

ROOKER REPORT

July 2001

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Judgments Computed for Quick Review, Reproduction

IMAGING SCANS ITS WAY INTO SESSIONS OFFICE

Each month, more than 2,400 civil judgments are handed down by the General Sessions Court, increasing the bulge of paper files that must be retained by the clerk's office.

Statute requires that the original documents be preserved for at least ten years. And during that period, many requests for certified copies keep clerks busy retrieving those specific documents from among the millions of others that choke the electronic filing machines. It is a time-consuming process that often tests the patience of those requesting the copies.

But that is changing this month with the addition of computer imaging, the technical application that has increased efficiency in the circuit and probate clerks' offices over the past two years.

"Not only will our customers notice a dramatic improvement in response time, but it will free up our deputy clerks for other duties," said Margaret Larobardiere, chief clerk of the fast-paced general sessions civil office.

The imaging system allows a clerk to integrate a document into the office's existing computer data base through the use of a scanner, providing rapid

duplication. The document is retained in the data base for permanent record and can be accessed on demand for instantaneous review and/or reproduction.

The speed of recalling a document from the system is limited only by the time it takes to enter the case number on the computer's keyboard. The document can then be downloaded to a printer and certified for a customer upon request in minutes.

Circuit Court Clerk Richard Rooker said only judgments will be offered through the imaging format at this time. He noted, however, that other types of filings could be added at a later date should volume and demand dictate.

Judgments in sessions court are noted in a self-contained space on the original warrant. Therefore, the entire two-sided document will be duplicated in the scanning process.

Longtime deputy clerk Deb Mix has been assigned fulltime to operating the sessions imaging operations.

New Laws? A Couple

OP Appeal Routing Changes; Inmates Must Pay for Filings

With state lawmakers concentrating on budget matters, the judiciary received little attention on Capitol Hill during the current legislative session.

The anticipated creation of two additional trial court judgeships for Davidson County was put on hold along with just about every other proposal requiring state funding.

And a somewhat controversial bill requiring marrying couples to cough up an additional \$62.50 for their license never made it into the books. The license fee increase would have gone toward financing the state's new planned parenting plan.

Opponents of that proposal argued that the burden of financing the parenting plan should be placed on divorcing couples with children rather than an advance expense for couples getting married. The concept, some claimed, sends a signal to couples that divorce is imminent and should be self-insured for the welfare of the children they might bring into the world.

Look for the bill to undergo some alterations before reintroduction in a later session.

A couple of judicial amendments with state-wide application did make it into the books, however.

SEE NEW LAWS, PAGE 2



McKee

Elusive Boy Hops on Elevator

Alert Clerks Locate Missing Youngster



Travis

When two deputy clerks from the General Sessions Civil Division heard that a little boy had disappeared from his mother in the Stahlman Building, they quickly sprang into action and brought the crisis to a happy conclusion.

Hysteria broke out when the two-year-old child's mother, conducting business on the third floor of the office building, momentarily became preoccupied and didn't see her son amble into an elevator that had just arrived.

When the mother realized that her son was no longer with her, she began screaming his name in a fit of panic, calling attention to the situation.

Deputy Clerk Melissa McKee, who was leaving the clerk's office archives on the floor, recognized the woman's plight and rushed to assist her.

Having heard the woman call out for "Cade," McKee solicited the help of fellow deputy clerk Molly Travis, who happened upon the scene.

"A little boy named Cade is missing," McKee said. "Let's see if we can find him."

The two clerks split up and began searching the stairwells for the missing child, checking out each floor and calling his name. McKee took the lower floors and Travis the upper.

It was Travis who finally located the little boy. He was wandering around in the corridor of the eighth floor. In response to hearing his name, the child joined hands with Travis and was accompanied back to a relieved and grateful mother.

And the clerks returned to their posts to complete a very fulfilling day at the office.

CHEERS...

When **Mike Taylor** joined the County Clerk's office 28 years ago, the "alpha-cycle" system of organizing vehicle tag renewals had not yet been invented. Consequently, he got his baptismal during trying times. Motorists would get their tags at the same time, lining up ten abreast and forming a circle around the entire courthouse block. It is said that many folks had second thoughts about owning a car. Things have since changed, of course, and Taylor has weathered the old and welcomed the new, true to his Navy background. His loyalty to the job received just rewards this month when Clerk **Bill Covington** named Taylor to be his new chief deputy clerk. He replaces **Steve McClure**, who has applied for a medical pension.

◆ Three General Sessions judges decided it might be fun to "clown around" on the golf course earlier this month. So, **Mike Mondelli**, **Bill Higgins** and **John Aaron Holt** joined retired Traffic Warrant Office Supervisor **Richard "Shaky" Vester** to form a competing foursome in the Al Menah Temple Clown Tournament at Hermitage. But things got a bit serious when the team proved to be the longest and most accurate in the First Flight, nailing the best ball event for a 12-under-par 60 and trophies for all. Mondelli swears it's true that Higgins plugged a 45-foot putt and Vester a 20-footer during the 18-hole event. And you know the good judge wouldn't clown around with something that serious.

◆ Congratulations to the traffic warrant department's **Marie Roberts**, who became a grandmother for the second time last month. Daughter **Kenetra Young** gave birth to a 17-inch long daughter named **Dezirae Lesha Harris** on June 26 at Baptist Hospital. The new arrival tilted the scales at 5-pounds, 6.75 ounces.

◆ Speaking of grandchildren, editor **Gene Baker** now is just two short of a "baker's dozen" following the June 29 arrival of **Bailey Nicole Baker**, who weighed 7 pounds, 7 ounces upon her arrival at a hospital in Birmingham. She became the fourth child of **Gene Baker, Jr.**

...TEARS

James Anthony (Tony) Clark, 47, who worked as a volunteer information clerk in the courthouse, passed away July 1 of congestive heart failure and complications from diabetes. He had been confined to a wheelchair since 1994 after having a leg amputated because of diabetes, but he frequently manned the courthouse information booth and visited the many friends he had acquired over the years.

◆ Condolences to State Trial Court Coordinator **Larry Stephenson** in the July 15 death of his father **L. C. "Buck" Stephenson**, a World War II veteran and retired CSX Railway employee. Survivors include his wife **Dorothy Sikes Stephenson**.

◆ Sympathy to traffic warrant officer **Pete Page**, whose brother **William F. Page**, 48, passed away on July 1 at Vanderbilt Hospital.

August Birthdays

Traffic Violations

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

Circuit Court Clerk

21 Mark Herring

General Sessions

2 Ronny Nollner
18 Janice Johnson
29 Kim Wolfe

Probate Clerk

9 Gay Parker

This & That...

General Sessions judges say they will turn to an internet service for querying cited cases of similarity to those they are deciding.

The judges are switching their long held subscription with the Southwestern Reporter to Westlaw.com, an on-line provider covering Tennessee, Kentucky, Florida, Georgia and Mississippi.

The Southwestern Reporter publishes a series of regional cases of interest in hard copy form. It has long been used by the sessions judges on a co-op basis.

The new internet service will allow the judges to access information from the bench without interrupting hearings to visit the court's law library, said Judge Mike Mondelli. And the reference information can be accessed simultaneously by any number of judges.

The quick reference service is primarily used in reviewing cases of a civil nature.

In case you have been wondering...the new courthouse annex project is running on schedule.

The new facility project currently is in the hands of designers, who have until November to present plans for construction bids. Visual evidence will come in January when construction crews make their appearance.

The annex will eventually accommodate all phases of the General Sessions Court operations.

Meantime, judges say they have been pleasantly surprised by the orderly manner of adjustment at the Ben West Building since criminal dockets were transferred there from the courthouse.

Despite a daily census increase of some 250-300 people and the addition of entrance security, judges say the transition has gone smoothly in all aspects.

New Laws

(FROM PAGE 1)

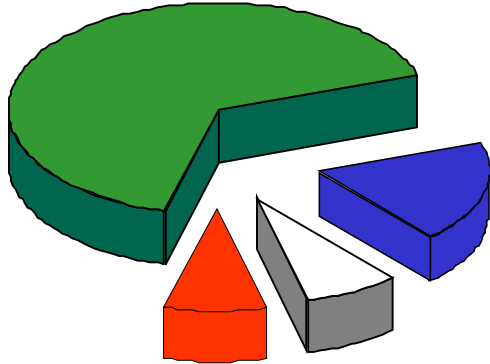
Persons challenging order of protection rulings handed down by the General Sessions Court or other authority now must appeal to the Circuit Court.

The new law, which requires such appeals be filed within ten days of the lower court order, reroutes the appeal process from the state Court of Appeals to the state trial courts. The change reduces the amount of bond required by appellants to \$250 in circuit court, as opposed to the \$1,000 required by the higher court.

Inmates who want to engage in civil litigation during their incarceration lost their free ride status with an amendment requiring them to pay filing fees. The new rule applies to both original civil filings and civil judgment appeals, regardless of their poverty status.

The fees are to be paid from the inmate's trust fund account at the facility where he is confined. Incremental payments can be approved by the court of record.

2000-01?



FISCAL Review: Checking out the Cash Flow

The four departments under Circuit Court Clerk Richard Rooker administered an aggregate \$58.8 million in generated revenue during the 1999-2000 fiscal year.

But how will this year's figures compare after the first full year of surrendering child support collections to the state Department of Human Services?

Our auditors are crunching the numbers for a comprehensive report in next month's issue.

Dollar accountings will reflect individual breakdowns on each of the four independent offices under Rooker's fiduciary authority--circuit court, probate court, general sessions civil division and traffic violations bureau.



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 June 11

CIRCUIT COURT

GENERAL SESSIONS

CASE	TYPE	COURT		VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
98C-2538	PERSONAL INJURY	2ND		DEFENDANT			
01C-391	GSA/AUTO ACCIDENT	6TH*	(P)	\$3,700	(P-40) (D-60)	P-\$4,800	DEFENDANT

*--JURY WAIVED

Week of June 18

CASE	TYPE	COURT		VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
98C-2721	AUTO ACCIDENT	8TH	(P)	\$3.75 MILLION	(P-15 D1-70, D4-15)		
00C-631	AUTO ACCIDENT/ST	2ND	(P)	\$2,229			
00C-2289	AUTO ACCIDENT/ST	6TH	(P)	\$150,000	ADMITTED		
98C-2652	CONTRACT	5TH	(P)	\$68,330			

NON-JURY TRIAL RESULTS

APPEALS

Week of June 25

CIRCUIT COURT

GENERAL SESSIONS

CASE	TYPE	COURT		VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
97C-2753	CONTRACT	6TH	(P)	\$9,353			
00C-872	CONTRACT	5TH	(P)	\$4,209			
00C-3717	GSA/TCPA	5TH	(P)	\$2,750		P-\$100	BOTH PARTIES
01C-809	GSA/CONTRACT	1ST*	(CP)	\$769		P-\$3,631	DEFENDANT
00C-1125	WORKERS COMPENSATION	5TH		UNDER ADVISEMENT			
82C-2433	POST WORKERS COMP.	6TH	(P)	FUTURE MEDS			
00C-3618	GSA/CONTRACT	6TH*	(P)	\$6,750		P-\$6,750	BOTH PARTIES

*--HEARD BY MARSH NICHOLS

Download your own legal forms at: www.nashville.org/cir

TRENDS

CASE ANALYSES



AUTO ACCIDENTS

PLAINTIFFS 34
DEFENDANTS 4

RATIO: PLAINTIFFS 8.2-1

MONTH-BY-MONTH

MONTH	TOTALS	JURY	NON-JURY	PLAINTIFF	DEFENDANT	NONE
JANUARY-MARCH	21	18	3	17	2	2
APRIL-MAY	16	12	4	13	2	1
JUNE	4	4	0	4	0	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
MAY	1,031,362	1,275-1,000,000	10,062
JUNE	3,905,929	2,229-3.75 MILLION	76,850

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
MAY	N/A	N/A	N/A
JUNE	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
MARCH	21,392	1,600-10,691	4,550
APRIL	58,410	5,000-20,000	11,049
MAY	N/A	N/A	N/A
JUNE	152,229	2,229-150,000	N/A

*GENERAL SESSIONS APPEALS

MONTH	TOTALS	PLAINTIFF	DEFENDANT	NONE
JANUARY-MARCH	4	3	0	1
APRIL-MAY	3	2	1	0
JUNE	1	1	0	0

OTHER TYPES



CONTRACTS YTD PLAINTIFFS DEFENDANTS NO VERDICT
36 26 3 7

MAY AWARDS: \$89,411-- TOTAL AWARDS TO DATE: \$290,564

MISCELLANEOUS

33

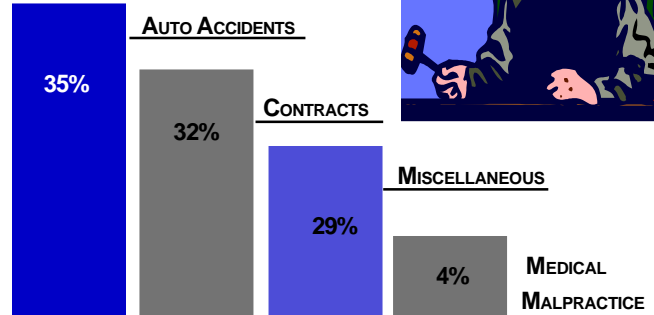
PLAINTIFFS 26
DEFENDANTS 4
NO VERDICT 3

MALPRACTICE

4

PLAINTIFFS 0
DEFENDANTS 4
NO VERDICT 0

CIVIL TRIALS By CLASS



DATA BANK

Statistics compiled for the month of June

CASE INFORMATION

Circuit Court

NEW CIVIL CASES FILED	277
CIVIL CASES CONCLUDED	255
NEW DIVORCE CASES FILED	283
DIVORCE CASES CONCLUDED	258

General Sessions Civil

NEW CASES FILED	3,451
EXECUTIONS ISSUED	3,243
GARNISHMENT PAYMENTS	3,675
JUDGMENTS COLLECTED	\$635,367
ORDER OF PROTECTION PETITIONS	239

Probate Court

NEW CASES FILED	177
CASES CLOSED	208

Traffic Violations

MOVING CITATIONS	12,614
PARKING VIOLATIONS	6,965
TOTAL FINES COLLECTED	\$305,072
NULLIFICATIONS	1,201
NULLIFICATION FEES COLLECTED	\$14,394

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