

# ROOKER REPORT

May 2002

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PERSONALITY

GERALD BURKETT

## The Communicator

In the days before television, a young Gerald Burkett would sit in his third grade classroom and listen to a radio brought there by classmates.

The program that got his attention was one titled "Spanish is Fun." He became so fascinated by what he was hearing that he made a concerted effort to learn some of the words and their meanings.

When he told his parents about the new language that had captured his interest, he was shocked to hear his father respond in Spanish.

As his knowledge of the language improved, Burkett would use it to his advantage to taunt his sister. Her frustration was evident as her brother and father would carry on conversations in words she could not understand.

That was the beginning of a passion that would become a driving force in the life and career of the Oklahoma-born Burkett, now a night court commissioner with the General Sessions Court.

Along the way, Burkett not only mastered the Spanish language, but French as well. And, while not as fluent, he is proficient in German and can communicate in Russian and Japanese "enough to get by."

As the only multi-lingual member of the

See, BURKETT, Page 2



Commissioner Gerald Burkett  
*judge, musician, teacher, author*

## Resolution Center's Budget Clarified

In our story last month on the General Sessions Court mediation program offered by the Nashville Conflict Resolution Center, we listed the organization's annual operating budget at \$116,000.

De'an Bass, vice president and executive director of the center, reports that the current annual budget figure is \$144,675, but that the center is operating under its old budget of \$116,500 until more funds are raised.

The Memorial and Frist foundations are the primary funders of the conflict resolution center, which receives additional support from a federal grant administered by the Administrative Office of the Courts, private donations and in-kind donations from the Nashville Bar Association.

The center's mediation program offers free services to financially and legally challenged litigants in General Sessions Court cases. Alternative resolution methods are applied in a non-courtroom, private setting.

We are happy to clarify the program's budget status.



TRACY CARTWRIGHT

## Case Management Thesis Helps Clerk Earn College Degree

Tracy Cartwright has a vision for progress and the intelligence to explain its application.

A combination of those mental strengths helped her earn a Bachelor of Arts degree in Management and Human Relations from Trevecca Nazarene University.

The mother of two applied knowledge accumulated over 14 years of judicial service in composing a thesis on the future benefits of electronic filing of court documents in the circuit court clerk's office.

She would know. For it is in that office that she has spent the past several years, excelling in every assigned position on her way to being named chief clerk early last year.

In undertaking her difficult thesis project, Cartwright's purpose was to research, evaluate and implement a document management system "to improve the manual task of court filings and eliminate the time constraints for filing."

"The technology element of all organizations must be updated as it evolves through time," she concluded. "Management must take a proactive approach to the vision of the organization for it to continue to prosper."

The goal, she wrote, "is to achieve a streamlined, automated method of filing that will provide an easier, reliable, efficient and more manageable method of court filing--not only for the clerk's office, but for attorneys, judges and customers as well."

Cartwright based her conclusions on data collected over a period of time related to e-filing and facsimile/digital conversion methods.

Cartwright was named chief circuit court clerk in February of last year following nine years of service in that office and four years as a data entry clerk in the Traffic Violations Bureau. She is married to Bill Cartwright, chief clerk of the Traffic Violations Bureau. The couple has two daughters, Kelsey, 11, and Mikalya, 7.

# CHEERS...

## BURKETT

(From Page 1)



COLEMAN

Traffic Warrant officer **Robert Coleman** retired May 10 after 12.5 years of service. Co-workers feted him with a retirement luncheon and presented him with a new rod and reel.

Coleman said he definitely plans to do a lot of fishing and looks forward to shutting off his alarm clock. He had been with the warrant office throughout his years of service and had a near-flawless attendance record.

\*\*\*

**Ted Morrissey**, a deputy clerk in our circuit court clerk's office, fulfilled one of his lifetime goals last month. He completed the 26.2-mile Country Music Marathon in under four hours in his first time to compete in the grueling event. Said Morrissey after crossing the finish line at 3:50:06, "It really made me feel good about myself." Will he compete again? "Probably not," he said. Sounds like it's time to move on to the next goal.

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Our thoughts are with Stahlman Building maintenance worker **Vern Sanders** as he recovers from recent heart surgery. Sanders underwent emergency triple-bypass surgery earlier this month and faces additional corrective procedures for other blockages in the near future.



SANDERS

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Deputy probate clerk **Phil York** and wife **Linda** have gained a daughter-in-law with the May 25 wedding of their only son **Greg York**, who took **Tami Fisher** as his bride in church ceremonies in Overland Park, Kansas, home of the bride's parents. There was a touch of poetic justice in the ceremony. Tami was a contestant last winter on a popular TV game show, but was voted off as "The Weakest Link." She now becomes a permanent link. Congratulations.

# ...TEARS

**Worrick G. Robinson III**, a prominent lobbyist in the area of government relations, passed away on May 12. He was 67 years old and the father of Nashville attorney **Worrick G. Robinson IV**. The late Mr. Robinson served as Bell South's chief lobbyist in the state general assembly for more than 23 years before retiring in 1996 to form his own lobbying firm with daughter **Lara Green**.

court, Burkett's communications skills are invaluable in dealing with the county's growing Hispanic population and other nationalities. He has no need to utilize the court's language line, an interpreter referral service.

Burkett was appointed to the night court post in 1999 after failing health forced the retirement of then-commissioner Vance Cramb. He was a logical choice for the job. He was well known to all the judges from his many years of practicing law before them and he had often been called upon to represent indigent Spanish clients in the court.

When Burkett earned his law degree from the old YMCA Law School (now the Nashville School of Law) in 1974, it culminated an extremely diverse journey that found him relying on other talents to achieve his career goals.

In high school, he learned to play the accordion and, because of his aptitude in linguistics, was able to sing in seven languages. "I kind of created my own market," he laughed. Later, he would form his own band to perform at country clubs, restaurants and private parties.

Money he earned from the gigs helped finance his undergraduate, graduate and post-graduate studies at Peabody and David Lipscomb universities, as well as paying his way through law school.

Years passed before Burkett took another stab at forming a band, but good things started to happen when he finally did in the early 1970s. Regular bookings started coming his way after the band performed at a German Oktoberfest at Ft. Campbell. Over the next several years, the group performed at venues throughout the South, getting the attention of agents who were booking acts for the 1982 World's Fair in Knoxville.

By that time, Burkett had built a private law practice. But when the offer came to play the World's Fair, he closed his office in the Stahlman Building and turned over his clients to other lawyers. His band was a hit at the fair, playing the full six-month schedule and gaining exposure to an international television audience.

Meantime, Cuban refugees released by Fidel Castro were finding their way here and the legal system was under stress to find lawyers to represent them in court. The Spanish-speaking Burkett brushed up on criminal law and took on the task, frequently being asked to perform the dual responsibility of translating his clients' responses for the court.

In pursuing his bachelor's degree at Lipscomb, Burkett was told the university did not offer a major in Spanish, his choice. But after taking advanced courses in the subject at Vanderbilt, the school relented and created a Spanish major for him, making him only the third person ever to graduate from the university with that credit.

Burkett was interested in doing graduate work in Spanish, but instead chose educational administration, earning him a master's degree from Peabody in 1967. Yet another door of earning power was opened--that of teaching.

Burkett began teaching law classes at night and then served as principal of a high school in Todd County, Kentucky for one year before settling into an adjunct professorship at Volunteer State Community College for 14 years. He also was certified to teach Spanish on the college level, as well as high school French and English.

At one point, he was hired by the Kentucky Fried Chicken company to translate its operations manual in Spanish. He remembers being paid \$1,000 for that undertaking.

An extensive world traveler, Burkett and his wife of 42 years, well-known Goodpasture Christian School teacher Carolyn Burkett, have hosted four tours of Europe. Eight years ago, Burkett served as interpreter to a medical team in the jungles of Guatemala following a lecture tour in Russia the previous year.

As a writer, Burkett's works have been published by the Nashville Bar Journal ("How Not to Look Like an Idiot in Juvenile Court", "For Paternity, Say Good-bye Blood Test, Hello DNA Test" and "Representing Your Hispanic Client.") and other publications.

He is listed in a number of "who's who" publications, including "Who's Who in American Law" and "Who's Who in the World of Accordions."

## BIRTHDAYS

## JUNE

### Traffic Violations

8 Stacey Plummer  
27 Joanie Young  
29 Teresa Johnson

### General Sessions

3 Sandra Perryman  
14 Kim Clary

### Circuit Court Clerk

2 Dan Vincent  
17 Mary Stephens  
21 Ginny Laarz  
24 Ronnell Griffin

### Probate Clerk

none



# JURY

# TRIAL VERDICTS

## ABBREVIATIONS:

<b>P</b>	PLAINTIFF	<b>CP</b>	COUNTER PLAINTIFF
<b>D</b>	DEFENDANT	<b>CD</b>	COUNTER DEFENDANT
<b>NP</b>	NON-PARTY	<b>GSA</b>	GENERAL SESSIONS APPEAL
<b>COM</b>	COMPENSATORY	<b>PUN</b>	PUNITIVE

### APPEALS

### GENERAL SESSIONS

#### Week of April 15

#### CIRCUIT COURT

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
00C-1355	ASSAULT	5TH	(P) \$20,000			
00C-1779	AUTO ACCIDENT	8TH	(P) \$46,030			

#### Week of April 22

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
01C-3102	GSA/AUTO ACCIDENT	8TH	DEFENDANT		DISMISSED	PLAINTIFF
96C-3784	MEDICAL MALPRACTICE	2ND	(P) \$5,850,000			
00C-2142	CONTRACT	6TH*	(P) \$775			

#### Week of April 29

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
01C-1546	AUTO ACCIDENT	1ST	(P) \$2,7113	(P-43) (D-57)	DEFENDANT	PLAINTIFF
01B-1316	FORGERY/THEFT (CRIMINAL)	5TH	DEFENDANT NOT GUILTY			

## Soft Tissue

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
01C-434	AUTO ACCIDENT/ST	8TH	\$100,000	DEFENDANT			
00C-3662	AUTO ACCIDENT/ST	8TH*	\$100,000	\$1,000	ADMITTED		

\*--JURY WAIVED

## State Garnishment Routing Instructions Listed

All garnishments being sent to the State of Tennessee now must contain certain information to insure service of process in accordance with statute provisions that went into effect last year.

Information that must be included on garnishments sent for service of process is as follows:

- The State Department to be served,
- The name of the Commissioner,
- The correct address for service and,
- The Social Security number of the employee being garnished.

Following is a partial list of departments and other information needed to apply for service of process on all state garnishments. Others will be published in next month's issue.

TN. Dept. of Agriculture  
%Comm. Dan Wheeler  
440 Hogan Road  
Nash., TN 37204

TN. Dept. of Corrections  
%Comm. Donal Campbell  
320 6th Ave. N.  
Nash., TN 37243

TN. Dept. of Education  
%Comm. Faye Taylor  
710 James Robertson Pky.  
6th Floor  
Nash., TN 37243

TN. Film, Entertainment  
& Music  
%Director Chet Frist  
312 8th Ave. N. 9th Floor  
Nash., TN 37243

TN. Dept. of General Services  
%Comm. Larry Haynes  
312 8th Ave. N. 24th Floor  
Nash., TN 37243

TN. Dept. of Human Services  
%Comm. Natasha Metcalf  
400 Deaderick St. 15th Floor  
Nash., TN 37243

TN. Dept. of Mental Health  
& Dev. Dis.  
%Comm. Elisabeth Rukeyser  
425 5th Ave. N.  
Nash., TN 37243

TN. Dept. of Revenue  
%Comm. Ruth Johnson  
500 Deaderick St. 12th Floor  
Nash., TN 37243

TN. Dept. of Children Services  
%Comm. George Hattaway  
425 5th Ave. N. 7th Floor  
Nash., TN 37243

TN. Dept. of Economic &  
Community Development  
%Comm. Tony Grande  
State Capitol 1st Floor  
Nash., TN 37243

TN. Dept. of Financial Institu-  
tions  
%Comm. Fred Lawson  
John Sevier Bldg. 4th Floor  
Nash., TN 37243

TN. Dept. of Health  
%Comm. Dr. Freda Wadley  
425 5th Ave. N. 3rd Floor  
Nashville, TN 37243

TN. Dept. of Labor & Work Force  
Development  
%Comm. Mike Magill  
710 James Robertson Pky.  
8th Floor  
Nashville, TN 37243

TN. Dept. of Personnel  
%Comm. Walter Butler  
505 Deaderick St. 2nd Floor  
Nash., TN 37243

TN. Dept. of Safety  
%Comm. Denny King  
1150 Foster Ave.  
Nash., TN 37243

The complete list also will be avail-  
able in each of the civil court clerk's  
offices. Copies may be obtained  
upon request.

# TRENDS



RATIO: PLAINTIFFS 3.3-1

## CASE ANALYSES

### AUTO ACCIDENTS

PLAINTIFFS 15  
DEFENDANTS 4

#### MONTH-BY-MONTH

MONTH	TOTALS	JURY	NON-JURY	PLAINTIFF	DEFENDANT	NONE
JANUARY	9	9	0	8	1	0
FEBRUARY	5	5	0	3	1	1
MARCH	3	1	2	2	0	1
APRIL	5	5	0	3	2	0

#### JURY AWARDS

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	1,342,250	578-945,000	89,235
FEBRUARY	263,905	3,225-258,946	4,734
MARCH	10,000	N/A	N/A
APRIL	49,743	1,000-46,030	2,713

#### NON-JURY AWARDS

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	N/A	N/A	N/A
FEBRUARY	N/A	N/A	N/A
MARCH	2,374	N/A	N/A
APRIL	N/A	N/A	N/A

#### SOFT TISSUE CASES

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	185,578	578-150,000	35,000
FEBRUARY	3,225	N/A	N/A
MARCH	N/A	N/A	N/A
APRIL	1,000	N/A	N/A

#### \*GENERAL SESSIONS APPEALS

MONTH	\$TOTALS	PLAINTIFF	DEFENDANT	NONE
JANUARY	10,200	1	0	0
FEBRUARY	9,401	1	1	0
MARCH	12,374	2	0	1
APRIL	N/A	0	1	0

## Other Classes



CONTRACTS	YTD	PLAINTIFFS	DEFENDANTS	NO VERDICT
	20	12	1	7
APRIL AWARDS: \$775-- TOTAL AWARDS TO DATE: \$76,030				

#### MISCELLANEOUS

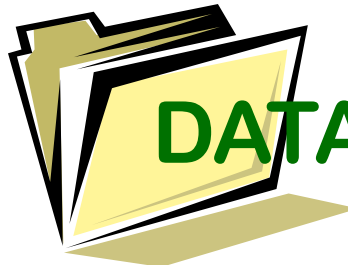
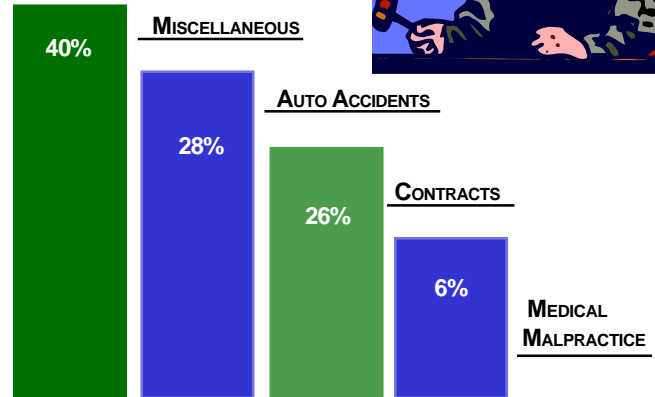
31  
PLAINTIFFS 21  
DEFENDANTS 4  
NO VERDICT 6

#### MALPRACTICE

5  
PLAINTIFFS 1  
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 .....	289
JURY .....	101
NON-JURY .....	188
CIVIL CASES CONCLUDED .....	296
JURY .....	175
NON-JURY .....	121
NEW DIVORCE CASES FILED .....	252
DIVORCE CASES CONCLUDED .....	261

#### General Sessions Civil

NEW CASES FILED .....	3,299
EXECUTIONS ISSUED .....	3,909
GARNISHMENT PAYMENTS .....	3,885
JUDGMENTS COLLECTED .....	\$663,483
ORDER OF PROTECTION PETITIONS .....	229

#### Probate Court

NEW CASES FILED .....	192
CASES CLOSED .....	225

#### Traffic Violations

MOVING CITATIONS .....	21,460
PARKING VIOLATIONS .....	8,559
TOTAL FINES COLLECTED .....	\$332,524
NULLIFICATIONS .....	1,665
NULLIFICATION FEES COLLECTED .....	\$19,962

## ROOKER REPORT

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



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Gene Baker ..... Editor