15,921

Circuit Court Jury Trial Verdicts

Week of September 30

Case	Type	Court		Verdict
93C-3749	Auto Accident	1st	(P)	\$7,500
94C-1445	Auto Accident	2nd	(P)	\$7,500
92C-3012	Medical Malpractice	5th		Hung Jury
94C-4058	Auto Accident	6th	(P)	\$3,500
94C-3042	Auto Accident	1st	(P)	\$15,000

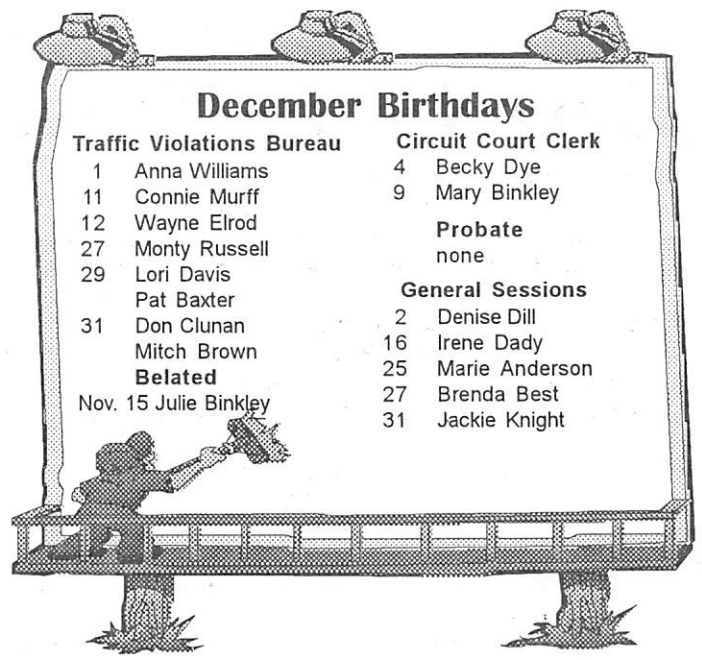
Week of October 7

Case	Type	Court		Verdict
95C-3688	Auto Accident	1st	(P)	\$2,948
94C-1798	Auto Accident	2nd		Defendant
95C-493	Auto Accident	1st	(P)	\$22,500

Week of October 28

Case	Type	Court		Verdict
92C-2518	Contract	5th	(P)	**\$3,475,000
92C-1493	Auto Accident	3rd	(P)	No Award
95C-2192	Auto Accident	6th	(P)	\$156
94C-3053	Personal Injury	1st		Defendant

**--\$2.1 million compensatory, \$1.375 million punitive.



December Birthdays

Traffic Violations Bureau

- 1 Anna Williams
- 11 Connie Murff
- 12 Wayne Elrod
- 27 Monty Russell
- 29 Lori Davis
- Pat Baxter
- 31 Don Clunan
- Mitch Brown

Belated

- Nov. 15 Julie Binkley

Circuit Court Clerk

- 4 Becky Dye
- 9 Mary Binkley

Probate

none

General Sessions

- 2 Denise Dill
- 16 Irene Dady
- 25 Marie Anderson
- 27 Brenda Best
- 31 Jackie Knight

Joe Sbuttoni dedicated almost a quarter of a century of his life to being a public servant, mostly with the General Sessions court system. During that span, he worked as a court officer, an accountant and a divisional supervisor. His knowledge of the criminal side of the system made him a key player in the clerical operations of the nine-division court. Therefore, it was heart rendering when a large number of friends and associates turned out on Nov. 8 to express their appreciation for his many years of service. It would be their last chance to do so in person. For it was Sbuttoni's last day on the job. At the age of 75, he was joining a growing number of fellow workers in retirement. His timing was in line with the season. For during this period of giving thanks, the judicial system surely extends its gratitude to Sbuttoni for his contribution....Another familiar face has been missing from the courthouse scene in recent months. Popular attorney **Morris Levine** has retired from active law practice after more than half a century. Levine had been a fixture at the courthouse since 1938 when he picked up his law degree from the Nashville School of Law. Close pal **David Rutherford** reports that Levine's decision to retire was based partially on impaired health resulting from a broken hip. We salute Mr. Levine's outstanding career and wish him a speedy recovery...The same wish is intended to attorney **Stan Allen** as he recovers at home from recent heart bypass surgery...Congratulations to Circuit Judge **Joe G. Riley** of Ridgely upon being appointed to the state Court of Criminal Appeals. Riley will fill one of three new seats on the expanded court...The governor also must now select a replacement for **Charles Burson**, who is resigning as state attorney general, effective Feb. 14, after eight years of service.

...Tears

The loss of a loved one is difficult to accept at any time, but the impact is especially devastating at this time of year when family togetherness is so prevalent. We can only attempt to console those who are anguished through expressions of sorrow that never seem to adequately convey our inner pain. It is with that sense of inadequacy that we extend our sympathy to the following members of our government family.

Michelle Sawyer, secretary to Circuit Court Clerk Richard Rooker, and **Stephanie Phillips** of our General Sessions Civil Division, in the tragic death of their mother, **Shirley Sawyer**.

John Clemmons, deputy clerk in our Probate office, and wife **Marion Clemmons** in the passing of her father.

Sheriff's Department employee **Phil Kittrell** in the loss of his father.

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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)

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