

TRAFFIC VIOLATORS CAN AVOID GOING TO COURT

Mail-In Ticket Program Expanding Countywide

Following a favorable one-year trial run, Metro's traffic enforcers say they will phase in a countywide mail-in ticket program designed to reduce court appearance time for both police officers and the motorist-in-public.

Starting around the first of the year, all motorists stopped for moving violations on the county's roads will be given the option of paying their fines or enrolling for driving school classes by mail rather than appearing in court.

An exception to that convenience will be a mandatory court appearance for those who feel they have been wrongfully cited and choose to contest the officer's action.

A high number of errant drivers have taken advantage of the mail-in plan since it was introduced on a limited basis last November, resulting in a 50 percent reduction in court appearance time for patrol officers and allowing them to spend more time in the field, according to Acting Police Chief Deborah Faulkner.

While similar programs have long been utilized effectively in other major cities, most of the mail-in packages provided to motorists elsewhere are complex, bulky and hard to understand. Local officials opted for a more comprehensive, compact mailer that includes a simple list of instructions, an explanation of options offered (along with costs), a driving school enrollment form and a self-addressed envelope.

In testing the program, the police department selected ten officers with the highest number of traffic stops from within two precincts and

armed them with mail-in packages to be given to drivers cited on their shifts. The complimentary mailers accompanied original citations issued to the driver, stating specific charges and a court appearance date.

Cited drivers were afforded the opportunity of simply sending in the applicable fine (before the court date) or registering for traffic school (within ten days) if they felt they were guilty of the offense. In either case, there would be no court appearance.

See MAIL-IN TICKET, Page 2

Probate Vacancy Undecided

Lee Gets Sessions Court Appointment

The Metro Council this month appointed longtime government attorney Andrei Ellen Lee to fill a vacancy on the General Sessions Court, bringing the county to within one judge of completing the makeup of an expanded judiciary.

Gov. Phil Bredesen is expected to close the book on judicial appointments this month by naming a replacement for former Probate Judge Frank Clement Jr., who was elevated to a seat on the court of appeals last month.

A judicial selection committee has recommended three applicants for the probate seat: Randy Kennedy, Irwin J. Kuhn and John M. L. Brown.

Lee was chosen from a slate of applicants to replace Mark Fishburn on the General Sessions Court after Fishburn was picked for a newly created Criminal Court judgeship, along with attorney Monte Watkins.

The same law that created the two additional criminal judgeships also gave the county an extra Chancery Court chancellor in the per-



JUDGE ANDREI LEE

See APPOINTMENTS, Page 2



AS EASY AS A-B-C

Here are the three options offered to drivers who choose to utilize the new mail-in traffic ticket service:

- A. Plead guilty and pay fine listed on back of citation. Do not appear in court.**
- B. Plead guilty and request Traffic School.... Moving Violations Only to avoid reported conviction to Department of Safety.**
- C. Plead not guilty. Appear on your court date, time, and location located on the bottom of the traffic citation.**

Happy Thanksgiving



CRISTI SCOTT

Cristi Scott New Chancery Clerk & Master

Cristi Scott, a veteran member of the Metro Legal Department staff, will become the new Chancery Court Clerk and Master, having won out over 14 other applicants for the post.

Scott, who will assume her new position in December, was the choice of chancellors to replace former Clerk and Master Claudia Bonnyman, who was recently appointed by the governor to replace retiring Chancellor Irvin Kilcrease.

Scott has served with the legal department since May 1, 1994, specializing in contracts and real property taxes. Previously, she worked for the Tennessee Department of Commerce and Insurance.

After graduating from the University of Tennessee at Knoxville in 1987, she received her law degree from Howard University in Washington, D. C., returning home to serve as a law clerk for Chancellor Kilcrease for one year before entering private practice with the law firm of Smith and Hirsch.

Scott is married to Jerome Molette and has an 18-year-old daughter Shane Noelle.

Appointments

(From Page 1)

son of Richard Dinkins. At the same time, another vacancy occurred on the court with the retirement of veteran chancellor Irvin Kilcrease.

Gov. Bredesen made his fourth judicial appointment by selecting veteran Clerk and Master Claudia Bonnyman to replace Kilcrease, leaving her position to be filled by the chancellors.

All appointed judges must face the voters next year and, if successful, will serve out the remainder of their existing terms.

For the past five years, Lee had served as senior referee of the Davidson County Juvenile Court system, focusing primarily on the adjudication of cases involving dependency, neglect and abuse and assessing child support for children in State custody.

A graduate of Tennessee State University, she received her law degree from the University of Detroit in 1979. She established a private law practice, but later channeled her talents in other directions. She served as an assistant public defender for four years and later served in the child support division of the District Attorney General's office.

Since 1996, Lee has served as adjunct professor at Cumberland University in Lebanon.

As judge of Division II of the General Sessions Court, she inherits the Mental Health Court established by Fishburn two years ago.

Mail-In Ticket Plan

(From Page 1)

In a high majority of cases, those utilizing the mailer chose traffic school over paying fines with only about 2 percent failing to qualify. Those requesting school were required to mail in two checks--one a \$40 class enrollment fee and the other a \$25 nonrefundable clerk's fee. Those failing to qualify for school (based on driving records) were refunded their class enrollment fee and instructed to pay the applicable fine by their original court date.

One requirement was the completion of driving school classes prior to the court date.

Drivers cited for "nullifiable" non-moving offenses were allowed to satisfy their cases by mailing in proof of compliance, along with a \$12 mandatory processing fee.

Based upon response from motorists during the one-year pilot program, representatives of the police department and General Sessions Court jointly announced the phasing in of two additional precincts for the remainder of this year and countywide application beginning in January.

Judge John Brown, chairman of the General Sessions Traffic Committee, said the mail-in program promises to dramatically reduce the court's hourly dockets, making them more manageable.

Chief Faulkner pointed out that traffic officers would continue their presence in the courtroom but, because of fewer cited drivers on hand to face their accuser, the officers can channel their energies to other duties.

The new service would seem to benefit all parties involved.

AN OVERVIEW OF THE COURTS

(To help our readers acclimate themselves with the new judicial lineup, we are publishing a breakdown on the local courts and the judges who currently serve them, including the year each began service on the bench.)

Circuit Court

First	Hamilton Gayden, Jr.	1978
Second	Marietta Shipley	1990
Third	Barbara Haynes	1990
Fourth	Muriel Robinson	1982
Fifth	Walter Kurtz	1982
Sixth	Thomas Brothers	1989
Seventh/Probate	Awaiting Appointment	2003
Eighth	Carol Soloman	1998

Criminal Court

Division I	Steve Dozier	1997
Division II	Randall Wyatt	1982
Division III	Cheryl Blackburn	1996
Division IV	Seth Norman	1990
Division V	Monte Watkins	2003
Division VI	Mark Fishburn	2003

Chancery Court

Part 1	Claudia Bonnyman	2003
Part 2	Carol McCoy	1996
Part 3	Ellen Hobbs Lyle	1996
Part 4	Richard Dinkins	2003

General Sessions Court

Division I	Gale Robinson	1990
Division II	Andrei Lee	2003
Division III	William Faimon	1982
Division IV	Gloria Dumas	1998
Division V	John Brown	1982
Division VI	Michael Mondelli	1990
Division VII	William Higgins	1980
Division VIII	Leon Ruben	1981
Division IX	Sue McKnight Evans	1996
Division X	Casey Moreland	1998
Division XI	John Aaron Holt	1998

ROOKER REPORT

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Richard R. Rooker Circuit Court Clerk
Gene Baker Editor



ADA coordinator, Gene Baker (880-3309)



JURY TRIAL VERDICTS

ABBREVIATIONS:

P	PLAINTIFF	CP	COUNTER PLAINTIFF
D	DEFENDANT	PPD	PERMANENT PARTIAL DISABILITY
C/S	COMPROMISED/SETTLED	GSA	GENERAL SESSIONS APPEAL
ST	SOFT TISSUE	PUN	PUNITIVE

APPEALS

GENERAL SESSIONS

Week of October 6

CIRCUIT COURT

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
98C-2170	MEDICAL MALPRACTICE	5TH	DEFENDANT			
02C-2564	AUTO ACCIDENT	8TH	\$35,119			
01C-1931	CONTRACT	3RD	*C/S			
01C-601	PRO. NEGLIGENCE	1ST	DEFENDANT			
00C-3052	SLIP/FALL	6TH	DEFENDANT			

*--COMPROMISED AND SETTLED AFTER THREE DAYS OF TRIAL

Week of October 27

GENERAL SESSIONS

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
02C-391	AUTO ACCIDENT	8TH	\$1,056	(D-80, P-20)		
02C-2807	AUTO ACCIDENT	5TH	DEFENDANT			
01C-656	AUTO ACCIDENT	3RD	DEFENDANT			

Soft Tissue

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
02C-1158	GS/AUTO ACCIDENT/ST	2ND	NONE	\$1,750		TRANSFERRED	

CHEERS...

You might say that Circuit Court Judge **Carol Soloman** no longer fits the label "solemn as a judge." She has been anything but solemn since meeting and falling in love with the man she will marry on Thanksgiving Day. His name is **Jim Berry**, a security officer at the First Image Building, who sparked a whirlwind romance when the couple met just a few months ago. "They are deeply in love," said a close friend. The truthfulness of that observation is accentuated by the fact that the couple had planned a New Year's Day wedding in Hawaii, but decided not to wait. The union will take place, as aforementioned, on Thanksgiving Day, followed by a Hawaiian honeymoon over the Christmas holidays. In case you're wondering, the good judge will continue to be "Judge Soloman" when she returns to the bench.



JUDGE SOLOMAN

Michael Shipman is back on the job in the circuit court clerk's office after spending a week recuperating from having his appendix removed. Quick action was necessitated when Shipman was stricken with severe stomach pain a couple of weeks ago and was rushed to a hospital emergency room. Finding out that he could live without the organ, he found himself in surgery the next morning. Said Shipman of the ordeal: "It wasn't much fun but it's good it's out. Still a little sore, but I've recovered pretty quickly."

BIRTHDAYS

DECEMBER

Circuit Court Clerk

1 Kelly Baltz
4 Becky Dye

General Sessions

2 Denise Dill
25 Marie Anderson
31 Jackie Knight

Probate Clerk

27 Brenda Osborne
29 Tom Brown

Traffic Violations

3 Chance Rainey
11 Connie Murff
12 Wayne Elrod
18 Tammy Sampson
27 Joseph Day
29 Lori Davis
Pat Baxter
31 Don Clunan

Also returning to work this month was Metro Photographer **Gary Layda**, who underwent hernia surgery recently. Layda's works can be found in this report at various times during the year.

...TEARS

Deepest sympathy to Nashville attorneys Mike Binkley and Joe P. Binkley, Jr., in the death of their mother Martha Binkley, who passed away on Nov. 11. She was 79 years of age.

We are saddened by the untimely death of veteran Metro police detective Maj. Pat Griffin at the age of 62. Maj. Griffin passed away on Nov. 11 from heart complications. He had served on the police force for 38 years.

THERE WERE NO NON-JURY TRIALS IN OCTOBER

TRENDS



RATIO: PLAINTIFFS 3.1-1

CASE ANALYSES

AUTO ACCIDENTS

PLAINTIFFS 37
DEFENDANTS 12

MONTH-BY-MONTH

MONTH	TOTALS	JURY	NON-JURY	PLAINTIFF	DEFENDANT	NONE
JANUARY-MARCH	14	11	3	11	1	2
APRIL-JUNE	12	8	4	10	2	0
JULY-SEPTEMBER	21	19	2	14	7	0
OCTOBER	4	4	0	2	2	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
JUNE	18,384	7,491-10,893	N/A
JULY	1,002	N/A	N/A
AUGUST	112,147	3,000-43,053	16,527
SEPTEMBER	109,439	1,200-55,000	10,651
OCTOBER	36,175	1,056-35,119	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
JUNE	N/A	N/A	N/A
JULY	N/A	N/A	N/A
AUGUST	N/A	N/A	N/A
SEPTEMBER	6,010	N/A	N/A
OCTOBER	N/A	N/A	N/A

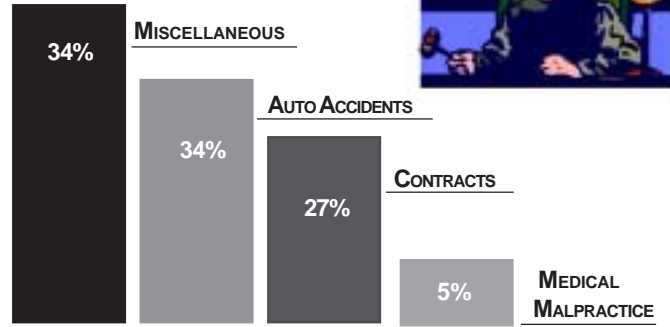
SOFT TISSUE CASES

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
JUNE	7,491	N/A	N/A
JULY	N/A	N/A	N/A
AUGUST	53,123	3,000-36,128	6,997
SEPTEMBER	2,017	N/A	N/A
OCTOBER	1,750	N/A	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
JUNE	N/A	3	1	0
JULY	1,002	4	2	0
AUGUST	N/A	N/A	N/A	N/A
SEPTEMBER	19,522	4	3	0
OCTOBER	1,750	1	0	0

CIVIL TRIALS BY CLASS



DATA BANK

Statistics compiled for the month of October

CASE INFORMATION

Circuit Court

NEW CIVIL CASES FILED	326
JURY	153
NON-JURY	173
CIVIL CASES CONCLUDED	270
JURY	166
NON-JURY	104
NEW DIVORCE CASES FILED	213
DIVORCE CASES CONCLUDED	221

General Sessions Civil

NEW CASES FILED	3,558
EXECUTIONS ISSUED	3,633
GARNISHMENT PAYMENTS	3,770
JUDGMENTS COLLECTED	\$654,740
ORDER OF PROTECTION PETITIONS	229

Probate Court

NEW CASES FILED	174
CASES CLOSED	182

Traffic Violations

MOVING CITATIONS	23,935
PARKING VIOLATIONS	6,107
TOTAL FINES COLLECTED	\$291,679
NULLIFICATIONS	2,424
NULLIFICATION FEES COLLECTED	\$29,088

Other Classes



CONTRACTS	YTD	PLAINTIFFS	DEFENDANTS	NO VERDICT
	40	25	7	8

OCTOBER AWARDS: UNDISCLOSED—TOTAL REPORTED AWARDS TO DATE: \$441,818

MISCELLANEOUS	MALPRACTICE
50	8
PLAINTIFFS 23	PLAINTIFFS 2
DEFENDANTS 16	DEFENDANTS 5
NO VERDICT 11	NO VERDICT 1