

ROOKER REPORT

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PERSONALITY

A Resilient City Attorney Celebrates 51 Years

BOB JENNINGS

...STILL GOING STRONG

For nearly half a century, Bob Jennings has occupied a seat at the counsel table when cases of municipal interest have been at stake.

At the age of 33, he became the youngest lawyer to hold the position of Nashville city attorney. And since 1975, he has held that same position with the City of Brentwood, playing a key role in its growth to the seventh largest municipality in the state.

In recognition of his many years of "outstanding, loyal and dedicated years of legal experience," the Metro Council recently passed a resolution in his honor, a fitting prize for his 51st anniversary as an attorney on March 21.

And there appears to be no end in sight for the dapper 76-year-old, who helps keep the morning discussions lively at the famous Round Table gatherings in the Stahlman Building where he maintains his office.

He entertains no thoughts of retirement, being perfectly content with practicing law, gardening with his wife Yvonne, hunting and fishing. "When the great judge calls my case," he says, "I hope I'm out on the lake or in my garden."

The wisdom he has acquired over the years comes spilling out of his mouth in machine gun fashion as though the verbiage is trying to catch up with his thoughts, triggered by an uncanny ability to memorize subjects of interest.

Born on his grandfather's farm in the rural Wilson County community of Vestal on Sept. 17, 1924, Robert Harry Jennings is the namesake son of an auto mechanic. His mother, Carrie Bond Jennings, was a homemaker who devoted maternal obligations to Bob and brother James Edward.

Both sons attended East Nashville High School where they excelled in all sports. So prolific in basketball and baseball was Bob that he earned a scholarship to Cumberland University School of Law in Lebanon, enabling him to get a law degree on March 21, 1950.

He returned to Nashville and started a private practice that found him representing a lot of pro bono criminal cases for trial experience.

When the Nashville city attorney post became available, he was ready to tackle the important issues that lay ahead. Among them was the annexation of 75 square miles into the Nashville Urban

SEE, JENNINGS, PAGE 2

SESSIONS DOCKET MOVE DELAYED UNTIL APRIL 9

The relocation of General Sessions dockets from the courthouse to the Ben West Building has been continued from March 26 to April 9.

The delay was attributed to a re-bid requirement in the construction phase of modifications being made to the Ben West to provide office accommodations for three judges being transplanted there as a result of an agreement to vacate the third floor of the courthouse.

Presiding Judge Leon Ruben said contractors now appear to be on target for meeting the April deadline.

As previously announced, General Sessions judges agreed to give up their long-held facilities in the courthouse to provide space for Eighth Circuit Court Judge Carol Soloman, who currently has no permanent courtroom, and two additional state judgeships expected to be approved this year. In exchange, the administration has promised to build a new \$14.8 million courthouse annex atop the Criminal Justice Center parking garage to accommodate all General Sessions operations in a single location.

In the interim, the already cramped Ben West will become home to nine of the 11 sessions judges and criminal dockets traditionally held in the courthouse. Consequently, the building's daily population will dramatically increase and tight security measures will be implemented for the first time.

Mayor Bill Purcell said he plans to post armed guards at the entrances to the building, in addition to metal detectors and scanning devices, as part of a new court protection program that includes the courthouse and the Stahlman Building where sessions civil cases are heard.

As crews worked on the Ben West modifications earlier this month, nestings of spiders hidden in the walls were exposed, sending critters scurrying throughout the main floor of the building. Fumigation was performed after Judge Casey Moreland was bitten by what was assumed to be a brown recluse spider, requiring immediate medical treatment.

Slow-Pay Account Now 38 Years Old, Running

More than 40 years after an auto accident caused a four-year-old boy to lose a kidney and suffer other life-threatening injuries, the drunken driver of the vehicle that struck him continues to make monthly payments on an original judgment amount that has increased many fold from penalties and interest.

While the errant driver, whom will be known as John Doe, has been reliable in making \$50 per month payments since he was ordered to pay \$25,000 in 1963, his outstanding judgment balance 38 years later stands at \$15,250, plus interest totaling \$71,000.

Attorney David Rutherford, who inherited the plaintiff's case from his late brother C. H. Rutherford Jr., said efforts to reach a dollar settlement are currently at an impasse.

The accident happened on Sept. 10, 1960 on the Clarksville Highway, 15 miles north of Nashville where the child was riding in a car driven by his father. A vehicle driven by John Doe and traveling in the opposite direction crossed the center line, striking the victim's car headon.

SEE SLOW PAY, PAGE 2

Jennings Celebrates 51 Years as Lawyer

(From Page 1)

Services District during the birth of Metropolitan Government.

During his tenure in the city post, Jennings was called upon to help then-Mayor Ben West support his contention that Nashville was not getting its fair share of return on the amount of liquor taxes being paid. It was the mayor's belief that a disproportionate amount was going to the rural counties because of stronger representation in the state legislature. So, he asked Jennings to go to tiny Moore County and count the number of cows.

When Jennings returned, his findings showed that "cows there were getting better representation than the citizens of the big counties."

During the civil rights movement in the 1950s, Jennings found himself in a predicament after waging war on an organized effort to incite riots against school integration. He received a number of telephone threats against his life and the lives of his family. He was deputized and given a gun for protection. But he turned in the weapon to the mayor, saying he "didn't want to be gunned down like a gunslinger."

The one-man, one-vote legislation and the fight to retain Bible reading in public schools are etched in Jennings' memory of causes he has represented over the years. And he is proud of his key role in bringing the giant Maryland Farms development to Brentwood.

Then there are the less important, yet colorful, cases that make for the best conversations.

In the late 1990s, for example, Jennings became known as "Boss Hogg of Brentwood" when he represented the city in a case against a man accused of allowing his monkey to run loose. Jennings cited the man and told him to pay the fine and release the other wild animals he was keeping. But the man refused and a trial ensued.

In support of his case, the defendant brought the monkey ("Pistol Pete") into the courtroom, dressed in a red jacket and overalls. When the judge asked Jennings if he had any objections to the monkey being present, he replied: "Not as long as he has good manners. But I'm not going to examine him."

During a heated controversy over the rezoning of land for a proposed mall, an attorney for several citizens opposing the project publicly challenged Jennings by loudly asserting that, "I'll see you in court."

Undaunted, Jennings shot back that threatening to see him in court was like threatening to "throw Brer Rabbit into the briar patch."

You would get no argument on that statement from his two daughters -- Candy Rucker, an assistant to Circuit Judge Hamilton Gayden, and Gayle Squires, a paralegal.

Long live Brer Rabbit.

Slow-Pay Case

(FROM PAGE 1)

It was determined that John Doe was driving under the influence of alcohol.

The child suffered internal injuries to his liver, pancreas and right kidney. Later, during emergency surgery, he lost the kidney.

The father filed suit seeking \$25,000 in punitive and compensatory damages and was awarded that amount by default judgment on Oct. 21, 1963.

Payments on the judgment have been going to the child victim, now a dentist in Louisville, Ky.

Over the years, the judgment has been renewed a number of times, most recently in November of last year. Because of an established 10 percent interest rate on the unpaid balance, the account continues to grow much faster than the credits.

Rutherford says until a possible settlement comes about, his client will continue to receive the \$50 monthly payments.

It is believed to be the longest running slow-pay account on record here.

April Birthdays

Circuit Court Clerk

3 Gene Baker
4 Barbara Eddings
5 Beverly Rawls
Kelli Olin
6 Cathy Garrett
18 Holly Russell
23 Mike Garrett

General Sessions

30 Judy Christopher

Traffic Violations

5 Jeff Filson
25 Pete Page
27 Carl Smith
28 Eva McNaney

Omitted from March:

2 Dana McGregor
(Sorry for the oversight)

Probate Clerk

11 Will Cripps

CHEERS...

The first in a series of articles on the office operations of Circuit Court Clerk **Richard Rooker** appears in this month's issue of the **Nashville Bar Journal**. Featured on the cover is a group photo of the deputy clerks who make up the circuit staff, accompanied on the inside by a personal "behind the scenes" profile of the office and those who make it tick. Future issues will include articles on the **General Sessions Civil Division** office and the **Probate Clerk's** office. The Journal is published by the **Nashville Bar Association**.

◆ Third Circuit Court Judge **Barbara Haynes** is on the mend following surgery last month and hopes to return to the bench soon. Hurry back, judge.

...TEARS

Condolences to deputy circuit court clerk **Ronnell Griffin** in the sudden death of her uncle **Willie Wilson**, who died from a brain tumor on March 5. He was 49 years old. It was the second death in Ronnell's family in recent months.

We also are saddened by the death of the **Rev. Henry Bixler**, 84, grandfather of deputy circuit court clerk **Mary Stephens**, who suffered a fatal heart attack on March 10.

Sympathy as well to **Felice Graham** of the Traffic Violations Bureau Warrant Office in the passing early this month of her grandfather **Pete Hockett**, 85, at a local nursing home.

No Curiosity Killed This Cat

A defendant was on trial for murder. There was strong evidence indicating guilt, but there was no corpse.

In the defendant's closing statement, the lawyer, knowing that his client would probably be convicted, resorted to a trick.

"Ladies and gentlemen of the jury, I have a surprise for you all," the lawyer said as he looked at his watch. "Within one minute, the person presumed dead in this case will walk into this courtroom." He looked toward the courtroom door. The jurors, somewhat stunned, all looked on eagerly.

A minute passed. Nothing happened.

Finally the lawyer said, "Actually, I made up the previous statement. But you all looked on with anticipation. I therefore put to you that you have a reasonable doubt in this case as to whether anyone was killed and insist that you return a verdict of not guilty."

The jury, clearly confused, retired to deliberate, returning only a few minutes later and pronouncing a verdict of guilty.

"But how?" inquired the lawyer. "You must have had some doubt. I saw all of you stare at the door."

The jury foreman replied, "Oh, we looked. But your client didn't."

Annual Court Report Coming

The official portrait at right will grace the cover of the new General Sessions Court Annual Report and Guide, expected to be released this month.

The report is an overview of all functions of the 11-division court and features statistical documentation of the varied types of cases handled by judges during the 2000 calendar year.

Included in the full-color report are graphs, charts, photographs and stories explaining each of the court's operations. It is a fold-out presentation, measuring 11 inches by 34 inches in size.



Judges (L-R) Sue McKnight Evans, Bill Higgins, Mark Fishburn, William Faimon, Casey Moreland, Leon Ruben, John Brown, Gloria Dumas, Mike Mondelli, John Aaron Holt, Gale Robinson

JURY TRIAL VERDICTS

ABBREVIATIONS:

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

APPEALS

Week of February 5

CIRCUIT COURT

GENERAL SESSIONS

CASE	TYPE	COURT		VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
98C-3559	AUTO ACCIDENT/ST	8TH		DEFENDANT			
99C-2974	AUTO ACCIDENT/ST	6TH	(P)	\$9,000	(P-49) (D-51)		
98C-3457	AUTO ACCIDENT	5TH	(P)	\$150,000			
99C-960	AUTO ACCIDENT/ST	1ST	(P)	\$5,644	(P-25) (D-75)		

Week of February 12

CASE	TYPE	COURT		VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
00C-542	AUTO ACCIDENT/ST	8TH	(P)	\$7,012			
00C-655	AUTO ACCIDENT/ST	6TH	(P)	\$2,000	ADMITTED		

NON-JURY TRIAL RESULTS

APPEALS

Week of February 26

CIRCUIT COURT

GENERAL SESSIONS

CASE	TYPE	COURT		VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
00C-924	MALICIOUS PROSECUTION	5TH	(P)	\$5,250			
98C-934	DAMAGES	6TH	(P)	\$9,654			
00C-178,307,2869	CONTRACT	6TH		PENDING			
98C-3059	DAMAGES	1ST	(P)	\$14,288			
00C-3108	GSA/CONTRACT	6TH	(P)	\$1,815		P-\$7,800	BOTH PARTIES
00C-2117	DAMAGES	5TH	(P)	\$2,612			
00C-3351	GSA/CONTRACT	5TH	(P)	\$450		P-\$2,150	BOTH PARTIES

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TRENDS



DATA BANK

Statistics compiled for the month of February

CASE INFORMATION

Circuit Court

NEW CIVIL CASES FILED	243
CIVIL CASES CONCLUDED	239
NEW DIVORCE CASES FILED	283
DIVORCE CASES CONCLUDED	207

General Sessions Civil

NEW CASES FILED	2,986
EXECUTIONS ISSUED	2,429
GARNISHMENT PAYMENTS	3,270
JUDGMENTS COLLECTED	\$562,453
ORDER OF PROTECTION PETITIONS	185

Probate Court

NEW CASES FILED	199
CASES CLOSED	129

Traffic Violations

MOVING CITATIONS	13,623
PARKING VIOLATIONS	8,951
TOTAL FINES COLLECTED	\$321,478
NULLIFICATIONS	1,475
NULLIFICATION FEES COLLECTED	\$17,682

UPCOMING HOLIDAY SCHEDULE:

Friday, April 13.....Good Friday
Monday, May 28.....Memorial Day

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

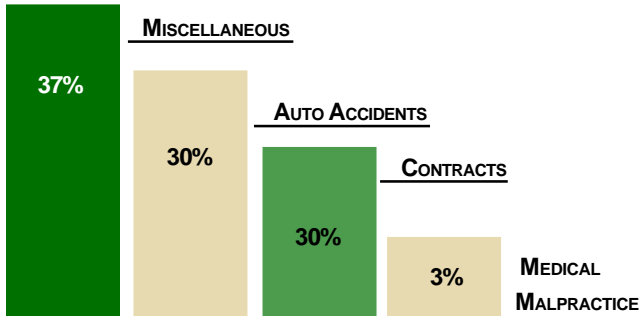
Richard R. Rooker Circuit Court Clerk
Gene Baker Editor



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CIVIL TRIALS BY CLASS



CASE ANALYSES



RATIO: PLAINTIFFS 1.4-1

AUTO ACCIDENTS

PLAINTIFFS 15
DEFENDANTS 11

MONTH-BY-MONTH

MONTH	TOTALS	JURY	NON-JURY	PLAINTIFF	DEFENDANT	NONE
JANUARY	9	7	2	6	1	2
FEBRUARY	6	6	0	5	1	0

JURY AWARDS

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	166,391	3,750-76,000	2,888
FEBRUARY	173,656	2,000-150,000	7,218

NON-JURY AWARDS

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

SOFT TISSUE CASES

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	29,000	N/A	N/A
FEBRUARY	23,656	2,000-9,000	6,328

*GENERAL SESSIONS APPEALS

MONTH	TOTALS	PLAINTIFF	DEFENDANT	NONE
JANUARY	2	1	0	1
FEBRUARY	N/A	N/A	N/A	N/A

OTHER TYPES



CONTRACTS	YTD	PLAINTIFFS	DEFENDANTS	NO VERDICT
	12	10	1	1

FEBRUARY AWARDS: \$2,265-- TOTAL AWARDS TO DATE: \$32,208

MISCELLANEOUS

15

PLAINTIFFS	12
DEFENDANTS	1
NO VERDICT	2

MALPRACTICE

1

PLAINTIFFS	0
DEFENDANTS	1
NO VERDICT	0

