

ROOKER REPORT

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Circuit, Probate, General Sessions OnLine in July

'Working' Forms Coming to Web Site

A new service that will enable attorneys and others to complete civil legal forms simply by downloading them to their computers will be in operation on July 1.

Forms most frequently used in circuit, probate and general sessions courts will be accessible on the Circuit Court Clerk's web site in Word format, the most popular software among law firms.

Users simply need to select the form of choice and save it to their computer hard drive where it allows for data entry. Each form will automatically take the user through the required fields of entry, allowing information to be typed on-screen. A simple tab will take the user to the next field until the form has been completed.

Once completed, the form can be printed and submitted to clerks as official documents. They also can be retained for permanent record in the user's computer directory.

Circuit Court Clerk Richard Rooker pointed out that PDF-formatted forms would continue to be offered on the circuit web site, providing an option for those visiting the internet site. While those forms are not formatted for data entry, they can be downloaded for printing purposes.

All internet forms are letter-sized to comply with Supreme Court Rule 36 regarding paper size.

The circuit web site address is: www.nashville.gov/circuit.

Rutherford Book on Sale

Attorney David Rutherford's long-awaited book updating the history of the legal profession in Davidson County, is finally available.

"Bench & Bar II, 2003" can be purchased from the Nashville Bar Association for \$50 (hardcover) and \$100 (leather-bound).

Copies of the 364-page book are available at the NBA office at 315 Union Street or via internet at www.nashbar.org.

Two Criminal, One Chancery

Three New Judgeships On Tap for September

The long-anticipated addition of three new state trial courts will become a reality in a matter of weeks.

The state legislature recently gave final approval to two additional criminal judgeships and one chancery judgeship—all to be in place on September 1.

Just who will be chosen to sit on the new courts will be determined by the standard application process with a judicial selection committee reducing the slate of candidates to three for each position. Gov. Phil Bredesen will appoint the new judges from the short list.

Application questionnaires are available and should be submitted through the Administrative Office of the Courts, Suite 600, Nashville City Center, 511 Union Street, Nashville, TN 37219. Each candidate must submit the original (unbound) and 18 copies, which must be stapled or bound and printed on front and back.

Applicants for one of the criminal court vacancies need not apply more than once to be considered for both positions.

Among those expressing an interest in a criminal court judgeship is General Sessions Judge John Brown, who said he was in the process of completing an application. No other sitting judges have announced their candidacy at this point.

The new judgeships will increase the number of criminal courts to six while adding a fourth chancery court.

Oddly enough, the additions come at an opportune time when all the state trial courts are operating in temporary quarters at the Metro Center



General Sessions Judge John Brown, left, throwing hat into the ring

while the courthouse is undergoing major renovation and a new courts building is in the works. Even though leased space in the temporary location is currently at high occupancy, the quarters provide some degree of flexibility not previously available at the downtown venues.

To accommodate the two new criminal judgeships, Fifth Circuit Court Judge Walter Kurtz will surrender his courtroom at 601 Mainstream Drive and relocate to the Riverview Building where most of the other circuit courts are now located. Office space now being utilized by court administrative personnel will be converted to court use.

The courtroom being vacated by Kurtz will be shared by the two new criminal judges, much like the system adopted for Eighth Circuit Court Judge Carol Soloman when she was first elected and space was not available in the courthouse.

The new chancery judge will operate under the same format, rotating courtroom space with the three other chancellors in the First Image Building.

The temporary quarters are expected to be utilized for about three years with accommodations for all courts being incorporated in plans for the new permanent courts complex.

Satellite Office To Open July 1 In Ben West

Good news for downtown law firms.

Beginning July 1, civil court clerks will man a satellite office in the Ben West Building.

The office, which will be located at the east end of the building's main floor, will be open from 8 a.m. to 4 p.m. Monday-Friday.

Service will be limited to stamp filings for papers directed to circuit, chancery and general sessions civil division courts. Filing fees must be paid at the satellite office at the time of filing, but receipts will not be issued until the files have been processed at the respective main clerks' offices in the Metro Center.

Any filings needing immediate attention by the courts, as well as all probate documents, must be filed at the Metro Center offices.

"Because the vast majority of attorneys are located in the downtown area," said Circuit Court Clerk Richard Rooker, "the satellite office should save a lot of travel time and other inconveniences related to the temporary displacement of the court system."

CHEERS...

With a small gathering of family and friends in attendance, Circuit Court Clerk **Richard Rooker** and **Gay Parker** repeated wedding vows on a date not likely to be forgotten. The big event took place at the Rooker home in Inglewood on May 30, which just happened to be the clerk's 41st birthday. You might say it was a "double cake" ceremony. The bride is employed by the Davidson County Sheriff's Department. General Sessions Judge **Gale Robinson** performed the wedding. The couple was attended by the bride's daughter **Paige Parker** and the groom's son **Logan Rooker**, who was his father's best man.



Mr. & Mrs. Richard Rooker

When **Janice Johnson** is not performing her duties as assistant chief clerk of the General Sessions Civil Division office, you can usually find her at a ball park cheering on her two sons **Ryan** and **Reed**, both outstanding athletes in all school sports. Most recently it was Ryan and baseball that took the spotlight when the young third baseman led his **Reds** team to a 13-1 season record en route to the Bellevue Community Center's championship for players 9-10 years old. In the title game, Ryan combined both offense and defense as he opened the game with a double and later threw out four runners to preserve an 11-0 shellacking of the opposing Pirates. Later, little brother Reed was hoping to put another trophy on the Johnson mantle as his team vied for spoils in his age division. His team would go on to finish third in the league and in the playoffs. Because the brothers also play heads-up soccer and basketball--often at different venues--mom often finds herself in the position of having to choose which son to watch. She has been known to trek from one venue to another to give equal rooting time to both. Mothers are like that.

General Sessions Judge **John Brown** is showing pictures of new grandson **Jackson Porter Brown**, who arrived on June 22 at 6-pounds, 12 ounces and measuring 19 inches. The new arrival is the son of the judge's son **Jack Brown** and wife **Cindy**.

Congratulations to **Melanie Renee Knight**, daughter of deputy general sessions clerk **Jackie Knight**, who graduated with honors from Hume Fogg Academic Magnet High School in May. Melanie, who aspires to be an OB/GYN physician, will major in biology/pre-med at Xavier University of Louisiana where she has gotten an early start by enrolling in a summer course.

Another proud mother is traffic court docket clerk **Beverly Swafford**, whose daughter **Lisa** graduated from Tennessee State University in May as a registered nurse. The achievement came just eight months after Lisa wed **Kevin Wilson**, a member of the Davidson County Sheriff's Department.

Father Ryan's annual high school reunion had special significance this year for about 30 attending graduates who celebrated their 50th graduation anniversary. Among them was traffic warrant officer **Don Clunan**, who says he was one of 43 receiving diplomas from the class of 1953. To commemorate the occasion, Clunan and fellow classmates received framed certificates identifying each one as a "Father Ryan Golden Grad."

Good news for persons doing business with the Juvenile Court Clerk's office...Beginning July 1, the office will extend its hours of operation by 30 minutes to better accommodate all aspects of doing business with the court. The new hours will be 8 a.m. to 5 p.m. Monday through Friday.



Joe Clinard and wife Mary mingle with friends and co-workers during a May 30 retirement reception in his honor.

Joe Clinard Retires; Well, Just From Metro

Joe Clinard is probably best known for his late-in-life athletic prowess. But it was his departure from the workaday life with the Metro Legal Department that placed him centerstage last month.

Clinard, who began competitive marathon running at the age of 60 and went on to set several senior world records in indoor rowing, officially left public service behind him on May 30 when he told fellow workers and friends so long at a retirement reception in his honor.

It brought to a close 19 years of service to the legal department where he made his mark as Director of Insurance and Safety, serving four different mayors and seven legal directors. During that career, he successfully increased self-insurance funds from insignificant status to more than \$20 million.

Clinard was 65 years old and retired from the Shelby Mutual Insurance Company when he came to Metro in January 1984. By that time, he had already been married for 28 years to wife Mary, who now is mom to the couple's son Jody and daughter DeeDee. There are two grandchildren who take up much of Joe's and Mary's home time.

While in his 70's, Clinard set a world record in the 70-79 age group for the 5,000 meter distance. He went on to break his own record, not once but twice. His record still stands, as does his matching world record in the 80-89 age class. Also an avid pilot since 1939, he holds speed records for Ultralight flights between Centerville and Little Rock, Ark.

As for retirement? He will use the time trying out for the USA Indoor Rowing Team's upcoming competition in Europe. Go, Joe!

...TEARS

Deepest sympathy to attorney **John M. L. Brown** in the death of his mother **Evelyn Brown**, who passed away on June 1. She was 86 and had been an Alive Hospice patient for about two months.

BIRTHDAYS

JULY

Circuit Court Clerk

21 Ray Akers
23 Carrie Archie
20 Michael Shipman
24 Glenn Balletto

General Sessions

15 Margaret Blair
Samantha Welch
16 Karen Rooker
20 Molly Travis

Traffic Violations

1 Steve Rose
4 Margie Perry
6 Penny Reed
11 Samantha Robinson
12 Candace Benbow
22 Michael Austin

Probate Clerk

None

Have a Safe July 4 Holiday



JURY TRIAL VERDICTS

ABBREVIATIONS:

P	PLAINTIFF	CP	COUNTER PLAINTIFF
D	DEFENDANT	CD	COUNTER DEFENDANT
PPD	PERMANENT PARTIAL DISABILITY	GSA	GENERAL SESSIONS APPEAL
ST	SOFT TISSUE	PUN	PUNITIVE

APPEALS

Week of May 5

CIRCUIT COURT

GENERAL SESSIONS

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
00C-2937	MEDICAL MALPRACTICE	3RD	\$85,000			
02C-284	TCPA	8TH	DEFENDANT			

Week of May 12

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
01C-366	NEGLIGENCE	5TH	DEFENDANT			

Soft Tissue

GENERAL SESSIONS

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
01C-2872	AUTO ACCIDENT/ST	1ST	\$150,000	\$3,859			
02C-351	AUTO ACCIDENT/ST	8TH	\$700,000	\$178,903			

NON-JURY TRIAL RESULTS

Week of May 19

CIRCUIT COURT

GENERAL SESSIONS

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
02C-3015	GS/CONTRACT	3RD	DISMISSED		P-\$750	DEFENDANT
02C-1953	METRO APPEAL	8TH	\$50+ COSTS		P-\$60	DEFENDANT
99C-2908	NEGLIGENCE	6TH	DEFENDANT			
02C-3090	GS/AUTO ACCIDENT	1ST	\$14,000	(P-49)(D-51)	DISMISSED	PLAINTIFF
03C-573	GS/DETAINER	1ST	PENDING		D-POSSESSION	PLAINTIFF
03C-422	GS/AUTO ACCIDENT	1ST	\$1,530		P-\$4,000	DEFENDANT
02C-1253	DAMAGES	1ST	\$35,311			
92C-2806	GS/CONTRACT	8TH	\$8,525		P-\$14,999	DEFENDANT
02C-1770	GS/CONTRACT	1ST	DISMISSED		DISMISSED	PLAINTIFF
02C-3455	GS/AUTO ACCIDENT	5TH*	\$2,000 (P-45)(D-55)			

*--HEARD BY MARSH NICHOLS

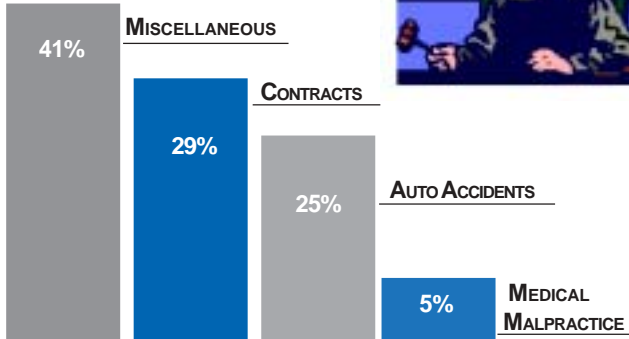
Looking Ahead...

The expanding role of the Nashville Bar Association's alternative dispute resolution program for financially and legally challenged litigants in General Sessions Court will be featured in our July issue. Nashville Conflict Resolution Center Director De'An Bass will recap the impact of the mediation program since it made its debut in October 2001. She also will discuss plans for making the service available to more civil litigants.

◆ With the fiscal year ending on June 30, it will be time to review Circuit, Probate, General Sessions Civil and Traffic Violations operations during the past twelve months.

TRENDS

CIVIL TRIALS BY CLASS



DATA BANK

Statistics compiled for the month of May

CASE INFORMATION

Circuit Court

NEW CIVIL CASES FILED	273
JURY	111
NON-JURY	162
CIVIL CASES CONCLUDED	278
JURY	151
NON-JURY	127
NEW DIVORCE CASES FILED	221
DIVORCE CASES CONCLUDED	219

General Sessions Civil

NEW CASES FILED	2,982
EXECUTIONS ISSUED	2,844
GARNISHMENT PAYMENTS	3,230
JUDGMENTS COLLECTED	\$577,343
ORDER OF PROTECTION PETITIONS	233

Probate Court

NEW CASES FILED	147
CASES CLOSED	168

Traffic Violations

MOVING CITATIONS	23,342
PARKING VIOLATIONS	5,858
TOTAL FINES COLLECTED	\$326,904
NULLIFICATIONS	2,371
NULLIFICATION FEES COLLECTED	\$28,449

Other Classes



CONTRACTS	YTD	PLAINTIFFS	DEFENDANTS	NO VERDICT
	25	15	5	5

MAY AWARDS: \$8,525--TOTAL AWARDS TO DATE: \$275,526



MISCELLANEOUS

36
PLAINTIFFS 19
DEFENDANTS 11
NO VERDICT 6

MALPRACTICE

4
PLAINTIFFS 2
DEFENDANTS 2
NO VERDICT 0



CASE ANALYSES



AUTO ACCIDENTS

PLAINTIFFS 19
DEFENDANTS 1

RATIO: PLAINTIFFS 19-1

MONTH-BY-MONTH

MONTH	TOTALS	JURY	NON-JURY	PLAINTIFF	DEFENDANT	NONE
JANUARY	3	2	1	3	0	0
FEBRUARY	4	3	1	2	1	1
MARCH	7	6	1	6	0	1
APRIL	3	2	1	3	0	0
MAY	5	2	3	5	0	0

JURY AWARDS

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	19,098	9,098-10,000	N/A
FEBRUARY	14,291	2,000-12,291	N/A
MARCH	239,801	2,952-165,382	17,866
APRIL	141,500	16,500-125,000	N/A
MAY	182,762	3,859-178,903	N/A

NON-JURY AWARDS

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	5,770	N/A	N/A
FEBRUARY	NONE	N/A	N/A
MARCH	800	N/A	N/A
APRIL	13,843	N/A	N/A
MAY	17,530	1,530-14,000	2,000

SOFT TISSUE CASES

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	NONE	N/A	N/A
FEBRUARY	14,291	2,000-12,291	N/A
MARCH	67,597	9,847-26,155	15,797
APRIL	125,000	N/A	N/A
MAY	182,762	3,859-178,903	N/A

*GENERAL SESSIONS APPEALS

MONTH	\$TOTALS	PLAINTIFF	DEFENDANT	NONE
JANUARY	24,798	3	0	0
FEBRUARY	NONE	0	0	1
MARCH	3,752	2	0	0
APRIL	13,843	1	0	0
MAY	17,530	3	0	0

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Richard R. Rooker Circuit Court Clerk
Gene Baker Editor



ADA coordinator, Gene Baker (880-3309)