

Rooker Report

December 1998

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SEASONS GREETINGS

RICHARD ROOKER & STAFF

DEB MIX BECKY DYE NANCY CAPPS ROBERT COLEMAN SAMANTHA CRAWFORD BETTY MURRAY KELLI OLIN
TRACY CARTWRIGHT CATHY COOK DEBORAH HENNESSEE SUSANNE PARKER BRIAN KAHRs CHRISTY ALLEN
STACEY POOLE LORI STRATTON PENNY HUBBELL CHERYL KENNEDY BARBARA EDDINGS BEVERLY RAWLS
DEANNA ALEXANDER HOLLY RUSSELL MIKE GARRETT KRISTA WASHBURN KIM SMITH MICHELLE SAWYER
TEMESIA HARRIS BRENDA PARKS BOBBIE EDEN DAN VINCENT MARY STEPHENS TREY EVERETT VIRGINIA LAARZ
JEAN HART VIRGINIA ROWLAND RONNELL GRIFFIN LINDA DORRIS DAREN PHILLIPS RON GIBSON KAREN ROOKER
LINDA JACKSON JEFF PARKINSON MARK HERRING ANNECIA DONIGAN CANDY RUCKER BETTY THOMPSON
TERRY CAMPION CAROLYN DAVIS SANDY ADAMS MONICA STEWART CAROL ASHMORE BILL RIGGS KELLY BALZ
NICK LANE BESSIE FOX RICHARD ARNOLD PHIL YORK LEE MILLSAP MARIE ROBERTS DANA MCGREGOR LISA JONES
ROY BOHANNON CANDACE BARON BEN MARTIN BEVERLY SWAFFORD FELICE GRAHAM TERESA JOHNSON DON ROSSO
JOHANNA ROTHBERG MARGIE PERRY PENNY REED CANDACE BENBOW MICHAEL AUSTIN CARLENE STOEHR
MIKE FISCHER SARAH DUNN FAYE WHITE JOE FOSTER JOE HURT BILLYE BARNARD PAT TRIMBLE ROBIN SMITH
ANNETTE WHEELER BILL CARTWRIGHT ELIZABETH HARRIS DICKEY FUQUA PAT BAXTER ELAINE HOWELL MIKE SMITH
BENNY RIGBY ED CHAUVIN DAVID PATTERSON MARY ARCHY TONY EDEN LESLIE ALLUMBAUGH SUSAN GRANNIS
BO FRENSELY DIXIE GIBSON PATSY JACKSON RHONDA HALL STEVE ROSE CONNIE MURFF WAYNE ELROD PETE PAGE
LORI DAVIS DON CLUNAN CARL SMITH MITCH BROWN WILL CRIPPS MONTY RUSELL LYNN RANDALL KIM JACKSON
KIM CLARY ANITA RIGGAN BOB BRADSHAW RICKY DEATHERAGE RUTH LESTER TOM BROWN SUSAN KALP
CINDY MILLIGAN FAYE COLEMAN CONNIE COLLEY DIANA REED JEFF FILSON JAN YEARWOOD HEATHER BAWCUM
DELANA SULLIVAN BEVERLY ESTES MELISSA MCKEE MARGARET BLAIR JASON KANE MOLLY TRAVIS DEREK YOUNG
GAY PARKER JANICE JOHNSON KIM DAVENPORT CAROLINE SOBEL STEPHANIE PHILLIPS CAROLE GARRETT
DINAH WILLIAMS DENISE DILL MARIE ANDERSON SANDRA PERRYMAN BRENDA OSBORNE RAY FULLER JACKIE KNIGHT
EVA McNANEY VICKIE SLATE GENE BAKER

Three General Sessions Judges to Rotate Monday-Friday Bench Duties

DAILY ORDER OF PROTECTION DOCKETS COMING

The growing number of order of protection petitions has prompted General Sessions judges to institute a daily docket to provide a more even distribution of cases that now logjam the court one day each week.

Beginning Jan. 4, order of protection petitions will be heard Monday through Friday at 10 a.m. in Courtroom 2 of the Ben West Building.

The new daily dockets will be conducted by judges Gloria Dumas, Gale Robinson and Casey Moreland on a rotational basis.

During the current calendar year, the monthly average of protection order requests has risen to 205, often creating overcrowded weekly dockets and potentially volatile conditions.

Daily dockets, judges believe, not only will help eliminate those

drawbacks but will provide more timely access to the courts, resulting in speedier judicial remedy.

The new lineup will have no bearing on how ex parte orders are issued.

The final "Tuesday-only" order of protection docket will be held on Dec. 29.

Because of the holiday break, other General Sessions civil dockets will be in recess from Dec. 21 through Jan. 3. All clerk's offices will remain open, however, except for the normal Christmas and New Year holidays.

All government offices will be closed on Thursday, Dec. 24, and Friday, Dec. 25, but will re-open on Monday, Dec. 28, before closing on Friday, Jan. 1 in observance of New Year's Day.

Cheers...

Wanda Binkley, who served as a court officer for former General Sessions Judge **Penny Harrington** and who now works as a receptionist for the courts in the Stahlman Building, will start the new year in a brand new role. Wanda will join the staff of Metro Trustee **Charlie Cardwell**, effective Jan. 1. We wish her well.

♦ Also opting for a change of scenery is **Peter Heidenreich**, Metro's construction project guru who supervised numerous renovation programs involving the court system. Heidenreich is leaving the government after 25 years to become a partner with **The Ingram Group**.

♦ Following several weeks of recovery from major surgery, **Greg Jett** returned this month to his court officer job with General Sessions Judge **Sue McKnight Evans**. "I feel wonderful," he told co-workers upon his return on Dec. 7. It's wonderful that you're back, Greg!

♦ **Chris Nelson** has joined the staff of General Sessions Court Administrator **Warner Hassell** as fulltime computer support analyst. Chris, formerly of Justice Information Systems, came on board on Nov. 1. Hassell also announced the promotion of **Frank Halliburton** as coordinator of security for the sessions courts with supervisory authority over seven security guard employees.

January Birthdays

Circuit Court Clerk
 19 Brian Kahrs
 27 Christy Allen
 29 Deborah Hennessee



Probate
 none

Traffic Violations	General Sessions
2 Bessie Fox	7 Susan Kalp
Richard Arnold	16 Cindy Milligan
7 Phil York	27 Faye Coleman
15 Ron Gibson	30 Connie Colley

...Tears

Tragedy continued to plague the family of General Sessions Deputy Clerk **Marie Anderson** in November. Following the death of her brother **James McCord** on Nov. 9, Marie said good-bye just three weeks later to her sister **Reba McCord**, who passed away at a medical center in Franklin at the age of 50. We extend our deepest sympathy to Marie and her family.

♦ We are equally saddened by the death of **Ronnie Yearwood**, 59, brother of internal auditor **Jan Yearwood**, who was stricken by a fatal heart attack on Nov. 18 at Summit Hospital.

♦ Condolences as well to General Sessions Judge **Sue McKnight Evans** in the Dec. 3 death of her sister **Mary Franklin**.

Environmental Court Moving To Stahlman

The county's environmental court will move to a new venue next month, taking with it a full year of predetermined dates for both citation and civil warrant dockets.

The court will relocate from the Ben West Building to the Stahlman Building where multiple monthly dockets have been scheduled in Courtroom IV.

General Sessions Judge Gloria Dumas, who presides over the court, has scheduled from one to three Wednesday "citation" dockets each month starting in January. The "civil warrant" dockets generally will be heard once each month, always on Thursday following that month's first citation docket.

No civil docket has been set for the month of June, but two dates are on tap for the months of May and December.

Only one citation docket will be heard in January and November, Dumas said, but the court will convene at least twice during other months of the year. Three citation dockets have been set for the months of May, August, October and December.

Here are the announced court dates for the calendar year:

Citation Docket

January 27; February 3, 10; March 3, 17; April 21, 28; May 5, 19, 26; June 2, 30; July 14, 21; August 4, 11, 18; September 15, 22; October 6, 20, 27; November 3; December 1, 8, 15.

Civil Warrant Docket

January 28; February 4; March 11; April 22; May 6, 27; July 1; August 12; September 16; October 7, 28; December 2, 9.

NEXT MONTH



A PROFILE OF **MAYS STINSON**, THE ONLY PERSON TO SERVE AS A COURT OFFICER IN SIXTH CIRCUIT COURT, WHO IS ENDING A 33-YEAR CAREER THAT BEGAN WITH THE CREATION OF THE COURT.



METRO'S AWARD-WINNING TRAFFIC SAFETY SCHOOL RECEIVES MORE HONORS FROM THE NATIONAL SAFETY COUNCIL AND PROGRAM MANAGER **TERRY PEAKS** IS ON HAND TO COLLECT THE LATEST DEFENSIVE DRIVING SPOILS.

JURY TRIAL VERDICTS

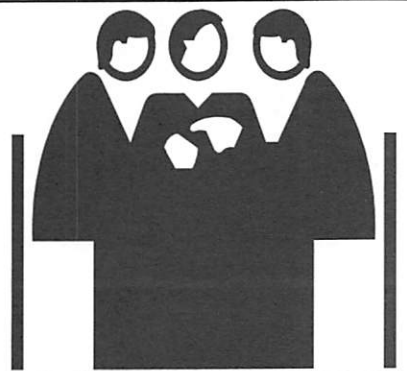
APPEALS

GENERAL SESSIONS

Week of November 2

CIRCUIT COURT

CASE	TYPE	COURT	VERDICT	JUDGMENT	APPELLANT
97C-282	AUTO ACCIDENT/ST	2ND	(P) \$17,000		
97C-299	DOG BITE	6TH	(P) \$17,300		
97C-1848	AUTO ACCIDENT/ST	1ST	(P) \$375		
97C-1638	GSA/AUTO ACCIDENT/ST	8TH	(P) \$422	DISMISSED	(P)
97C-3179	AUTO ACCIDENT	1ST	(P) No AWARD		
96C-160	AUTO ACCIDENT	5TH	(P) \$10,000		
97C-100	AUTO/PEDESTRIAN	8TH	(P) \$15,000		



SETTLEMENT CONFERENCES

	NOV.	YTD
TOTAL CASES CONSIDERED	5	170
Auto Accidents	1	86
Negligence	0	5
Assault	0	1
Store Injury	0	1
Wrongful Death	1	3
Condemnation	1	11
Indecent Exposure	0	1
Contract Dispute	0	6
Slip & Fall	1	16
Defamation	0	2
Medical Malpractice	1	10
Sexual Harassment	0	4
Personal Injury	0	12
Torts	0	3
Outrageous Conduct	0	1
Fraud	0	1
Air Bag	0	1
Property Damage	0	1
Attorney Malpractice	0	2
Soft Tissue	0	1
Food Poisoning	0	1
False Imprisonment	0	1

Week of November 9

CASE	TYPE	COURT	VERDICT
97C-2157/2977	AUTO ACCIDENT	6TH	(P) \$17,000
95C-3253	AUTO ACCIDENT/ST	1ST	(P) \$10,501
96C-1203	AUTO ACCIDENT/ST	8TH	(P) \$1,000
96C-3550	SLIP/FALL	2ND	DEFENDANT
95C-1770	MEDICAL MALPRACTICE	6TH	DEFENDANT
97C-778	AUTO ACCIDENT/ST	8TH	(P) \$18,000
98A-355	CRIMINAL	5TH	(1 NOT GUILTY, 1 GUILTY)

Week of November 16

CASE	TYPE	COURT	VERDICT
96C-2970	AUTO ACCIDENT/ST	6TH	(P) \$2,500
96C-1366	AUTO ACCIDENT/ST	2ND	(P) \$6,000
96C-1321	SLIP/FALL	8TH	DEFENDANT
96C-4177	AUTO ACCIDENT	3RD*	(P) \$5,975
98B-977A	CRIMINAL	5TH	GUILTY

*WAIVED JURY

NON-JURY TRIAL RESULTS

Week of November 2

CASE	TYPE	COURT	VERDICT	JUDGMENT	APPELLANT
98C-312	GSA/CONTRACT	1ST*	(P) \$926	DISMISSED	(P)

Week of November 9

CASE	TYPE	COURT	VERDICT	JUDGMENT	APPELLANT
98C-460	GSA/CONTRACT	6TH*	(P) \$6,937	P-\$6,937	(D)

Week of November 16

CASE	TYPE	COURT	VERDICT
97C-3382	TN. CONS. PRO, ACT	1ST	(P) \$16,978

Week of November 23

CASE	TYPE	COURT	VERDICT	JUDGMENT	APPELLANT
98C-30	WORKERS COMP	5TH	UNDER ADVISEMENT		
98C-351	WORKERS COMP	8TH	UNDER ADVISEMENT		
98C-1464	DAMAGES	5TH	(P) \$19,703		
97C-2449	DAMAGES	6TH*	(P) \$12,727		
97C-1380	DAMAGES	1ST	(P) \$23,076		
98C-2001	DAMAGES	6TH*	(P) \$65,000		
97C-776	DAMAGES	6TH*	(P) \$7,690		
98C-2110	GSA/CONTRACT	6TH	(P) \$7,538	P-\$8,472	(P)
98C-1372	GSA/AUTO ACCIDENT	1ST	(P) \$8,591	P-\$8,886	(D)
97C-2128	WORKERS COMP	1ST	(P) \$13,099		
97C-2564	AUTO ACCIDENT	6TH*	(P) \$75,000		
98C-2105	GSA/AUTO ACCIDENT	5TH	DISMISSED	P-\$7,500	(D)
96C-2313	DAMAGES	1ST	(P) \$16,000		
95C-85	DAMAGES	1ST	(P) \$25,000		
96C-343	DAMAGES	1ST	(P) \$7,000		
98C-2024	GSA/	6TH*	UNDER ADVISEMENT		
96C-1608	SLIP/FALL	6TH	(P) \$140,000		

*HEARD BY SPECIAL MASTER MARSH NICHOLS

DISPOSITIONS

	NOV.	YTD
Settled	3	91
Partial Settlement	0	1
Pending settlement	0	5
No settlement reached	2	44
Trials with jury verdicts	0	1
Dismissals	0	3
Pre-conference settlements	0	10
Post-conference settlements	0	5
Continued	0	9
Canceled	0	2

(Source: Megan Gregory, case coordinator)

ABBREVIATIONS:

P-PLAINTIFF

D-DEFENDANT

CP-COUNTER PLAINTIFF

CD-COUNTER DEFENDANT

ST-SOFT TISSUE

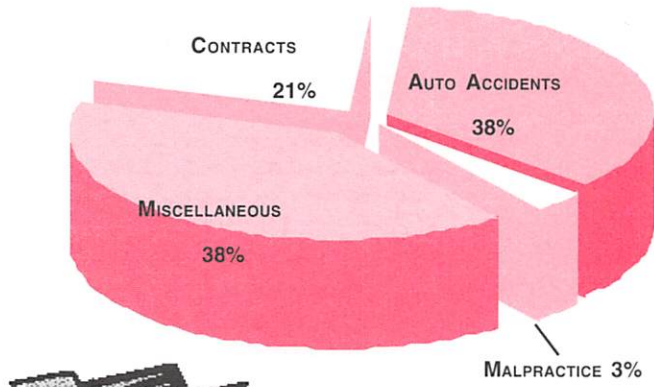
REC-RECOVERY

GSA-GENERAL SESSIONS APPEAL

TRENDS

Jury Trials by Classification

(JANUARY THROUGH NOVEMBER COMPOSITE)



DATA BANK

Statistics compiled for the month of November

CASE INFORMATION

Circuit Court

NEW CIVIL CASES FILED	209
CIVIL CASES CONCLUDED	260
NEW DIVORCE CASES FILED	266
DIVORCE CASES CONCLUDED	284

General Sessions Civil

NEW CASES FILED	2,577
EXECUTIONS ISSUED	2,468
GARNISHMENT PAYMENTS	3,588
JUDGMENTS COLLECTED	\$548,146
ORDER OF PROTECTION PETITIONS	181

Probate Court

NEW CASES FILED	135
CASES CLOSED	102

Traffic Violations

MOVING CITATIONS	19,305
PARKING VIOLATIONS	6,109
TOTAL FINES COLLECTED	\$303,057
NULLIFICATIONS	2,468
NULLIFICATION FEES COLLECTED	\$22,212

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

CASE ANALYSES

AUTO ACCIDENTS

PLAINTIFFS 80
DEFENDANTS 24

RATIO: PLAINTIFFS 3.8-1

MONTH-BY-MONTH

MONTH	TOTALS	JURY	NON-JURY	PLAINTIFF	DEFENDANT	NONE
JANUARY-JUNE	60	49	11	40	16	4
JULY-SEPTEMBER	29	22	7	20	5	4
OCTOBER	8	7	1	7	1	0
NOVEMBER	16	12	3	13	2	1
YEAR-TO-DATE	113	90	22	80	24	9

JURY AWARDS

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	26,190	200-12,168	2,303
FEBRUARY	107,955	1.00-50,000	19,318
MARCH	100,419	364-57,669	14,124
APRIL	525,000	NO RANGE	NO MEAN
MAY	167,638	3,206-103,777	15,163
JUNE	36,545	1,616-15,000	4,982
JULY	2,039,240	915-2,000,000	12,741
AUGUST	63,277	200-27,000	7,294
SEPTEMBER	7,500	NO RANGE	NO MEAN
OCTOBER	218,494	2,000-100,000	23,298
NOVEMBER	103,773	375-18,000	8,539

NON-JURY AWARDS

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	NO REPORT	NO REPORT	NO REPORT
FEBRUARY	53,500	4,500-34,000	15,000
MARCH	126,855	4,300-92,750	9,935
APRIL	NO CASES	NO CASES	NO CASES
MAY	5,198	NONE	NONE
JUNE	210,000	NONE	NONE
JULY	22,728	2,750-6,300	4,559
AUGUST	NO CASES	NO CASES	NO CASES
SEPTEMBER	3,700	NONE	NONE
OCTOBER	57,500	NONE	NONE
NOVEMBER	83,591	8,591-75,000	NONE

*GENERAL SESSIONS APPEALS

MONTH	TOTALS	PLAINTIFF	DEFENDANT	NONE
JANUARY-MAY	9	5	4	0
JUNE	3	3	0	0
JULY	4	4	0	0
AUGUST	3	1	2	0
SEPTEMBER	0	0	0	0
OCTOBER	1	1	0	0
NOVEMBER	2	2	0	0
YEAR-TO-DATE	22	16	6	0

RATIO: 1.6-1

*INCLUDED IN ABOVE TRIAL TOTALS

THE OTHERS

CONTRACTS	TOTAL	PLAINTIFFS	DEFENDANTS	NO VERDICT
	62	42	5	15

RATIO: PLAINTIFFS 8.2-1 TOTAL AWARDS TO DATE: \$278,206
NOVEMBER DOLLAR RANGE: \$1,350-10,000



MISCELLANEOUS

117
PLAINTIFFS 89
DEFENDANTS 24
NOVERDICT 14

RATIO: PLAINTIFFS 3.7-1

MALPRACTICE

9
PLAINTIFFS 2
DEFENDANTS 5
NO VERDICT 2

RATIO: DEFENDANTS 2.1-1