

# ROOKER REPORT

May 2001

Published by the Davidson County Circuit Court Clerk's Office

Vol.9, No. 4

## ...It all began 100 months ago

It was in February 1993 that the Rooker Report made its debut - stapled sheets of white copy paper filled with captioned text and no graphics.

In the beginning, there were two versions of the report, one containing information about the General Sessions operations and the other reporting on happenings at the trial court level.

Since the original idea was merely to inform each civil judicial level of what was taking place in the other, there was no distribution beyond judges, their staffs and office personnel of the Circuit Court Clerk -- a simple plan allowing for small numbers of copies to be printed in-house without commercial printing costs.

The report was the brainchild of the late Circuit Court Clerk George L. Rooker Sr., who had determined that people attached to the circuit courts were out of touch with the day-to-day functions of the general sessions courts and vice versa. He would know, since he had managerial jurisdiction at both levels.

So, he decided that the trial courts would receive the version containing news about the general sessions goings-on. Likewise, trial court information would be distributed to general sessions.

One month after the debut issue, the veteran clerk failed to survive heart surgery. But the publication he envisioned as a communications bridge between the courts was continued without interruption.

When Richard Rooker became his father's successor as clerk, he embraced the newsletter concept and broadened its appeal as an informational tool for all persons doing business with the courts. The report was redesigned into the current four-page format to accommodate statistical data, such as trial results and new case filings, to provide an accurate overview of activity in the civil courts.

Countertop display in each of the clerk's four offices has continued to be the main method of distribution. The report also has gained favorable response via the clerk's internet web site ([www.nashville.org/cir](http://www.nashville.org/cir)) where it can be viewed in two different forms and downloaded for printing in either black and white or full color.

Efforts have been made to improve the publication in every area--story content, visual appeal and reference material.

With this, our 100th issue, we promise to continue those efforts.

### PERSONALITY

## DAVID VINCENT'S LEGAL ADVENTURE

### First of Two Parts

As a young man fresh out of college, David Vincent knew he wanted to be an attorney, but he didn't anticipate the bumpy road he would have to travel to reach his destination.

The year was 1952, a time in history that few African Americans aspired to such prestigious professions and doors often were difficult to enter for those who did.

Armed with a bachelor's degree from Tennessee State University, Vincent sought to become the first black student at the University of Tennessee College of Law. But officials there twice rejected him, declaring that his college transcript was not properly certified.

Discouraged but undeterred, Vincent turned the rejection into a positive by taking advantage of a Tennessee law requiring the state to pay tuition and transportation costs if an African American student had to leave Tennessee to pursue educational opportunities because of race.

He chose one of the nation's most respected law schools, the University of Michigan, at the expense of the state, combined with funds from the GI Bill for his previous three-year stint in the Army where he was a sergeant.

Actually, Vincent said, the University of Chicago might have been his first choice, but living expenses there were simply too high for his pocketbook.

Finally armed with his law degree, Vincent returned to his hometown of Nashville in 1955 to begin what would be a nomad-type introduction to the legal profession.

SEE VINCENT, PAGE 2



David Vincent

## CARTWRIGHT COMPLETES CERTIFICATION



Bill Cartwright (left) is the 10th Rooker employee to be certified as a public administrator

Bill Cartwright, chief clerk of the Traffic Violations Bureau, has joined nine other members of Circuit Court Clerk Richard Rooker's staff to become a certified public administrator.

Cartwright was among 30 individuals who graduated from the 115-hour course during ceremonies held April 30 at Henry Horton State Park.

The extensive course, administered by the University of Tennessee through its County Official Training Program, is designed to promote increased efficiency of county government through professional development. After completing the course, graduates are required to take 12 hours of refresher training each calendar year to retain certification.

Cartwright, 33, joined the traffic bureau in 1992 and was named chief clerk in 1999.



JUDGE NORMAN

# Norman Receives Service Award For Role in Helping Drug Abusers

Judge Seth Norman, noted for helping drug users through the Davidson County Drug Court he founded four years ago, has received the "John P. Mulloy Jr. Community Service Award" from the Alcohol & Drug Council.

The award, which is given each year to a volunteer or professional who has made significant contributions in the field of alcohol and drug abuse prevention and treatment, was presented to Norman at the council's 35th annual dinner on April 27.

The Alcohol & Drug Council of Middle Tennessee is a professionally staffed nonprofit organization founded in 1966 to provide services and programs addressing the issues of chemical dependency in the family, workplace, community and schools.

Norman's nomination for the award was made by several community leaders who praised his accomplishments and work with the drug court's

residential and outpatient program he launched after becoming frustrated at seeing repeat drug-related offenders in his criminal court.

Norman said he believes a criminal's drug addiction is a treatable disease and that proper treatment, rather than incarceration, can transform nonviolent felony offenders into responsible citizens.

By offering different levels of care, the Drug Court addresses addicts' needs through counseling, volunteer community service work, and through living in a tightly monitored, highly disciplined residential community.

As patients advance in the rigorous program, they can move on to an outpatient phase and the work environment en route to returning to the community as recovering people.

In addition to being an 11-year criminal court judge, Norman is president of the Nashville Drug Court Support Foundation and the Tennessee Association of Drug Court Professionals. He also serves as chairman of the Drugs and the Courts Committee of the Tennessee Judicial Conference.

## CHEERS...

Wedding bells were the music of choice last month for **Sarah Dunn**, a staff member of our traffic warrant office, who became Mrs. **Sandy Lamont McClain** in April 28 ceremonies at Mt. Calvary Baptist Church in Madison. The groom is owner, president and chief executive officer of Discount Merchants Service. Honeymoon plans are on hold until later this summer when the couple will depart for Myrtle Beach, NC.

◆ General Sessions bookkeeper **Janice Johnson** became a great aunt on April 29 when nephew **Barry Fuqua's** wife **Marie** gave birth to 8 pound, 4 ounce son **Bryson Hunter Fuqua** at Centennial Hospital.

◆ As we mentioned in last month's edition, a number of employees have returned to work following recovery from surgery. Add deputy circuit court clerk **Betty Murray** and traffic warrant office deputy clerk **Dixie Gibson** to that list. Welcome back to all.

◆ Congratulations to **Ashley Rooks**, a cashier in our circuit court clerk's office, upon receiving her master's degree in criminal justice from Middle Tennessee State University. Ashley was among the May graduating class. The degree made a nice pre-birthday gift for Ashley, who turns 30 on June 1.

◆ Deputy circuit court clerk **Virginia Laarz** is still beaming over her daughter's academic achievements at Wharton Arts Magnet School. **Mary Laarz** was rewarded with a certificate of commendation for "Outstanding A's" during the school year, together with a \$250 gift certificate from Rivergate Mall. Her efforts also paid off for her school, which received a like amount.

## ...TEARS

Sympathy to deputy circuit court clerk **Terry Campion** in the passing of her brother **Anthony Maiuro** of New Jersey, who succumbed to cancer on April 18.

We also are saddened by the loss of **Helen Delores Younker Storey**, grandmother of deputy circuit court clerk **Ashley Rooks**. Ms. Storey was also a cancer victim, losing her fight for life on April 23. She was 74 years old.

Condolences as well to traffic bureau information clerk **Lee Millsap** in the death of her brother **Stanley T. (Tommy) Smith**, 75, who suffered a fatal heart attack while working at the Tennessee State Fair Grounds on May 3. He was purchasing director for New World Concessions, a position he had held since his retirement from the United States Marine Corps.

## June Birthdays

### Circuit Court Clerk

- 1 Ashley Rooks
- 2 Dan Vincent
- 17 Mary Stephens
- 21 Virginia Laarz
- 24 Ronnell Griffin

### Traffic Violations

- 6 Stacey Woods
- 27 Joanie Young
- 29 Teresa Johnson

### General Sessions

- 3 Sandra Perryman
- 14 Kim Clary

### Probate Clerk

None

## DAVID VINCENT

(FROM PAGE 1)

After passing the state bar in Memphis, Vincent headed to Chattanooga where he worked for a law firm as a clerk. But after only three weeks, he was on the road again--this time to Washington D.C. and a shot at a position with the Labor Department, courtesy of a job placement program of his alma mater.

But that quest ended in disappointment after only one month, he said, because "my politics were not right; they thought I was from Detroit, but cut me loose when they found out I was from Tennessee." At that time, Sen. Estes Kefauver and Congressman Albert Gore Sr., both Democrats, were Tennessee's congressional representatives and Dwight David Eisenhower, a Republican, was the president.

He would eventually find the road back to Nashville and prominence as a criminal defense attorney, but not before testing his legal skills in two Ohio cities.

While practicing law in Columbus with his cousin Frank Humphrey, he focused primarily on civil cases involving worker's compensation and accidents. But he recalls handling one big criminal case in which he won acquittal for the defendant on a charge of gambling.

Since that time, there have been many major criminal trials with Vincent at the defense table, some of which will be examined in our June issue, along with his association with prominent African American lawyers of the past, his on-going struggle with diabetes and his views on how the criminal justice has changed.

### UPCOMING HOLIDAY SCHEDULE:

- Monday, May 28.....Memorial Day
- Wednesday, July 4.....Independence Day



# JURY

# TRIAL VERDICTS

## ABBREVIATIONS:

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

### APPEALS

#### Week of April 2

#### CIRCUIT COURT

#### GENERAL SESSIONS

CASE	TYPE	COURT		VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
98C-333/648	AUTO ACCIDENT/ST	1ST	(CP)	\$9,661			
99C-2113	SLANDER	2ND	(P)	\$0 DAMAGES			
99C-724	MEDICAL MALPRACTICE	8TH		DEFENDANT			
97C-3101	SLIP/FALL	6TH	(D)	DIRECTED			
00C-204	MALICIOUS PROSECUTION	6TH	(P)	\$3,000			

#### Week of April 23

CASE	TYPE	COURT		VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
00C-367	AUTO ACCIDENT	8TH	(P)	\$6,212			
98C-1880	AUTO ACCIDENT/ST	1ST*	(P)	\$16,000			

\*--JURY WAIVED

#### Week of April 30

CASE	TYPE	COURT		VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
99C-1642	AUTO ACCIDENT/ST	3RD	(P)	\$7,487	ADMITTED		
00C-3614	GSA/AUTO ACCIDENT	5TH*	(P)	\$2,300		P-\$4,400	BOTH PARTIES
98C-344	AUTO ACCIDENT	5TH	(P)	\$1,352			
98C-3323	AUTO ACCIDENT	2ND	(P)	\$3,750	ADMITTED		
99C-2513	AUTO ACCIDENT/ST	6TH	(P)	\$20,000	ADMITTED		
00C-250	AUTO ACCIDENT/ST	6TH	(P)	\$5,000	ADMITTED		

\*--JURY WAIVED

## NON-JURY TRIAL RESULTS

### APPEALS

#### Week of April 9

#### CIRCUIT COURT

#### GENERAL SESSIONS

CASE	TYPE	COURT		VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
99C-2224	WORKER'S COMPENSATION	1ST	(P)	\$25,512			
00C-3723	GSA/CONTRACT	6TH		PENDING		P-\$7,200	BOTH PARTIES
00C-3354	GSA/CONTRACT	5TH*		DEFENDANT		P-\$1,523	BOTH PARTIES
98C-2313	DAMAGES	8TH	(P)	\$5 MILLION			
00C-3044	GSA/CONTRACT	1ST	(P)	\$2,616		P-\$5,894	DEFENDANT
99C-1967	CONTRACT	5TH		DEFENDANT			
01C-336	GSA/WARRANT TO RECOVER	1ST	(P)	\$10,000			
00C-3281/01C-105	GSA/AUTO ACCIDENT	8TH*	(P)	\$9,200		TRANSFERRED	DEFENDANT
98C-2789	CONTRACT	5TH		UNDER ADVISEMENT			
00C-3722	GSA/CONTRACT	7TH	(P)	\$6,222		P-\$7,714	DEFENDANT
00C03278	GSA/CONTRACT	4TH	(P)	\$600		P-\$600	DEFENDANT
99C-3146	WORKER'S COMPENSATION	5TH	(P)	2.5 INPAIMENT/4.5 VOCATIONAL DISABILITY			

\*--HEARD BY SPECIAL MASTER MARSH NICHOLS

Visit Our Web Site at [www.nashville.org/cir](http://www.nashville.org/cir)  
 Download and print your own legal forms

# TRENDS

## CASE ANALYSES



RATIO: PLAINTIFFS 8.2-1

### AUTO ACCIDENTS

PLAINTIFFS 26  
DEFENDANTS 3

#### 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
MARCH	6	5	1	6	0	0
APRIL	10	7	3	9	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
MARCH	21,892	500-10,691	3,567
APRIL	53,462	1,352-20,000	6,422

### NON-JURY AWARDS

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	3,300	N/A	N/A
FEBRUARY	N/A	N/A	N/A
MARCH	5,100	N/A	N/A
APRIL	27,500	2,300-16,000	9,200

### SOFT TISSUE CASES

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	29,000	N/A	N/A
FEBRUARY	23,656	2,000-9,000	6,328
MARCH	21,392	1,600-10,691	4,550
APRIL	58,410	5,000-20,000	11,049

### \*GENERAL SESSIONS APPEALS

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

## OTHER TYPES



CONTRACTS YTD PLAINTIFFS DEFENDANTS NO VERDICT  
27 19 3 5

APRIL AWARDS: \$9,438-- TOTAL AWARDS TO DATE: \$119,911

### MISCELLANEOUS

25

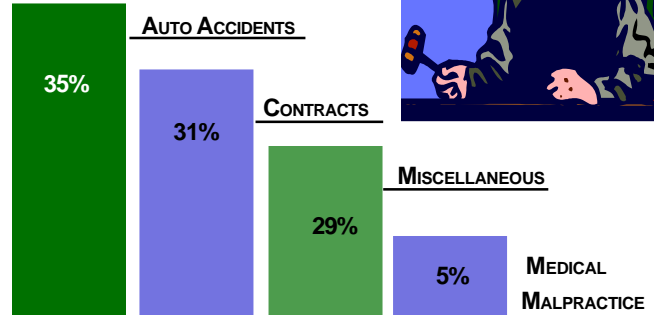
PLAINTIFFS 20  
DEFENDANTS 3  
NO VERDICT 2

### MALPRACTICE

4

PLAINTIFFS 0  
DEFENDANTS 4  
NO VERDICT 0

## CIVIL TRIALS By CLASS



## DATA BANK

Statistics compiled for the month of April

### CASE INFORMATION

#### Circuit Court

NEW CIVIL CASES FILED .....	232
CIVIL CASES CONCLUDED .....	229
NEW DIVORCE CASES FILED .....	260
DIVORCE CASES CONCLUDED .....	181

#### General Sessions Civil

NEW CASES FILED .....	2,867
EXECUTIONS ISSUED .....	2,875
GARNISHMENT PAYMENTS .....	3,731
JUDGMENTS COLLECTED .....	\$629,269
ORDER OF PROTECTION PETITIONS .....	219

#### Probate Court

NEW CASES FILED .....	170
CASES CLOSED .....	198

#### Traffic Violations

MOVING CITATIONS .....	17,317
PARKING VIOLATIONS .....	7,756
TOTAL FINES COLLECTED .....	\$325,314
NULLIFICATIONS .....	1,519
NULLIFICATION FEES COLLECTED .....	\$18,207

## ROOKER REPORT

Published by the Davidson County Circuit Court Clerk's Office  
506 Metro Courthouse, Nashville, TN 37201  
Internet @ [www.nashville.org/cir](http://www.nashville.org/cir)

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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