

Happy Thanksgiving

Holiday Closing Schedule Page 3



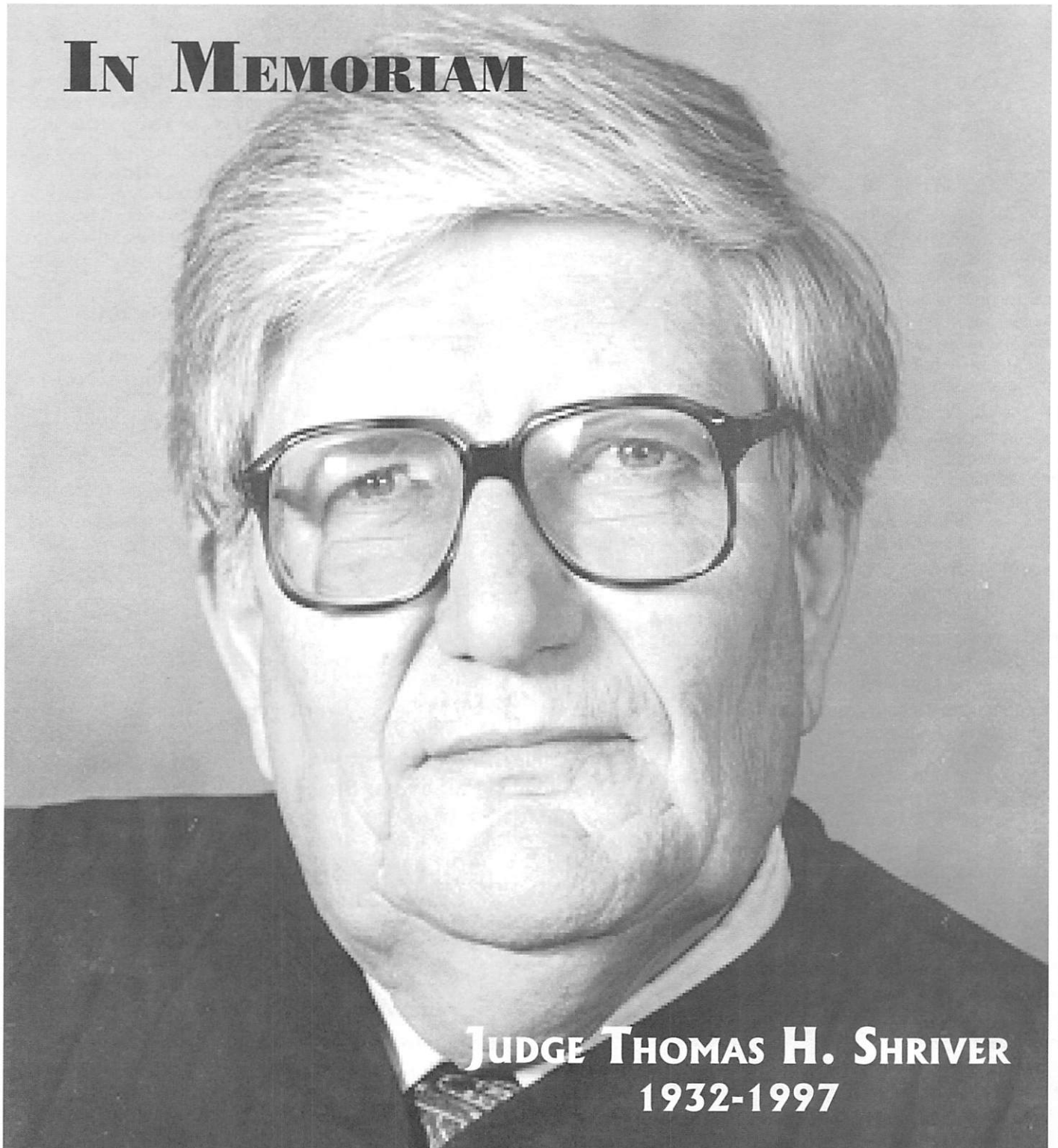
Rooker Report

November 1997

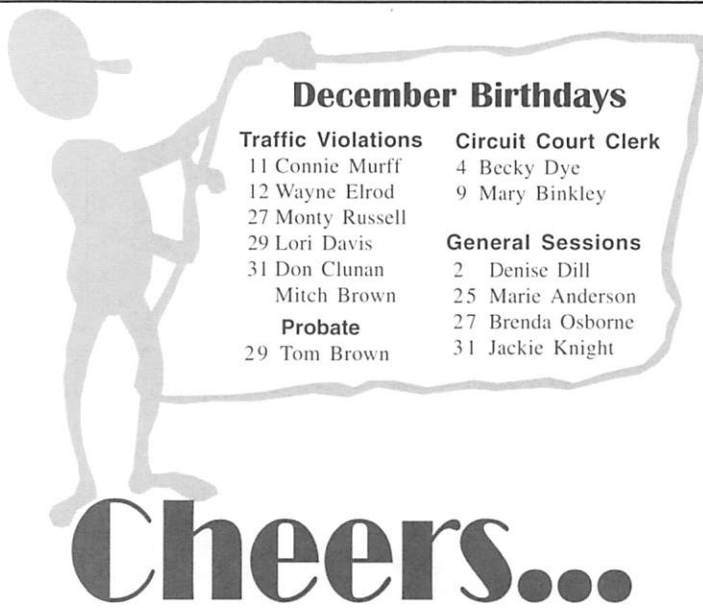
Published by the Davidson County Circuit Court Clerk's Office

Vol.5, No. 10

IN MEMORIAM



JUDGE THOMAS H. SHRIVER
1932-1997



December Birthdays

Traffic Violations 11 Connie Murff 12 Wayne Elrod 27 Monty Russell 29 Lori Davis 31 Don Clunan Mitch Brown Probate 29 Tom Brown	Circuit Court Clerk 4 Becky Dye 9 Mary Binkley General Sessions 2 Denise Dill 25 Marie Anderson 27 Brenda Osborne 31 Jackie Knight
---	---

Cheers...

Now that they have tied the knot, Circuit Judge **Walter Kurtz** and Chancellor **Ellen Hobbs Lyle** have an important decision to make: whether there will be two judges with the same last name. "We haven't decided that issue yet," said a smiling bride-to-be just two days before the Nov. 15 wedding; to which the pending groom rationalized: "It might be confusing to have two judges with the same last name." At last report the matter was still under advisement. But we're betting that the professional name will be retained. For some reason, Judge **Walter Lyle** just doesn't have a ring to it.

◆ The state's legal profession grew by another 464 members this month when July law school graduates were welcomed during ceremonies in the Metro Council Chambers. Criminal Judge **Seth Norman** and General Sessions Judge **Sue McKnight Evans**, presiding jurists of their respective courts, administered the oath to the new attorneys, more than one-third of them from the immediate Nashville area. Among them: **Robert Weaver Briley**, law clerk to Circuit Judge **Tom Brothers**.

◆ Veteran attorney **David Vincent**, one of Nashville's first African-American lawyers, is wearing a new look of pride these days after his son, **David Vincent III**, was recently appointed to a circuit judgeship in St. Louis.

◆ **David Thompson**, a member of the Criminal Court Clerk's office, has announced his resignation to accept a court officer's position with General Sessions Judge **Mike Mondelli**. Thompson, brother of **Marvin Thompson**, a court officer for General Sessions Judge **William Faimon**, will replace **Bob Griffith**, who is now associated with the juvenile court system.

(MORE CHEERS on Page 3)

...Tears

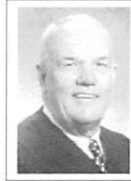
Deepest sympathy to the following associates in the recent losses of family members:

- Deputy circuit court clerk **Cathy Cook**, whose grandmother **Lena Cook** passed away following an extended illness.
- Fourth Circuit Court docket clerk **Temesia Harris** in the death of her mother on Nov. 12.
- **Jennifer (Mrs. George) Rooker**, whose mother **Sandra Davis** of Clarksville, succumbed to cancer on Nov. 4.
- Attorney **Rosemary Phillips** in the passing of her father, also a cancer victim.

Court Committees Named

Standing committee appointments have been made by the county's two presiding judges.

The committees (identified below) will represent their respective courts in matters emerging in their particular area of appointment.



Presiding Judge Seth Norman

Executive Committee

SETH NORMAN (CRIMINAL)
 HAMILTON GAYDEN (CIRCUIT)
 CAROL MCCOY (CHANCERY)
 WALTER KURTZ (CIRCUIT)
 RANDALL WYATT (CRIMINAL)
 MURIEL ROBINSON (CIRCUIT)
 FRANK CLEMENT (PROBATE)

Space

*CAROL MCCOY (CHANCERY)
 CHERYL BLACKBURN (CRIMINAL)
 MARIETTA SHIPLEY (CIRCUIT)

Rules

*WALTER KURTZ (CIRCUIT)
 IRVIN KILCREASE (CHANCERY)
 BARBARA HAYNES (CIRCUIT)
 CHERYL BLACKBURN (CRIMINAL)

Budget

*RANDALL WYATT (CRIMINAL)
 THOMAS BROTHERS (CIRCUIT)
 IRVIN KILCREASE (CHANCERY)

Security

*FRANK CLEMENT (PROBATE)
 RANDALL WYATT (CRIMINAL)
 MURIEL ROBINSON (CIRCUIT)

CLE

*MURIEL ROBINSON (CIRCUIT)
 ELLEN HOBBS LYLE (CHANCERY)

† *Denotes Chairperson ‡

Presiding Judge Sue McKnight Evans



Traffic

*MIKE MONDELLI
 GALE ROBINSON
 JOHN BROWN
 WILLIAM HIGGINS

Civil

*WILLIAM HIGGINS
 LEON RUBEN
 JOHN BROWN
 MIKE MONDELLI

Criminal

*SUE EVANS
 GALE ROBINSON
 WILLIAM FAIMON
 PHILIP SADLER

Administration, Personnel, Budget

*MIKE MONDELLI LEON RUBEN
 JOHN BROWN GALE ROBINSON

Probation, Pretrial Release

*PHIL SADLER BILL FAIMON
 MIKE MONDELLI SUE EVANS

Space Planning

*JOHN BROWN
 MIKE MONDELLI
 SUE MCKNIGHT EVANS
 PHILIP SADLER

Bar Liaison

*LEON RUBEN
 SUE MCKNIGHT EVANS
 WILLIAM HIGGINS
 PENNY HARRINGTON

Legislative, Executive

*PENNY HARRINGTON
 JOHN BROWN
 LEON RUBEN
 WILLIAM HIGGINS

Commissioners

*WILLIAM FAIMON
 GALE ROBINSON
 PENNY HARRINGTON
 PHILIP SADLER

Winter Holiday Closing Schedule

CIRCUIT COURT CLERK

PROBATE COURT CLERK

GENERAL SESSIONS CIVIL

TRAFFIC VIOLATIONS BUREAU

Thanksgiving

Closed: Nov. 27-28
Reopen: Dec. 1



Christmas

Closed: Dec. 24-25
(Skeleton crew Dec. 26)
Reopen: Dec. 29



New Year

Closed: Jan. 1
Reopen: Jan. 2.



Circuit Court Clerk Richard Rooker has released the above schedules to be observed by departments under his jurisdiction during the winter holiday season.

Noteworthy is the December schedule, which allows for employees to be off from work on the Friday following Christmas.

Rooker said, however, that arrangements would be made to accommodate necessary case filings in circuit, probate and general sessions civil.

The Traffic Violations Bureau will be closed, he said, without late penalty to persons unable to pay fines before deadline.

GOTCHA!

A FIESTY CLERK GETS COURTED ON 70TH BIRTHDAY



Fellow office worker Anita Riggan presents Lester with her allegedly preferred mode of transportation to the amusement of Probate Judge Frank Clement, who adds a "gift" of his own, compliments of the Davidson County Sheriff's Office.

Cheers, Too

◆ Two Circuit Court Clerk's office staffers bid adieu this month. **Carol Cullom**, one of only a handful of local certified public administrators, has returned to her hometown of Cookeville after more than two years as a deputy clerk. And **Myers Brown**, on board for three years, has accepted a job as assistant curator of military collections at the Atlanta History Center.

◆ Circuit cashier **Penny Hubbell** has returned to work following a lengthy absence resulting from back surgery for a ruptured disc.

◆ The former **Susan Green** has been sharing her Hawaiian honeymoon photos with fellow workers in our General Sessions civil division office. Susan became Mrs. **Dan Kalp** earlier this month. He is an executive with Gaylord Entertainment.

◆ Cheers to the **Nashville Bar Association** for its involvement in the Habitat for Humanity project. The lawyer group is currently working in concert with the Homebuilders Association of Middle Tennessee in constructing a house at 3424 Fawnwood Place off Brick Church Pike. NBA President **Gail Ashworth** says the house will be dedicated on Dec. 21, but that more volunteers are needed for weekends between now and then. Lawyers wishing to donate their time and skills can sign up by calling **Ashworth** at 254-0400 or **Mary Carpenter** at 242-9272.

The 'Conserving' of 'Miss Ruth'

In her 24 years at the courthouse, very little has slipped past Ruth Lester, a spirited replica of Granny Clampett, who always keeps her ear to the ground.

"Miss Ruth seldom wears sweaters," says a close associate of the veteran probate clerk, "because she's afraid of pulling the wool over her own eyes."

Therefore, there was a great sense of accomplishment when Probate Judge Frank Clement and a band of "co-conspirators" were able to successfully turn a Friday motion docket into a surprise 70th birthday party for the unsuspecting clerk.

The timing was perfect. It was Halloween and everyone was in a festive mood. Perhaps ghoulish would be a better adjective. Not even Lester herself could have been thinking of her birthday because *that* wasn't until the next day, Nov. 1.

So, the stage was set for Clement and his accomplices to administer their devilish, diabolical tribute.

The scheme was predicated on a phony petition for an emergency conservatorship appointment. Attorney George Cate, working in cahoots with Clement, was granted an immediate hearing on the matter and -- per custom -- Lester assumed her place alongside the judge to record the proceedings.

She found it rather curious that there were so many lawyers on hand for this particular type of hearing, but it wasn't a tip-off as to what was to follow. And what was to follow would have played well in Peoria.

A serious-faced Cate plodded through the introduction of his seemingly serious petition only briefly before identifying Lester as the so-called "respondent." That was a signal to "let the games begin."

A broad grin established permanent residence on Lester's face as attorneys and co-workers disguised as "witnesses" played out the scenario, either supporting or refuting claims of her mental incompetence.

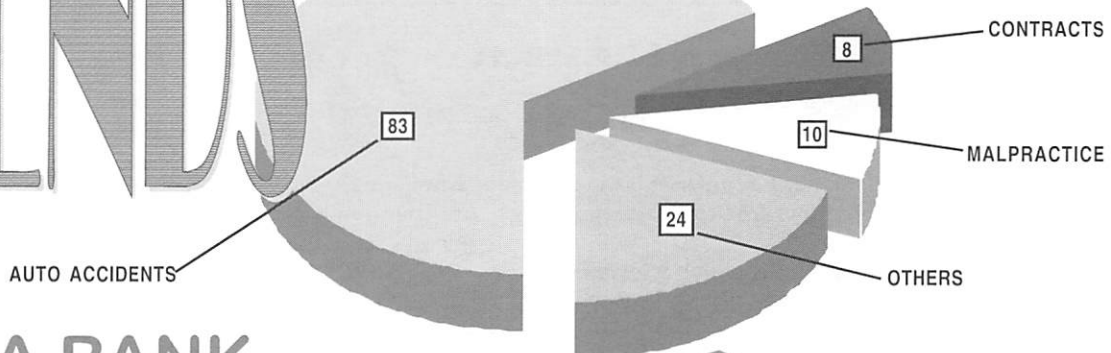
An affidavit from Dr. I. M. Fake diagnosed her condition as "hitting 70 disease." Cate recapped her previous occupations as being a waitress at the Boston Tea Party, a seamstress with the Betsy Ross House of Fashion and a teacher to Abraham Lincoln.

As the audience spilled out into the hallway, the list of witnesses continued until, at last, Clement signed his name on a final order prepared by attorney Thomas H. Ware, declaring it to be "Ruth Lester Day."

Clement further ordered that "she continue to work in the probate office for a minimum of 20 additional years. And that, folks, is what you call an "Amicus Ruthus."

TRENDS

Jury Trials by Classification
(JANUARY THROUGH OCTOBER COMPOSITE)



DATA BANK

Statistics compiled for the month of October

CASE INFORMATION

Circuit Court

New Civil Cases Filed	277
Civil Cases Concluded	351
New Divorce Cases Filed	304
Divorce Cases Concluded	258

General Sessions Civil

New Cases Filed	2,914
Executions Issued	3,214
Judgments Collected	\$667,392
Orders of Protection Petitions	212

Probate Court

New Cases Filed	154
Cases Closed	127

Traffic Violations

Moving Citations	25,018
Parking Violations	12,484
Total Fines Collected	\$359,753
Nullifications	2,618
Nullification Fees Collected	\$23,562

JURY TRIAL VERDICTS

Because of judicial conferences, only three jury trials were conducted during the month of October. The results of those cases follow:

Week of October 6

Case	Type	Court	Verdict
96C-1087	Auto Accident	6th (P)	\$63,704

Week of October 13

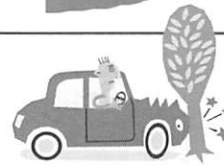
Case	Type	Court	Verdict
96C-1662	Slip/Fall	6th	Defendant
96C-2308	Auto Accident	5th	Defendant

Rooker Report

Published by the Davidson County Circuit Court Clerk's Office
506 Metro Courthouse, Nashville, TN 37201
Internet @ www.nashville.org/cir/

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

Richard R. Rooker Circuit Court Clerk
Gene Baker Editor



AUTO ACCIDENTS

PLAINTIFFS 58
DEFENDANTS 19

RATIO: PLAINTIFFS 3.1-1

MONTH-BY-MONTH

MONTH	TOTALS	PLAINTIFF	DEFENDANT	NONE
JANUARY	7	5	1	1
FEBRUARY	12	9	3	0
MARCH	8	7	1	0
APRIL	7	4	3	0
MAY	9	6	3	0
JUNE	8	6	2	0
JULY	12	9	1	2
AUGUST	7	4	2	1
SEPTEMBER	11	8	3	0
OCTOBER	2	1	1	0

JURY AWARDS

MONTH	TOTALS	DOLLAR RANGE	SMEAN
JANUARY	1,629,264	21,500-404,882	48,500
FEBRUARY	49,330	0-15,000	4,904
MARCH	91,219	0-25,000	13,244
APRIL	129,700	1,200-113,000	7,750
MAY	52,502	470-22,500	7,383
JUNE	356,685	44-300,000	14,160
JULY	153,007	2,000-25,529	11,719
AUGUST	218,523	848-150,000	33,837
SEPTEMBER	103,879	3,157-35,000	10,953
OCTOBER	63,704	(63,704)	63,704

*GENERAL SESSIONS APPEALS

TOTALS	PLAINTIFF	DEFENDANT	NONE	
YEAR TO DATE	9	6	3	0

RATIO: 2-1 PLAINTIFF *INCLUDED IN ABOVE TRIAL TOTALS

THE OTHERS



CONTRACTS
8

PLAINTIFFS 6
DEFENDANTS 2

RATIO: PLAINTIFFS 3-1

TOTAL AWARDS

YEAR TO DATE:	\$59,178
DOLLAR RANGE:	MEAN:
850-19,380	\$8,816

MALPRACTICE
10
PLAINTIFFS 2
DEFENDANTS 5

RATIO: DEFENDANTS 2.5-1



MISCELLANEOUS
24
PLAINTIFFS 9
DEFENDANTS 11

RATIO: DEFENDANTS 1.2-1