

ROOKER REPORT

February 2001

Published by the Davidson County Circuit Court Clerk's Office

Vol.9, No. 1

Kicking Off Our 9th Year

With eight full years under our belt, this issue kicks off our ninth year as a monthly publication.

This is the 97th time we've gone to press since our inaugural issue in February 1993.

As always, our goal is to deliver content that is both informative and entertaining in an effort to bridge the communications gap between the civil judicial system and the people it serves.

Each year since our inception, new features have been added in an effort to broaden our appeal to judges, attorneys and the general public. The past year was no exception with the expansion of our internet web site to include a printer friendly PDF format, giving internet users the added option of reproducing a facsimile of the hard copy version.

Our web site address is: www.nashville.org/cir.

Statistical coverage, once taking up about 20 percent of news space, now occupies about 50 percent with expanded listings of jury and non-jury trial results. Plus, an analytical overview of jury activity in our "Trends" section provides an insight into jury leanings toward particular types of cases--a tool helpful to attorneys planning strategy for upcoming trials.

Back issues are available in both hard copy and internet formats. The report is not offered through subscription mailings, but can be obtained by providing a self-stamped envelope.

E-mail inquiries should be addressed to: circuit@jjs.nashville.org.

Judges, Courthouse Dockets Get New Home March 26

Sessions Action Moving To Ben West Building

General Sessions judges who have maintained offices on the third floor of the courthouse for years are packing up their belongings for new temporary housing in the Ben West Building.

With them goes a courtroom clientele that will change the personality of the old Ben West, swelling its walls each day with hundreds of additional people and necessitating tight security screening for even those who now come and go freely.

Beginning Monday, March 26, criminal dockets previously heard daily at the courthouse venue will be shifted to two of the four courtrooms in the Ben West, joining the day-long influx of traffic violators who arrive hourly to have their cases called.

The new routine is the upshot of an agreement between the judges and Mayor Bill Purcell to make room in the courthouse for a courtroom to accommodate Circuit Judge Carol Soloman, who hasn't had one of her own since being elected three years ago, and two additional trial judgeships expected to be approved by the state legislature this year.

In exchange for giving up their third floor accommodations in the courthouse, the sessions judges have been promised a new \$14.8 million courthouse annex to be constructed atop the Criminal Justice Center parking garage, which adjoins the Ben West.



Currently, the multifaceted court conducts its business in four different buildings. Theoretically, the new facility--targeted for completion before the end of Purcell's current mayoral term--would allow all General Sessions operations to be situated at a single location.

Meantime, the means to the end requires four of the court's eleven judges and support staff to find office space outside the courthouse.

Three of the judges--Bill Faimon, Bill Higgins and John Brown--will move to the Ben West, while Mark Fishburn will take up residence in the Stahlman Building.

Judge Gloria Dumas surrendered her office in the Stahlman, preferring to be headquartered in the Ben West in one of two offices previously designated for visiting judges.

SEE SESSIONS, PAGE 2

PERSONNEL

ROOKER, CARTWRIGHT PROMOTED

Circuit Court Clerk Richard Rooker has announced the promotions of two veteran staff members.

Karen Rooker, a 24-year employee who served as chief circuit court clerk for the past 10 years, was named Rooker's chief deputy administrator, filling the vacant position of Carole Garrett, who retired in October.

Tracy Cartwright, a deputy in the circuit court clerk's office the past nine years, was elevated to succeed Karen Rooker as chief clerk of that department.

Cartwright joined the clerk's staff in June of 1988 as a data entry clerk in the Traffic Violations Bureau before transferring to the circuit court office in January of 1992.

Both Rooker and Cartwright are certified public administrators.

In announcing the promotions, Rooker cited strong work ethics by both women, who have established themselves as "knowledgeable, dedicated and effective leaders."



KAREN ROOKER



TRACY CARTWRIGHT

CHEERS...

◆ The courthouse scene has been abuzz about the recent engagement of Circuit Court Judge **Muriel Robinson** to former *Nashville Banner* publisher **Irby Simpkins**. But, so far, a wedding date has not been announced. We hear that her honor's ring is a knockout. Congratulations to the happy couple.



ROBINSON

◆ Congratulations to **David Smith** upon his election to the post of Oriental Guide of the **Al Menah Shrine Temple**. The position, which carries representative responsibilities for a 37-county area, places Smith in line to be potentate of the temple in 2005. He is a court officer for General Sessions Judge **Casey Moreland**.

◆ Best wishes to **Marelle Newman**, who retired Jan. 26 after serving as a criminal court reporter for 26 years.

◆ After reporting to the Stahlman Building for 28 years, maintenance man **Harold Grigsby** has been reassigned to the new police precinct in Hermitage. He served his last day at the Stahlman on Feb. 6 by recalling humorous events he experienced on the job there during his long residency. The stories were enjoyed by fellow workers and tenant well-wishers who stopped by to express their appreciation for his many years of dedicated service in the building.

◆ Our thoughts are with attorney **Scottie Haynes** as he continues to rebound from heart-related problems that struck suddenly in January. At last report, Scottie was showing steady improvement at St. Thomas Hospital where he is undergoing therapy. He is the son of Circuit Court Judge **Barbara Haynes** and Sen. **Joe Haynes**.

◆ Significant black and white photographs make up the latest artistic showcase in the jury assembly room at the courthouse. They are the works of **Sandi Accousti** of Hermitage, an airline attendant who utilizes her travels to build a portfolio with an international flavor. Her collection of shots reflects the faces of life from Centennial Park to Alaska, Paris, Madrid and other points of exotic flavor. "I invite you to come with me through the streets and alleys of these wonderful and various places," she writes, "...and it's okay to unfasten your seatbelts." Of course, all the exhibited works are for sale at prices ranging from \$30 to \$125. To appreciate the cost value, check out the showcase when you are on the ground floor of the courthouse.

...TEARS

Randal Merryman, 59, uncle of circuit court clerk secretary **Michelle Sawyer** and deputy general sessions clerk **Stephanie Phillips**, succumbed to an extended illness on Jan. 28 at a local nursing home.

Harold Leslie Adcock, 52, father of deputy circuit court clerk **Deanna Alexander**, passed away Feb. 6. He was a board member of the Goodlettsville United Pentacostal Church.

In our January report we mistakenly identified the late **Beryl Estelle Hedgepath**, who passed away on Jan. 7, as the grandmother of both **Richard Hedgepath** and his son **Richard Hedgepath Jr.**, both local attorneys. Of course, we intended to say that she was the mother of one and the grandmother of the other. We regret the error.

March Birthdays

Circuit Court Clerk

10 Penny Hubbell
17 Deanna Alexander
26 Micah Howell
28 Betty Murray
29 Cheryl Kennedy

Traffic Violations

2 Lee Millsap
12 Roy Bohannon
24 Lisa Jones

General Sessions

None

Probate Clerk

none

SESSIONS DOCKET SHUFFLE

(FROM PAGE 1)

Until expansion demands dictate otherwise, the state traffic docket will continue to be heard in Courtroom 300 at the courthouse each Wednesday, as well as the probation return docket.

The shuffle does not affect civil dockets, which are held daily at the Stahlman Building.

Presiding Judge Leon Ruben said the criminal dockets will increase the daily building congestion at the Ben West by between 200-250 people, necessitating installation of metal detectors and x-ray scanners at both the upper and lower level entries to the building.

Ruben said the Wackenhut company, which provides security services in the courthouse, will help man the detectors and assist court personnel in other areas of preserving decorum throughout the building.

In an effort to accommodate as many people as possible, Ruben said, benches will be added to the main lobby area. The information rotunda now situated there will be removed and replaced by two smaller manned information desks on either side of the lobby.

Sessions Docket Lineup Beginning on March 26

Ben West Building

BW1--Traffic (8:30, 9:30, 10:30, 12:30, 1:30, 2:20, 3:30, daily)

BW2--Criminal Bond (9:00 a.m., 1:00 p.m., daily)

BW3--Criminal Bond (9:15 a.m., 1:15 p.m., daily)

BW4--*Criminal Citations & Drivers License (8:30 a.m., daily)

Environmental (1 p.m. Wednesday and Thursday)

*--No drivers license dockets during weeks when Judges Gloria Dumas and Gale Robinson are conducting domestic dockets.

Criminal Justice Center

Misdemeanor Courtroom

Metro Animal Control (9:00 a.m., Monday)

Metro Ordinance (9:30 a.m., Monday)

Misdemeanor & Review Docket (10:15)

Felony Courtroom

Orders of Protection (8:30 a.m., Monday-Friday)

Felony Jail Docket (9:45)

Metro Courthouse

Courtroom 300

State Traffic Docket (1:00, 2:00 p.m. Wednesday)

Probation Return Docket

Stahlman Building

Courtrooms II, III, IV

Civil Dockets (9 a.m., Monday-Friday)



JURY

TRIAL VERDICTS

ABBREVIATIONS:

P	PLAINTIFF	CP	COUNTER PLAINTIFF
D	DEFENDANT	CD	COUNTER DEFENDANT
PPD	PERMANENT PARTIAL DISABILITY	GSA	GENERAL SESSIONS APPEAL
CO	COMPENSATORY	TCPA	TN. CONSUMER PROTECT ACT

APPEALS

GENERAL SESSIONS

Week of January 8

CIRCUIT COURT

CASE	TYPE	COURT		VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
00C-1090	AUTO ACCIDENT	8TH	(P)	\$3,750	ADMITTED		
99C-2632	AUTO ACCIDENT	2ND		DEFENDANT			
00C-595	ASSAULT	1ST	(P)	\$1,000			
99C-3259	AUTO ACCIDENT	6TH	(P)	\$76,000			
99C-2314	AUTO ACCIDENT/ST	5TH	(P)	\$29,000	ADMITTED		
99C-940	AUTO ACCIDENT	1ST	(P)	\$22,641			
00C-377	AUTO ACCIDENT	3RD	(P)	\$35,000	ADMITTED		
99C-540	AUTO ACCIDENT/ST	2ND		MISTRIAL			

Week of January 16

CASE	TYPE	COURT		VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
98C-974	CONDEMNATION	5TH	(P)	\$7,904			

Week of January 22

CASE	TYPE	COURT		VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
00C-124	MEDICAL MALPRACTICE	1ST		DEFENDANT			
99C-2689	CONTRACT	2ND*	(P)	\$2,500			
00C-1613	GSA/CONTRACT	6TH	(P)	\$3,646		P-\$3,646	DEFENDANT
98C-1004	CONTRACT	5TH*	(P)	\$650			

*--JURY WAIVED

NON-JURY TRIAL RESULTS

APPEALS

Week of January 29

CIRCUIT COURT

GENERAL SESSIONS

CASE	TYPE	COURT		VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
98C-2811	WORKERS COMPENSATION	5TH		UNDER ADVISEMENT			
99C-1606	GSA/WARRANT TO RECOVER	1ST	(P)	\$38,000		TRANSFER	
98C-1798	DAMAGES	5TH	(P)	\$28,512			
98C-2980	NEGLIGENCE	1ST	(P)	\$20,000			
00C-2764	GSA/WARRANT TO RECOVER	5TH	(P)	TABLE		P-POSSESSION	DEFENDANT
00C-2764	GSA/WARRANT TO RECOVER	5TH	(D)	\$350		P-POSSESSION	DEFENDANT
00C-1040	GSA/CONTRACT	8TH*		DEFENDANT		P-\$10,779	DEFENDANT
00C-1964	GSA/CONTRACT	5TH	(P)	\$684		P-\$1,330	DEFENDANT
00C-1145	WORKERS COMPENSATION	6TH	(P)	20% PPD			
00C-3285	GSA/CONTRACT	6TH	(P)	\$1,131		DISMISSED	PLAINTIFF
00C-2048	GSA/AUTO ACCIDENT	8TH		PENDING			DEFENDANT
00C-2770	GSA/AUTO ACCIDENT	1ST	(P)	\$3,300		DISMISSED	PLAINTIFF
00C-2835	GSA/TCPA	8TH	(P)	\$908		DISMISSED	DEFENDANT
00C-2763	GSA/CONTRACT	5TH	(P)	\$15,432		P-\$14,880	DEFENDANT
00C-3213-3214	GSA/PROPERTY DAMAGE	5TH		UNDER ADVISEMENT		P-\$10,189	DEFENDANT
00C-2498	GSA/CONTRACT	8TH	(P)	\$2,600		P-\$2,800	DEFENDANT
00C-2267	DAMAGES	5TH	(P)	\$27,500			
00C-483	GSA/CONTRACT	1ST		DISMISSED		P-\$2,546	DEFENDANT

*--HEARD BY SPECIAL MASTER MARSH NICHOL

Check Out Our Web Site at www.nashville.org/cir

TRENDS



DATA BANK

Statistics compiled for the month of January

CASE INFORMATION

Circuit Court

NEW CIVIL CASES FILED	229
CIVIL CASES CONCLUDED	364
NEW DIVORCE CASES FILED	244
DIVORCE CASES CONCLUDED	259

General Sessions Civil

NEW CASES FILED	3,248
EXECUTIONS ISSUED	3,305
GARNISHMENT PAYMENTS	3,872
JUDGMENTS COLLECTED	\$616,621
ORDER OF PROTECTION PETITIONS	215

Probate Court

NEW CASES FILED	149
CASES CLOSED	216

Traffic Violations

MOVING CITATIONS	14,706
PARKING VIOLATIONS	9,037
TOTAL FINES COLLECTED	\$311,157
NULLIFICATIONS	1,553
NULLIFICATION FEES COLLECTED	\$18,677

UPCOMING HOLIDAY SCHEDULE:

Monday, February 19.....	Presidents Day
Friday, April 13.....	Good Friday
Monday, May 28.....	Memorial Day

ROOKER REPORT

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Established by George L. Rooker (1929-1993),
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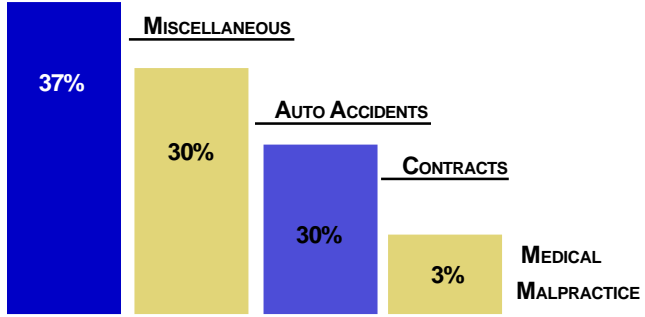
Richard R. Rooker Circuit Court Clerk
Gene Baker Editor



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CIVIL TRIALS BY CLASS



CASE ANALYSES



AUTO ACCIDENTS

PLAINTIFFS 6
DEFENDANTS 1

RATIO: PLAINTIFFS 6-1

MONTH-BY-MONTH

MONTH	TOTALS	JURY	NON-JURY	PLAINTIFF	DEFENDANT	NONE
JANUARY	9	7	2	6	1	2
YEAR 2000	110	87	23	77	25	8

JURY AWARDS

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	166,391	3,750-76,000	2,888

NON-JURY AWARDS

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	3,300	N/A	N/A

SOFT TISSUE CASES

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	29,000	N/A	N/A

*GENERAL SESSIONS APPEALS

MONTH	TOTALS	PLAINTIFF	DEFENDANT	NONE
JANUARY	2	1	0	1

OTHER TYPES



CONTRACTS	YTD	PLAINTIFFS	DEFENDANTS	NO VERDICT
	9	8	1	0

JANUARY AWARDS: \$29,943-- TOTAL AWARDS TO DATE: \$29,943

MISCELLANEOUS

11
PLAINTIFFS 8
DEFENDANTS 1
NO VERDICT 2

MALPRACTICE

1
PLAINTIFFS 0
DEFENDANTS 1
NO VERDICT 0

