

ROOKER REPORT

December 2000

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Season's Greetings

**RICHARD ROOKER
KAREN ROOKER
MARGARET LAROBARDIERE
BILL CARTWRIGHT
RICKY DEATHERAGE**

Sandy Adams
Ray Akers Christy Allen
Deanna Alexander Terry Campion
Tracy Cartwright Carolyn Davis Annecia Donigan
Becky Dye Bobbie Eden Barbara Eddings Cathy Garrett
Monica England Mike Garrett Byron Gill Ronnell Griffin
Deborah Hennessee Mark Herring Micah Howell Brian Kahrs
Virginia Laarz Whitney Lawson Betty Murray Kelli Olin
Suzanne Parker Daren Phillips Beverly Rawls Bill Riggs
Ashley Rooks Holly Russell
Michelle Sawyer Mary Stephens Mike Smith Dan Vincent
Bob Bradshaw Thomas Brown Will Cripps Tammy Davis
Kim Jackson Gay Parker Lynn Randall Anita Riggan
Ruth Lester Marie Anderson Gene Baker Ross Barton
Sue Burgett Margaret Blair Judy Christopher Kim Clary
Connie Colley Caroline Crouch Denise Dill Mike Fischer
Janice Johnson Kandice Kalp Jackie Knight Melissa McKee
Cindy Milligan Deborah Mix Ronny Nollner
Brenda Osborne Sandra Perryman Stephanie Phillips Diana Reed
Delana Sullivan Molly Travis Kim Wolfe
Leslie Allumbaugh Mary Archey Michael Austin Billye Barnard Pat Baxter
Candace Benbow Roy Bohannon Nancy Capps Tammany Carter
Don Clunan Marvin Cohen Robert Coleman Lori Davis Sarah Dunn Tony Eden
Wayne Elrod Jeff Filson Joe Foster Bessie Fox Floyd Frensley Ray Fuller Dickey Fuqua
Dixie Gibson Ron Gibson Felice Graham Susan Grannis Rhonda Hall Elizabeth Harris
Jean Hart Elaine Howell Joe Hurt Patsy Jackson Teresa Johnson Lisa Jones Nick Lane
Dana McGregor Eva McNaney Lee Millsap Connie Murff Pete Page David Patterson Margie Perry
Penny Reed Benny Rigby Marie Roberts Steve Rose Don Rosso Johanna Rothberg Monty Russell Vickie Slate
Carl Smith Kim Smith Robin Smith Carlene Stoehr Beverly Swafford Pat Trimble Annette Wheeler
Faye White Dinah Williams Stacey Woods
Phil York Joanie Young

CHEERS...

Over the past 30-plus years, **Diane Clark** has performed just about every duty the local court system has to offer. She began her career in 1969 as a secretary to the General Sessions Court and its judges, going on to become court administrator and later serving in key positions at the criminal and probate levels.



CLARK

On Dec. 15, her distinguished service will be acknowledged at a courthouse reception in honor of her retirement on that day. The public is invited to attend from 1-2:30 p.m. in the jury assembly room.

Clark served as general sessions court administrator for 12 years until 1986 when she resigned to help Judge **Gale Robinson** in his unsuccessful bid for mayor. She returned a year later and joined the staff of the criminal court clerk, serving as the "in court" clerk for then Criminal Judge **Ann Lacy Johns**.

Later, she would become senior administrative assistant to the late Probate Judge **James Everett** and eventually was selected as assistant director of that court's probation department. When the department was consolidated as an entity of the state trial courts, she was appointed to her current position of budget officer.

"I have had the pleasure of working with so many judges over the years," Clark said. "I have some wonderful memories, some not-so-wonderful memories and some sad memories. But the wonderful memories certainly outnumber the others."

Other memories will be made in your retirement, Diane. May they all be good ones.

Congratulations to **Ross Barton**, a deputy clerk in our general sessions civil division office, who scored top grade in his class as a first-year student at the Nashville School of Law. His reward was an engraved clock from instructor **Jim McBroom**. It came a bit belatedly, however. Ross is now in his second year at the school.

...TEARS

Thomas C. Binkley, who rose from humble beginnings to earn a law degree from Vanderbilt University and subsequently the presidency of the Tennessee Bar Association, passed away on Dec. 3 at the age of 70. He was remembered as a lawyer's lawyer who held compassion for those less fortunate. In addition to having served as president of the state bar group, he also had headed up the Tennessee Mental Health Association and was affiliated with several local and statewide organizations. He will be missed.

◆ Deepest sympathy to traffic warrant officer **Joe Foster** in the death of his father **Henry F. Foster**, who passed away at a Birmingham hospital on Nov. 28 after undergoing heart surgery.

◆ We are also saddened by the untimely death of **John White**, brother of general sessions bookkeeper **Janice Johnson**, who passed away on Dec. 6 at Vanderbilt Hospital from complications associated with diabetes.

Holiday Schedule

All judicial business will be suspended during the holiday season according to the following schedule:

CHRISTMAS--Closed Monday-Tuesday Dec. 25-26.

Re-open Wednesday Dec. 27.

NEW YEAR'S DAY--Closed Monday Jan. 1.

Re-open Tuesday Jan. 2.

January Birthdays

Circuit Court Clerk

- 19 Brian Kahrs
- 27 Christy Allen
- 28 Byron Gill
- 29 Deborah Hennessee

Traffic Violations

- 2 Bessie Fox
- 7 Phil York
- 15 Ron Gibson

Probate Clerk

none

General Sessions

- 7 Kandice Kalp
- 16 Cindy Milligan
- 30 Connie Colley

Retired Commissioner Braden Floyd Laid to Rest

Alfred Braden Floyd, whose wife helped him carry out his duties as a night court commissioner for years after having a stroke, was laid to rest in late November.

He was 73.

Floyd served as a commissioner from 1976 until his retirement in 1991.

After suffering a stroke in 1983, his wife Peggy Floyd resigned her job with the state Department of Revenue to help him with the night court duties, most of which were conducted from behind a desk. She was quoted as saying, "I took my vows very seriously. In sickness and in health."

Mrs. Floyd survives.

During his term of service, Floyd developed a reputation as a no-nonsense, fair commissioner, who often started the warrant-issuing process by asking victims, "What's your problem?"

His dedication to the job won him respect from colleagues and support staff.



Alfred Braden Floyd
1927-2000

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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

TRADITION BEGAN LONG BEFORE HE WAS A JUDGE

Ruben Awaits 30th Christmas on Duty

As a practicing attorney in 1970, Leon Ruben was met with an unusual request.

"Would you mind minding the store for the General Sessions judges so they can spend Christmas Day with their families?" he was asked by the local bar association.

He did. And he's been doing it ever since.

Now presiding judge over that same court he favored, Ruben and wife Myra will be minding the store this Christmas Day for the 30th consecutive year.

It is a cherished tradition for the only Jewish member of the court, who devoted a decade to the routine before being elected to the bench.

Because their own religious observance of Hanukkah ends on Christmas Day, Ruben and his wife find their service to be somewhat of a new year's experience. They look forward to accommo-



Judge Leon Ruben inside his office at the Ben West Building

dating the misguided few who find themselves at the Criminal Justice Center on the Christian holiday.

There are no regular court dockets scheduled, of course. But there are always matters of a judicial nature that demand attention, just the same.

The Rubens are on hand from 8 a.m. to 4 p.m., normally attired in holiday colors

and armed with "treats" for their reluctant "guests."

The gesture of good will blends harmoniously with the season, providing an excellent Christmas gift for Ruben's ten fellow judges.

ABBREVIATIONS:

P	PLAINTIFF	CP	COUNTER PLAINTIFF
D	DEFENDANT	CD	COUNTER DEFENDANT
PU	PUNITIVE	GSA	GENERAL SESSIONS APPEAL
CO	COMPENSATORY	TCPA	TN. CONSUMER PROTECT ACT

APPEALS

GENERAL SESSIONS

CIRCUIT COURT

Week of November 6

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
99C-788	PERSONAL INJURY	8TH (P)	\$41,446	(P-30) (D-70)		
99C-1751	AUTO ACCIDENT/ST	1ST (P)	\$11,340	ADMITTED		
99C-3053	AUTO ACCIDENT	2ND (P)	\$890			
99C-364	AUTO ACCIDENT/ST	5TH	DEFENDANT			

GENERAL SESSIONS

Week of November 13

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
99C-1027	GSA/AUTO ACCIDENT	2ND	DEFENDANT		TRANSFERRED	
98C-2251	MEDICAL MALPRACTICE	8TH	DEFENDANT			
00C-1801	GSA/AUTO ACCIDENT	3RD	DEFENDANT		DEFENDANT	PLAINTIFF
99C-1762	AUTO ACCIDENT	1ST (P)	\$33,000			
98C-3468	AUTO ACCIDENT/ST	1ST (P)	\$21,800			
99C-3296	AUTO ACCIDENT	5TH*	UNDER ADVISEMENT			

GENERAL SESSIONS

Week of November 27

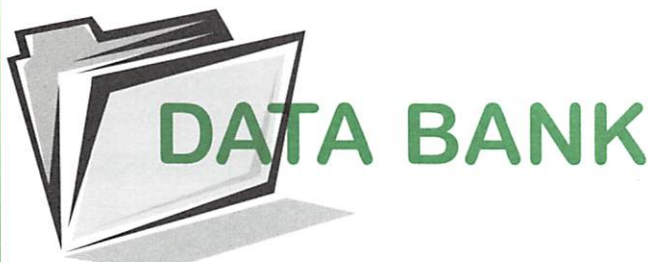
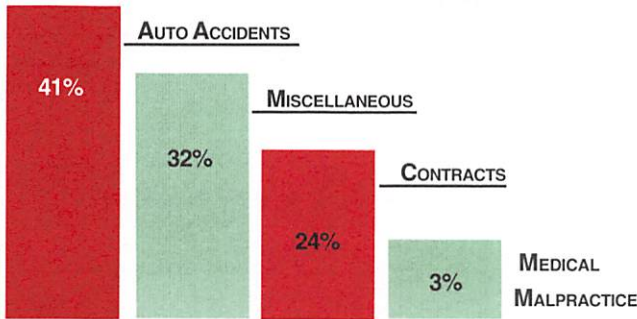
CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
96C-974	AUTO ACCIDENT	3RD (P)	\$6,000			
00C-35	OUTRAGEOUS CONDUCT	1ST (P)	\$75,000-CO, 175,000-PU			
00C-249	AUTO ACCIDENT	8TH (P)	\$6,270	(P-50) (D-50)		
00C-1751	GSA/CONTRACT	3RD	DEFENDANT		DEFENDANT	PLAINTIFF
99C-2694	AUTO ACCIDENT/ST	3RD	DEFENDANT			
00C-1532	GSA/AUTO ACCIDENT	5TH	DEFENDANT		DISMISSED	PLAINTIFF

*JURY WAIVED

THERE WERE NO NON-JURY TRIALS IN NOVEMBER

TRENDS

CIVIL TRIALS By CLASS



Statistics compiled for the month of November

CASE INFORMATION

Circuit Court	
NEW CIVIL CASES FILED	288
CIVIL CASES CONCLUDED	252
NEW DIVORCE CASES FILED	252
DIVORCE CASES CONCLUDED	216
General Sessions Civil	
NEW CASES FILED	2,635
EXECUTIONS ISSUED	3,548
GARNISHMENT PAYMENTS	3,958
JUDGMENTS COLLECTED	\$586,511
ORDER OF PROTECTION PETITIONS	186
Probate Court	
NEW CASES FILED	141
CASES CLOSED	223
Traffic Violations	
MOVING CITATIONS	13,158
PARKING VIOLATIONS	8,263
TOTAL FINES COLLECTED	\$330,979
NULLIFICATIONS	1,310
NULLIFICATION FEES COLLECTED	\$15,702

CASE ANALYSES



RATIO: PLAINTIFFS 3-1

AUTO ACCIDENTS

PLAINTIFFS 74
DEFENDANTS 24

MONTH-BY-MONTH

MONTH	TOTALS	JURY	NON-JURY	PLAINTIFF	DEFENDANT	NONE
JANUARY-MARCH	27	18	9	20	6	1
APRIL-OCTOBER	67	56	11	48	13	6
NOVEMBER	12	12	0	6	5	1
YEAR TO DATE	106	86	20	74	24	8

JURY AWARDS

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	77,000	2,000-60,000	7,500
FEBRUARY	85,0040	1,762-45,000	12,786
MARCH	14,723	1,258-7,500	1,988
APRIL	87,598	448-45,000	21,075
MAY	71,357	200-35,000	4,519
JUNE	105,896	308-61,500	14,696
JULY	149,169	1,498-50,000	12,208
AUGUST	7,860	443-5,305	2,112
SEPTEMBER	137,832	300-103,000	6,906
OCTOBER	38,273	1,400-16,000	6,957
NOVEMBER	79,300	890-33,000	11,352

NON-JURY AWARDS

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	271,989	1,500-260,000	5,242
FEBRUARY	22,900	1,950-15,000	2,975
MARCH-AUGUST	49,919	N/A	N/A
SEPTEMBER	32,934	14,782-18,152	N/A
OCTOBER	3,200	N/A	N/A
NOVEMBER	N/A	N/A	N/A

SOFT TISSUE CASES

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	17,000	2,000-8,000	7,000
FEBRUARY	8,777	1,762-7,015	N/A
MARCH	14,465	1,615-7,500	2,175
APRIL	42,150	3,150-39,000	N/A
MAY	39,696	200-35,000	1,498
JUNE	95,833	308-61,500	17,012
JULY	32,713	1,498-25,473	10,904
AUGUST	5,305	N/A	N/A
SEPTEMBER	133,722	300-103,000	10,140
OCTOBER	3,533	1,400-2,133	N/A
NOVEMBER	33,140	11,340-21,800	N/A

*GENERAL SESSIONS APPEALS

MONTH	TOTALS	PLAINTIFF	DEFENDANT	NONE
JANUARY-MARCH	7	7	0	0
APRIL-OCTOBER	18	15	1	2
NOVEMBER	3	0	3	0
YEAR TO DATE	28	22	4	2

OTHERS



CONTRACTS	YTD	PLAINTIFFS	DEFENDANTS	NO VERDICT
	61	43	6	12

NOVEMBER AWARDS: NONE-- TOTAL AWARDS TO DATE: \$226,780

MISCELLANEOUS



84
PLAINTIFFS 50
DEFENDANTS 21
NO VERDICT 13

MALPRACTICE



8
PLAINTIFFS 1
DEFENDANTS 6
NO VERDICT 1