

# ROOKER REPORT

December 2003

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Richard Rooker

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Brian Kahrs,  
Lisa Nolan,  
Christy Allen,  
Deborah Hennessee,  
Tracy Cartwright, Mickey Brissette,  
Lori Stratton, Penny Hubbell, Deanna Alexander,  
Cheryl Kennedy, Suzanne Wheeler, Gene Baker,  
Barbara Eddings, Beverly Rawls, Kelli Olin,  
Cathy Garrett, Will Cripps, Candy Finch, Holly Russell,  
Jim Davis, Mike Garrett, Kelly Pearson, Michelle Sawyer, Brad Jenkins,  
Suzanne Parker, Brenda Parks, Bobbie Eden, Dan Vincent, David Callahan,  
Debi Butzler, Mary Stephens, Ronnell Griffin, Michael Shipman, Ray Akers,  
Carrie Archie, Glenn Balletto, Mark Herring, Annecia Donigan, Candy Rucker,  
Carolyn Davis, Sandy Adams, Bill Riggs, Stephanie Hill, Hilary Duke, Kelly Baltz, Becky Dye,  
Veronica Edmondson, Cindy Milligan, Connie Colley, Diana Reed, Tiffany Long, Hayden Guest,  
Ryan Hager, Judy Christopher, Dawn Gorham, Jennifer Borntreger, Sue Burgett,  
Sandra Perryman, Kim Clary, Melissa McKee, Margaret Blair, Samantha Hutton, Karen Rooker,  
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Margaret Larobardiere, Denise Dill, Marie Anderson, Jackie Knight, Phil York,  
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Sandra Trotter, Ruth Lester, Brenda Osborne, Tom Brown, Bessie Fox, Jessie Woodard, Lee Millsap,  
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Jennifer Wilee, Carl Smith, Eva McNaney, Beverly Swafford, Vickie Slate, Felice Graham, Ray Fuller,  
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Penny Reed, Samantha Robinson, Candace Benbow, Michael Austin, Sarah Dunn-McClain, Joe Foster,  
Sandy Ford, Billye Barnard, Joan Johnson, Pat Trimble, Steve Leary,  
Joey Torrence, Bill Cartwright, Nancy Capps, Tony Eden, Elaine Howell, Amanda George,  
Leslie Preston, Don Rosso, Joe Hurt, Kim Soto, David Patterson, Mary Archey,  
Marvin Cohen, Susan Grannis, Monica England, Mary Barr, Dixie Gibson, Patsy Jackson,  
Dinah Williams, Rhonda Hall, Nick Lane, Chance Rainey,  
Connie Murff, Wayne Elrod, Tammy Sampson,  
Joseph Day, Lori Davis,  
Pat Baxter, Don Clunan



**HAPPY  
HOLIDAYS**

## Judicial Appointments Complete

# Kennedy Named Probate Judge



RANDY KENNEDY

Nashville attorney Randy Kennedy received Gov. Phil Bredesen's nod to fill a vacancy on the Davidson County Circuit Court.

Kennedy, 53, replaces Frank Clement Jr., as judge of the court's Division VII, which hears all of the county's probate cases and other civil matters. The judgeship had been sought by a number of applicants following Clement's earlier appointment to the state court of appeals.

The governor said Kennedy's significant experience in working in probate law played a key part in his selection. "I know (Kennedy) will serve our state with distinction and honor as he takes on this important role in Davidson County," Bredesen said in a news release.

The naming of Kennedy concluded a series of local judicial appointments inherited by the governor during the last several months following the state legislature's creation of two additional criminal judgeships and one chancery judgeship.

Bredesen selected attorney Monte Watkins and General Sessions Judge Mark Fishburn for the two criminal court judgeships and tabbed attorney Richard Dinkins for the new chancery post.

Meantime, another vacancy on the Chancery Court occurred with the retirement of longtime jurist Irvin Kilcrease. Bredesen filled that spot with veteran Chancery Clerk and Master Claudia Bonnyman.

The selection of Fishburn to the criminal judgeship created a vacancy on the General Sessions Court, which is under jurisdiction of the Metro Council. The Council chose juvenile referee Andrei Ellen Lee to replace Fishburn.

All appointees must face the voters in the February countywide primary election.

Kennedy, a practicing attorney for 25 years, said he was "prepared to carry out the duties of this important position with the highest degree of fairness and integrity."

Kennedy earned his law degree from the Nashville School of Law and began his career as an attorney with the Lancaster & Farmer firm before establishing a solo practice working with associations of attorneys. In 1997, he became senior attorney with Kennedy & Brown.

He served on the Metro Council from 1989-95, representing the 13th District and has been on the Metro Charter Revision Commission since 1996.

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Published by the Davidson County Circuit Court Clerk's Office  
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Internet @ [www.nashville.gov/circuit](http://www.nashville.gov/circuit)

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

**Richard R. Rooker** ..... Circuit Court Clerk  
**Gene Baker** ..... Editor



ADA coordinator, Gene Baker (880-3309)

## BIRTHDAYS

## JANUARY

### Circuit Court Clerk

- 1 Tom Walsh
- 19 Brian Kahrs
- 24 Lisa Nolan
- 27 Christy Allen
- 29 Deborah Hennessee

### General Sessions

- 1 Veronica Edmondson
- 16 Cindy Milligan
- 30 Connie Colley

### Traffic Violations

- 1 Bessie Fox

### Probate Clerk

- 7 Phil York

# Courts Schedule Recess For the Holiday Season

The county's civil courtrooms will be silent for two weeks during the upcoming holiday season.

Regular Circuit and General Sessions dockets will be suspended between Dec. 19 and Jan. 5, when normal business will resume. However, some show cause hearings will be held in Circuit Court and General Sessions Court will continue its order of protection and mental health dockets during the recess.

For the 34th straight year, General Sessions Judge Leon Ruben will be on duty on Christmas Day at the Criminal Justice Center to deal with matters of a criminal nature.

As the only Jewish member of the 11-division court, Ruben assumes the Christmas duty each year so his fellow judges can be with their families. He will be on duty from 7 a.m. until 3 p.m.

Clerk's offices will maintain normal business hours except for the following holiday breaks:

- Christmas--Wednesday, Dec. 24; Thursday, Dec. 25; Friday, Dec. 26.
- New Year's--Thursday, Jan. 1; Friday, Jan. 2.

# CHEERS...



DOT HURT

During her 23 years with the Criminal Court Clerk's office, **Dot Hurt** served three different clerks. But it was her service to the public that drew praise from Mayor **Bill Purcell** as he presented her with a "key to the city" at her retirement party on Dec. 5. Friends, family and co-workers gathered at the Ben West Building to honor the longtime deputy clerk, who joined the clerk's office in 1980 when **John Lashlee** was clerk and stayed on for the reign of **Joe Torrence** and most recently **David Torrence**. Among those in attendance was her son **Joe Hurt**, a deputy in the Traffic Warrant office. We extend our congratulations.

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**Brenda Osborne**, a deputy clerk in the probate office, is a proud grandmother over her grandson's perfect season in youth football. **Brooks Best** and his team rolled to an 11-0 season and walked away with the 7-8 year old "Super Bowl" in that age division. It was a double generation thrill for Brenda, whose son **Billy Best** was coach of the team.

# ...TEARS

Retired Court Judge **John** away on Nov. 19 of 78. He served on 0 until his retirement from pneumonia.



# JURY TRIAL VERDICTS

## ABBREVIATIONS:

<b>P</b>	PLAINTIFF	<b>CP</b>	COUNTER PLAINTIFF
<b>D</b>	DEFENDANT	<b>PPD</b>	PERMANENT PARTIAL DISABILITY
<b>TTD</b>	TEMPORARY TOTAL DISABILITY	<b>GSA</b>	GENERAL SESSIONS APPEAL
<b>ST</b>	SOFT TISSUE	<b>PUN</b>	PUNITIVE

### APPEALS

Week of November 3

### CIRCUIT COURT

### GENERAL SESSIONS

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
01C-2591	EMOTIONAL DISTRESS	5TH		DISMISSED			
02C-2268	AUTO ACCIDENT	8TH		\$4,687			
03C-14	GSA/AUTO ACCIDENT	2ND		50/50%		P-\$1,480	DEFENDANT
02C-807	NEGLIGENCE	1ST	\$1 M	\$1.162M (COMP)	(D2 30)		
" "					(D3 40)		
" "					(D5 30)		
" "				\$1.5 (PUNITIVE)	(D3)		
" "				\$250,000	(D5)		

Week of November 17

### GENERAL SESSIONS

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
01C-3231	AUTO ACCIDENT	6TH	\$193,500			

### Soft Tissue

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
02C-3400	GS/AUTO ACCIDENT/ST	5TH	NONE	DEFENDANT		P-\$2,785	
03C-2455	GS/AUTO ACCIDENT/ST	6TH		\$2,500	(D-51) (P-49)	P-\$9,000	DEFENDANT

## NON-JURY TRIAL RESULTS

Week of November 10

### CIRCUIT COURT

### GENERAL SESSIONS

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
02C-1999	WRIT OF CERTIORARI	8TH	UNDER ADVISEMENT			
03C-1555	GS/CONTRACT	2ND	\$6,108		P-\$11,221	DEFENDANT
02C-368	WORKERS COMPENSATION	5TH	22.5 VOCATIONAL, TTD \$22,825			
02C-3231	WORKERS COMPENSATION	8TH	UNDER ADVISEMENT			
03C-1546	GS/CONTRACT	8TH	\$10,437		P-\$8,860	DEFENDANT
03C-1346	GS/CONTRACT	1ST	\$3,162		P-\$6,425	DEFENDANT
03C-1073	GS/CONTRACT	5TH	\$2,300		P-\$3,111	DEFENDANT
03C-1407	GS/CONTRACT	5TH	\$12,000		DISMISSED	PLAINTIFF
03C-234	ASSAULT	1ST	\$80,000			
03C-1765	GS/DETAINER	3RD	POSSESSION		P-POSSESSION	DEFENDANT



VANCE CRAMB

## Former Judicial Commissioner Cramb Dies

After a long, courageous battle with diabetes, former General Sessions Night Court Commissioner Vance Cramb Jr. has passed away.

Cramb was only 58 years old when he died at Baptist Hospital on Dec. 8.

Cramb served as a judicial commissioner from 1986 until 1999 when bad health forced his retirement.

A 1966 graduate of Vanderbilt University, he earned

his law degree from the University of Kentucky School of Law in 1969 and went on to receive a masters degree in law from Georgetown University.

While attending law school at UK, he was chosen to study at the Marshall-Wythe School of Law at the University of Exeter in England.

Cramb joined the law offices of attorney Jack Norman in 1971 and continued to practice there through 1997.



## CASE ANALYSES

### AUTO ACCIDENTS

PLAINTIFFS 42  
DEFENDANTS 13

RATIO: PLAINTIFFS 3.3-1

#### 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
OCT-NOVEMBER	9	9	0	5	3	1

#### 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
NOVEMBER	200,687	2,500-193,500	4,687

#### 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
OCT-NOVEMBER	N/A	N/A	N/A

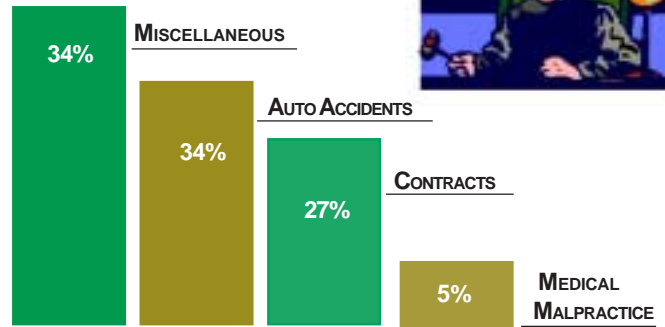
#### SOFT TISSUE CASES

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
NOVEMBER	2,500	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
SEPT-NOV	19,522	4	3	0
OCTOBER	1,750	1	0	0
NOVEMBER	2,500	1	1	1

## CIVIL TRIALS BY CLASS



# DATA BANK

Statistics compiled for the month of November

### CASE INFORMATION

#### Circuit Court

NEW CIVIL CASES FILED .....	.....
JURY .....	.....
NON-JURY .....	.....
CIVIL CASES CONCLUDED .....	.....
JURY .....	.....
NON-JURY .....	.....
NEW DIVORCE CASES FILED .....	.....
DIVORCE CASES CONCLUDED .....	.....

#### General Sessions Civil

NEW CASES FILED .....	2,905
EXECUTIONS ISSUED .....	2,718
GARNISHMENT PAYMENTS .....	3,160
JUDGMENTS COLLECTED .....	\$546,286
ORDER OF PROTECTION PETITIONS .....	179

#### Probate Court

NEW CASES FILED .....	131
CASES CLOSED .....	117

#### Traffic Violations

MOVING CITATIONS .....	19,934
PARKING VIOLATIONS .....	4,890
TOTAL FINES COLLECTED .....	\$240,071
NULLIFICATIONS .....	2,223
NULLIFICATION FEES COLLECTED .....	\$26,676

## Other Classes



CONTRACTS YTD PLAINTIFFS DEFENDANTS NO VERDICT  
45 25 7 8

NOVEMBER AWARDS \$34,007—TOTAL REPORTED AWARDS TO DATE: \$475,825

MISCELLANEOUS	MALPRACTICE
57	8
PLAINTIFFS 27	PLAINTIFFS 2
DEFENDANTS 17	DEFENDANTS 5
NO VERDICT 13	NO VERDICT 1