

# ROOKER REPORT

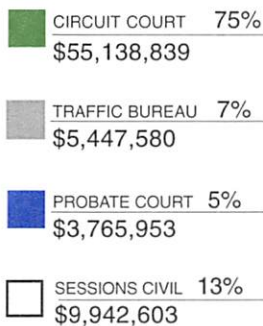
July 1999

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## Fi\$CAL REVIEW

**TOTAL REVENUE**  
**\$74,294,975**



## REVENUE STANDARD RAISED

Judgment payments of almost \$12 million helped the Circuit Court Clerk's Office post a \$4.9 million gain over the previous fiscal year, setting a formidable standard for the new millennium ahead.

Revenues channeled through the clerk's office during the 12-month period hit a record \$55.1 million, representing 75 percent of the \$74.2 million total receipts posted by the four combined departments under fiduciary care of Circuit Court Clerk Richard Rooker.

Only one other department--General Sessions Civil Division--reported increased revenues over the previous fiscal year. Despite a drop in new case filings, that office showed a \$715,799 improvement in receipts from small claims activities.

Conversely, Probate Court filings were up but cash receipts dipped \$627,176 from the last reporting period. Likewise, payments made through the Traffic Violations Bureau were slightly below the 1997-98 figure.

(Total revenues for each department are noted in the chart at left with new case comparisons listed on Page 2.)

Traditionally, child support collections have accounted for a high percentage of revenue paid through the circuit office. This year was no exception with noncustodial parents paying a record \$20.9 million. But a major chunk of that cash flow will be lost, starting with the next reporting period (see related story on this page), no doubt detouring a continual string of record accountings under Rooker's leadership.

Four jury awards totaling a combined \$27 million-plus added significantly to circuit receipts during the past fiscal period, producing three months of seven-figure pay-ins. Outstanding balances on high-dollar judgments will help defray some of the lost child support revenue during the next reporting period.

In real terms, revenue figures are only a barom

## LAST RECORD YEAR FOR CHILD SUPPORT?

Child support payments through the circuit court clerk's office topped the \$20 million mark for the first time during the past fiscal year, the last such reporting period of this century and the end of exclusive court guardianship of funds distributed to custodial parents.

Beginning Oct. 1, the lion's share of support payments now made through the courts will be redirected to a central collection agency for the state Department of Human Services, which will become responsible for distributing all child support payments made through wage assignment.

In Davidson County, that translates to about three-fourths of total payments now under fiduciary care of the clerk's office, which collects, records and distributes all child support payments ordered by the circuit courts.

That equated to \$20,922,261 during the fiscal year ending June 30. Had the state system been in effect during that period, \$15.04 million of that amount would have bypassed the clerk, since only 28 percent of payments made through the

office were by noncustodial parents not under wage assignment orders.

The courts will retain collection and distribution control over non-wage assignment payments, but that number is expected to shrink in light of judicial trends toward employer involvement in the payment process. That, plus the fact that existing accounts will cease as children reach maturity age and no longer require legal financial assistance.

Why the change? Despite the fact that tremendous strides have been made toward locating and requiring deadbeat parents to fulfill their obligations to the children they left behind, the federal government wants a centralized system in place that will enhance abilities to track down non-complying parents on a national scale in order to reduce the need for federal assistance.

The Federal Personal Responsibility and Work Act of 1994 mandated all states to develop such



Circuit Court Clerk Richard Rooker shares a camera shot with long-time employee Virginia Rowland during a retirement party in her honor. Ms. Rowland was a dedicated employee of the Circuit Court Clerk's Office for more than 21 years. Co-workers and invited guests feted the deputy clerk during a two-hour luncheon on June 24, which, coincidentally, was her birthday. Ms. Rowland made June 30 her last official day on the job and exited with the same smile that was her trademark.

## ANOTHER RECORD YEAR FOR ROOKER REVENUE

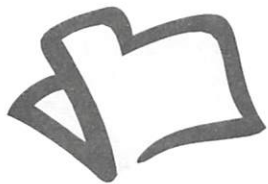
(FROM PAGE 1)

eter of the volume of business being conducted by the civil judiciary and should not be construed as "income" to the clerk's operations, which depend on state regulated fees assigned to each specific type of filing.

From that standpoint, however, revenue mirrors prosperity that allows the clerk to operate self sufficiently without the use of tax dollars.

Certain filing fees yet to be made public will increase in October, allowing the clerk to recover some of the operating funds that will be lost in the child support realignment.

There was good news on the domestic front with the number of divorce petitions decreasing for the third straight year and the number of orders of protection dropping from the previous period's record high.



### NEW CASE FILINGS

	97-98	98-99
<b>Circuit Court</b>	<b>9,979</b>	<b>9,760</b>
<b>Sessions Civil</b>	<b>36,676</b>	<b>34,353</b>
<b>Probate Court</b>	<b>1,885</b>	<b>2,036</b>
<b>Parking Citations</b>	<b>115,723</b>	<b>87,674</b>
<b>Moving Tickets</b>	<b>260,697</b>	<b>269,931</b>
<b>Divorces</b>	<b>3,401</b>	<b>3,293</b>
<b>Orders of Protection</b>	<b>2,613</b>	<b>2,385</b>

# Cheers...

During the past 12 years, the team of **Wes Hall** and **Pat Wall** has become one of Nashville's largest law firms in the representation of landlords and tenants. But come September, the two popular attorneys will go their separate ways. Hall has acquired sole ownership of the firm and Wall will start his own firm. The separation comes on friendly terms but Wall will find himself in competition with the man who gave him a job as law clerk in 1981 and made him an associate partner three years later and eventually a full partnership in 1987. Presently, Wall says he is scouting around for an acceptable office location and hopes to be ready for business by Sept. 1.

◆ The stork flew over the Traffic Violations Bureau for the second time last month, bringing a daughter to deputy clerk **Jennifer Braddom**. **Savanna Rhea Braddom**, weighing 7 pounds and measuring 19 inches, made her arrival on June 23. You will recall that co-worker **Candace Benbow** delivered a baby boy just eight days earlier.

◆ Congratulations to the former **Cindy Milligan** of our General Sessions Civil Division upon her recent marriage to electrician **Wade Fleming**. The couple repeated their vows on June 26 at the Music Row Wedding Chapel with about 20 relatives and friends in attendance. It was her second marriage and his first. A honeymoon cruise is planned for later.

◆ Traffic warrant officer **Pat Trimble** is receiving a lot of pats on the back from fellow workers after giving up smoking. Trimble says he hasn't lit up now in over two months. He was a two-pack-a-day puffer for many years until his doctor gave him a choice of emphysema or Zyban. To which Trimble says he replied: "Give me the pills, doc!"

# ...Tears

**Thelma Garrett**, 78, who devoted most of her adult life to serving the county's court system, passed away on July 4 following an extended fight against leukemia. She was the grandmother of computer technician **Mike Garrett** and the mother-in-law of chief administrative assistant **Carole Garrett**. During her long career in public service, she held a variety of court-related positions and served as secretary to the late Criminal Court judges **Raymond H. Leathers** and **John L. Draper**. She will be missed.

◆ Retired Court of Criminal Appeals Judge **William Stanton Russell**, 74, passed away on June 28 at his farm in Bedford County where he had also served as a circuit judge in Shelbyville. Survivors include a daughter, former Davidson County Criminal Judge **Ann Lacy (Johns) Filer** and two sons, Circuit Judge **Franklin Lee Russell** of Shelbyville, and **Mark Russell** of Burke, Va., also an attorney.

◆ We are saddened by the untimely death of **William Dewitt Douglas**, manager of the Metro Motor Pool, who passed away suddenly on July 17 at Summit Medical Center. He was 54. His sense of humor endeared him to government employees who relied on his services for company car repairs.

## August Birthdays

### Circuit Court Clerk

21 Mark Herring  
29 Kim Wolfe

### General Sessions

2 Ronny Nollner  
14 Heather Bawcum  
18 Janice Johnson  
29 Caroline Sobel

### Probate

9 Gay Parker

### Traffic Violations

2 Sarah Dunn  
Faye White  
Jean Hart  
3 Joe Foster  
8 Johanna Rothberg  
23 Billye Barnard  
25 Pat Trimble  
29 Robin Smith

# JURY TRIAL VERDICTS



## APPEALS GENERAL SESSIONS

### Week of June 14

### CIRCUIT COURT

CASE	TYPE	COURT		VERDICT	PCT. FAULT
97C-3974	AUTO ACCIDENT/ST	1ST	(P)	\$10,000	ADMITTED
97C-3802	AUTO ACCIDENT	2ND		DEFENDANT	
96A-504	CRIMINAL	5TH		GUILTY	

JUDGMENT	APPELLANT

### Week of June 21

CASE	TYPE	COURT		VERDICT	PCT. FAULT
95C-4302	MEDICAL MALPRACTICE	1ST		HUNG JURY	
95C-2046	AUTO ACCIDENT	8TH	(P)	\$4,222	(P-35) (D-65)
"	"	"	(CP)	\$399	
97C-2640	MEDICAL MALPRACTICE	2ND	(P)	\$300,000	(D1-1) (D2-99)
95C-1361	T.C.P.A.	6TH	(P)	\$76,898	
"	"		(CP)	\$11,832	
97C-154	AUTO ACCIDENT/ST	3RD	(P)	\$3,800	(P-60) (D-40)
98C-2089	SLIP/FALL	8TH		DEFENDANT	
98B-1232	CRIMINAL	5TH		GUILTY	

JUDGMENT	APPELLANT

### Week of June 28

CASE	TYPE	COURT		VERDICT	PCT. FAULT
97C-2565	AUTO ACCIDENT/ST	6TH	(P)	No AWARD	ADMITTED
97C-1160	HARASSMENT	1ST	(P)	\$300,000	
97C-2369	SLIP/FALL	8TH		HUNG JURY	
98C-938	AUTO ACCIDENT	3RD*	(P)	\$9,100	
98C-3458	DOG BITE	6TH	(P)	\$2,878	(D1-60) (D2-40)
98D-2758	CRIMINAL	5TH		NOT GUILTY	

JUDGMENT	APPELLANT

\*--WAIVED JURY

**NO NON-JURY TRIALS WERE SCHEDULED DURING THE MONTH OF JUNE**

### JUNE SETTLEMENT CONFERENCES

TOTAL CASES CONSIDERED .....	5
Auto Accidents .....	1
Personal Injury .....	1
Declaratory Judgment Contract .....	1
Medical Malpractice .....	1
Breach of Contract .....	1

#### DISPOSITIONS

Settled .....	4
Did Not Settle .....	1

(Source: Megan Gregory, case coordinator)



### ABBREVIATIONS:

- P-PLAINTIFF
- D-DEFENDANT
- CP-COUNTER PLAINTIFF
- CD-COUNTER DEFENDANT
- ST-SOFT TISSUE
- GSA-GENERAL SESSIONS APPEAL
- REC-RECOVERY
- CH-CHANCERY COURT
- TCPA-TENN. CONSUMER PROTECTION ACT

## STATE ASSUMING WAGE ASSIGNMENTS IN OCTOBER

(FROM PAGE 1)

a system or lose funding assistance. The Tennessee General Assembly complied by passing a reciprocal act requiring centralization to be in operation by Oct. 1, 1999, the effective date for all states. With the new system in place, the central question is whether it will meet efficiency standards long established by clerks, who have incorporated elaborate computer technology to cover all phases of the complex process -- from collection and timely distribution to maintaining accurate and inclusive personal file records.

The state system will lose that single entity organization by requiring collections and deposits by one agency and distribution and record keeping by another with possible breakdowns in the transference of information, some court officials believe. While the new plan is favored by large employers who will no longer be required to mail payments to several court venues, custodial parents, on the other hand, can no longer expect same-day distribution of their checks--a policy applied in wage assignment cases by Circuit Court Clerk Richard Rooker.

State officials are hoping to mail out support checks one day after they are received by the central collection agency, which will be required to deposit incoming payments and forward documentation to Human Services on the day of receipt. Jeff Parkinson, who oversees child support collections for Rooker's office, said it will be up to the state to notify all wage assignment employers where to send payments. And any payments received by the clerk's office after the effective date will be returned to employers, along with new routing directions.

# TRENDS

## CASE ANALYSES



### AUTO ACCIDENTS

PLAINTIFFS 48  
DEFENDANTS 11

RATIO: PLAINTIFFS 4.4-1

#### MONTH-BY-MONTH

MONTH	TOTALS	JURY	NON-JURY	PLAINTIFF	DEFENDANT	NONE
JANUARY-MARCH	34	24	10	26	6	2
APRIL	10	10	0	8	2	0
MAY	14	9	5	9	2	3
JUNE	6	6	0	5	1	0
YEAR-TO-DATE	64	49	15	48	11	5

### JURY AWARDS

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	31,763	681-18,000	13,082
FEBRUARY	48,554	1,000-15,000	8,126
MARCH	66,130	0-44,000	5,532
APRIL	41,266	180-15,000	5,217
MAY	295,961	2,800-198,000	23,990
JUNE	27,122	0-10,000	5,707

### NON-JURY AWARDS

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	3,724	N/A	N/A
FEBRUARY	830	N/A	N/A
MARCH	120,286	500-85,000	5,797
APRIL	N/A	N/A	N/A
MAY	28,019	3,634-18,000	6,385
JUNE	N/A	N/A	N/A

### SOFT TISSUE CASES

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	31,763	681-18,000	13,082
FEBRUARY	31,404	1,000-15,000	7,707
MARCH	47,952	452-44,000	3,500
APRIL	25,133	0-8,000	5,711
MAY	228,161	4,000-198,000	13,080
JUNE	13,800	0-10,000	6,900

### \*GENERAL SESSIONS APPEALS

MONTH	TOTALS	PLAINTIFF	DEFENDANT	NONE
JANUARY-MARCH	13	11	1	1
APRIL	2	2	0	0
MAY	2	2	0	0
JUNE	0	0	0	0
YEAR-TO-DATE	17	15	1	1

\*INCLUDED IN ABOVE TRIAL TOTALS

## THE OTHERS:



**CONTRACTS** YTD 35 PLAINTIFFS 28 DEFENDANTS 4 NO VERDICT 3  
RATIO: PLAINTIFFS 7-1 TOTAL AWARDS TO DATE: \$343,344  
JUNE AWARDS: NO CASES HEARD.



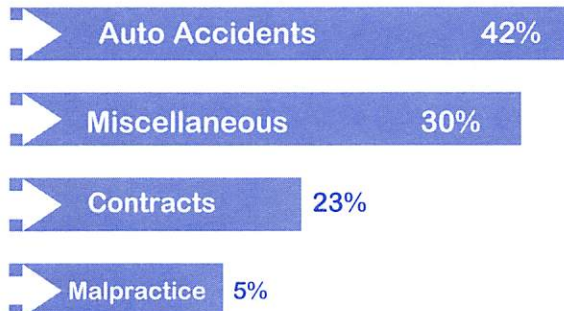
**MISCELLANEOUS**  
45  
PLAINTIFFS 29  
DEFENDANTS 9  
NO VERDICT 7



**MALPRACTICE**  
7  
PLAINTIFFS 2  
DEFENDANTS 3  
NO VERDICT 2



## Jury Trials By Classification



## DATA BANK

Statistics compiled for the month of June

### CASE INFORMATION

#### Circuit Court

NEW CIVIL CASES FILED	277
CIVIL CASES CONCLUDED	264
NEW DIVORCE CASES FILED	265
DIVORCE CASES CONCLUDED	341

#### General Sessions Civil

NEW CASES FILED	3,299
EXECUTIONS ISSUED	3,200
GARNISHMENT PAYMENTS	4,125
JUDGMENTS COLLECTED	\$656,599
ORDER OF PROTECTION PETITIONS	246

#### Probate Court

NEW CASES FILED	177
CASES CLOSED	316

#### Traffic Violations

MOVING CITATIONS	22,763
PARKING VIOLATIONS	10,724
TOTAL FINES COLLECTED	\$365,306
NULLIFICATIONS	2,249
NULLIFICATION FEES COLLECTED	\$21,891

## 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