

ROOKER REPORT

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Soloman Shares Load With Robinson; Shipley Joins Civil Case Rotation

County Now Has Two Fulltime Domestic Courts

A recent order reassigning Circuit Court cases effectively gives Davidson County two fulltime domestic courts for the first time.

All pending domestic cases previously assigned to Judge Marietta Shipley's Second Circuit Court were transferred to Eighth Circuit where Judge Carol Soloman will share the domestic caseload with Fourth Circuit Judge Muriel Robinson.

Heretofore, about 25 percent of the county's domestic cases were heard by Shipley, along with jury civil matters. She now will devote fulltime to hearing civil cases, along with First, Third,



SOLOMAN



ROBINSON



SHIPLEY

Fifth and Sixth courts.

All pending civil jury cases previously assigned to Soloman have been distributed among those courts with non-jury cases going to Shipley.

Seventh Circuit Court addresses probate cases.

In her new role as a domestic judge, Soloman said she would follow the general guidelines established by Robinson, who has presided over the bulk of the county's nearly 5,000 annual domestic cases since taking the bench in 1982.

The new arrangement took effect in December.

Year in Review

Relocation of Court System Topped '03 Judicial Events

In what seemed like a blink of an eye, 2003 swept through the local judiciary, waving a magic wand of unprecedented changes.

Faster than Captain Marvel could say Shazam, the entire court system packed up, unpacked and reopened for business in a totally new location without missing a beat.

That amazing feat in April, which will be repeated a few years from now, topped our list of newsmaking events in a year that also brought court expansion and a judicial version of musical chairs for a number of vacant judgeships.

With three new trial court judgeships gaining approval from the state legislature and two other bench vacancies arising from retirements, the ensuing appointment process would necessarily affect the makeup of five different courts.

Here's how that went:

Gov. Phil Bredesen selected Nashville attorney Monte Watkins and General Sessions Judge Mark Fishburn to serve as judges of two new criminal courts. Fishburn's new position left a vacancy on the General Sessions Court that would later be filled by the Metro Council, which chose Andrei Ellen Lee.

Meanwhile, the governor found himself in the position of naming not only a judge for the new Chancery Court, but also a replacement for veteran Chancellor Irvin Kilcrease, who would retire in October. He selected attorney Richard Dinkins for the new seat and longtime Chancery Clerk and Master Claudia Bonnyman to replace Kilcrease. Of course, that meant finding someone to replace Bonnyman as clerk and master. Together, the chancellors chose Cristi Scott, a member of the Metro Legal Department, to fill that spot.

But that would not be the end of the shuffle. Judge Ben Cantrell announced his retirement from the Court of Appeals, leaving the governor

the responsibility of yet another judicial appointment. When he selected Circuit Court Probate Judge Frank Clement Jr., you guessed it, another court vacancy.

The name-and-replace drama finally came to an end with the appointment of attorney Randy Kennedy to sit in the seat formerly occupied by Clement.

The new judges hardly had time to settle into new quarters before opening campaigns to keep their new jobs. They are relying on the voters to confirm their appointments in the February primary elections.

With day-to-day operations finding a new venue, work began on downtown construction projects that will one day bring the judicial system home to state of the art facilities. The Criminal Justice Center garage was demolished in preparation for a multilevel courts building; interior reconstruction of the Metro Courthouse got underway, and designers waited to implement a major underground parking project to accommodate patrons and personnel alike.

The Stahlman Building, long reliable for housing government and judicial operations, watched its last tenants vacate the premises after coming under private ownership and a continuing future as a residential property.



OTHER STORIES OF INTEREST

◆ The Nashville Conflict Center announced expansion of its General Sessions mediation service from one courtroom to two and employed Maria Valentin-Pridgen to head up its multi-cultural program;

◆ The Metro Police Department announced it would go countywide with a mail-in traffic ticket program following the success of a pilot program reducing the in-court time of police officers;

◆ A satellite office was opened in the Ben West Building to accommodate downtown law firms with filings following the relocation of clerks' offices in the Metro Center three miles away;

◆ Civil legal forms on the Circuit Court Clerk's internet web site were

See CHANGES, Page 3

People

CHEERS...

Hats off to **Jim Davis**, who celebrated his first anniversary as a member of our computer technical staff on Jan. 2. Davis came to the circuit team from the Davidson County Sheriff's Department. He serves as assistant to chief technician **Mike Garrett**.

...TEARS

We are mournful of those who passed away as the year drew to a close. Our thoughts and prayers are with the families of the following:

PAUL CAPPS, 46, former court officer for General Sessions Judge **Gale Robinson**, passed away Dec. 20 at St. Thomas Hospital. He had 30 years combined government service with the sheriff's department and General Sessions Courts. His late father **Oscar Capps** was the first court administrator of General Sessions Courts.

PAT RUCKER, 77, father-in-law of First Circuit Court administrative assistant **Candy Rucker**, died at his home of cancer on Dec. 15. In addition to Candy's husband **Larry Rucker**, he is survived by his wife of 56 years **Betty Rucker**.

FEBRUARY BIRTHDAYS

Circuit Court Clerk
7 Tracy Cartwright
19 Mickey Brissette
23 Lori Stratton

General Sessions
25 Diana Reed
27 Tiffany Long

Traffic Violations
4 Jessie Woodard
5 Lee Millsap
11 Marie Roberts
25 Antonio Lanier

Probate Clerk
26 Patty Jack

Next Month

After ten years under administrative supervision of the General Sessions Court, management of the Pretrial Release program is passed back to the sheriff's department where it originated. The court still will determine who is eligible for release.

Eleventh anniversary edition kicks off 12th year of Rooker Report as a monthly publication.

Rooker Report

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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)

Traffic Offenses Increase During 'Slow' Court Year

Traffic offenses rose dramatically while other areas of the local civil judicial system experienced somewhat of a lull during the year of relocation.

Figures compiled for the calendar year showed that errant behavior by motorists resulted in 272,139 citations--8,300 more than the previous year. Another 26,284 drivers had their violations nullified after correcting cited problems.

The number of civil filings in Circuit Court decreased by only 17 cases while Probate and General Sessions experienced sharp decreases.

On the domestic front, the number of couples filing for divorce decreased for the fourth straight year but there were 105 more orders of protection issued.

An interesting trend reversal appeared in the Circuit Court statistics, which showed an increase in the number of litigants choosing jury trials while non-jury matters dropped significantly. The chart below reflects the trends in each area.

Case Count Comparison

CIRCUIT	2001	2002	2003	CHANGE
CIVIL FILINGS:				
Jury	1,373	1,249	1,328	+79
Non-Jury	1,890	1,871	1,775	-96
TOTAL	3,263	3,120	3,103	-17
Concluded:				
Jury	1,974	1,806	1,781	-25
Non-Jury	1,352	1,511	1,389	-122
TOTAL	3,326	3,317	3,170	-147
Divorce Filings	2,927	2,732	2,668	-64
Divorce Concluded	2,816	2,872	2,625	-247
PROBATE				
New Filings	2,001	2,130	2,006	-124
Cases Concluded	3,010	2,135	2,201	+66
GENERAL SESSIONS				
New Filings	35,789	39,082	37,229	-1,853
Protection Orders	2,727	2,643	2,748	+105
TRAFFIC				
Moving Violations	184,437	263,839	272,139	+8,300
Parking Tickets	96,209	83,236	68,711	-14,525
Nullifications	16,587	20,030	26,284	+6,254

*GENERAL SESSIONS APPEALS (AUTO CASES)

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
DECEMBER	2,500	1	1	1

Remember to Vote on February 10



JURY TRIAL VERDICTS

ABBREVIATIONS:

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

APPEALS

Week of December 1

CIRCUIT COURT

GENERAL SESSIONS

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
02C-877	AUTO ACCIDENT	2ND		\$3,525			
02C-110	CONTRACT	1ST		\$6,500			
02C-3218	CONTRACT	5TH		\$78,120			

Soft Tissue

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
01C-1251	AUTO ACCIDENT/ST	6TH	\$100K	\$30,002			

NON-JURY TRIAL RESULTS

Week of December 8

CIRCUIT COURT

GENERAL SESSIONS

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
02C-521	WORKERS COMPENSATION	8TH	UNDER ADVISEMENT			
00C-3366	WORKERS COMPENSATION	6TH	\$4,995			
03C-1133	GSA/CONTRACT	5TH	\$4,800		P-\$2,600	DEFENDANT
02C-1534	AUTO ACCIDENT	5TH	DEFENDANT			
02C-929	AUTO ACCIDENT	6TH	\$79,501			
03C-1684	GSA/CONTRACT	6TH	\$8,750		P-\$9,570	DEFENDANT
03C-1683	GSA/CONTRACT	5TH	\$5,000		P-\$6,829	DEFENDANT
03C-2913	DAMAGES	8TH	\$3.5 MILLION			
03C-1485	DAMAGES	6TH	\$16,500			

Changes Marked Judicial Year '03

(Continued from Page 1)

offered in "working" configuration, allowing computer entries prior to printing;

♦ Nashville attorney/historian Dave Rutherford released his long-awaited second edition book on the history of the Nashville legal profession. "Bench and Bar II--2003" was made available at all local clerks' offices.

For many attached to the legal profession, it was a year of good-byes, a time to close their careers. Among those retiring were:

--Elizabeth (Granny) Harris, 85, after 42 years with the Traffic Violations Bureau;

--Jean Hart, after 20 years as a bookkeeper with the Traffic Violations Bureau;

--Chancellor Irvin Kilcrease, after 23 years on the Chancery Court bench;

--Cecil Crowson, after 10 years as clerk of the Tennessee Court of Appeals and 18 years as staff attorney for the Tennessee Supreme Court;

--Longtime Court of Appeals Judge Ben Cantrell;

--Dot Hurt, after 23 years as a deputy in the Criminal Court Clerk's office;

--Joe Clinard, after 19 years as director of the Metro Legal Department's Department of Insurance and Safety.

Others leaving were mourned, including Attorney John Mitchell Grissim, 76, who succumbed to alzheimer's disease, and retired Fayette County Judge Paul R. Summers, 80, father of Tennessee Attorney General Paul Summers.

And marital unions were formed. Weddings of note included Circuit Judge Carol Soloman and Jim Berry, Circuit Court Clerk Richard Rooker and Gay Parker, Deputy General Sessions Clerk Dawn Martin and attorney Tee Gorham, and General Sessions bookkeeper Samantha Welch and Richard Hutton.

It was a very eventful year for one that seemed to flash before our eyes.



CASE ANALYSES

AUTO ACCIDENTS

PLAINTIFFS 45
DEFENDANTS 14

RATIO: PLAINTIFFS 3.3-1

MONTH-BY-MONTH

MONTH	TOTALS	JURY	NON-JURY	PLAINTIFF	DEFENDANT	NONE
JAN-NOVEMBER	56	47	9	40	13	3
DECEMBER	4	2	2	3	1	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
NOVEMBER	200,687	2,500-193,500	4,687
DECEMBER	33,549	3,524-30,025	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
OCT-NOVEMBER	N/A	N/A	N/A
DECEMBER	79,501	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
DECEMBER	30,002	N/A	N/A

Other Classes



CONTRACTS	YTD	PLAINTIFFS	DEFENDANTS	NO VERDICT
	50	30	7	8

DECEMBER AWARDS-\$102,990--TOTAL REPORTED AWARDS TO DATE: \$578,815



MISCELLANEOUS

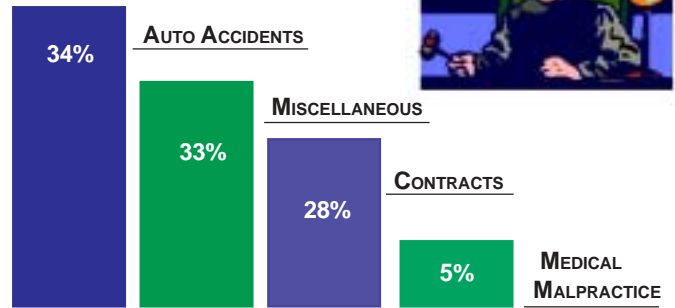
59
PLAINTIFFS 29
DEFENDANTS 17
NO VERDICT 13

MALPRACTICE

8
PLAINTIFFS 2
DEFENDANTS 5
NO VERDICT 1



CIVIL TRIALS BY CLASS



DATA BANK

Statistics compiled for the month of December

CASE INFORMATION

Circuit Court

(November)

NEW CIVIL CASES FILED	201
JURY	86
NON-JURY	115
CIVIL CASES CONCLUDED	256
JURY	138
NON-JURY	118
NEW DIVORCE CASES FILED	195
DIVORCE CASES CONCLUDED	227

(NOTE: November statistics were unavailable for December issue.)

December

NEW CIVIL CASES FILED	256
JURY	121
NON-JURY	135
CIVIL CASES CONCLUDED	262
JURY	143
NON-JURY	119
NEW DIVORCE CASES FILED	145
DIVORCE CASES CONCLUDED	209

General Sessions Civil

NEW CASES FILED	2,944
EXECUTIONS ISSUED	3,195
GARNISHMENT PAYMENTS	3,904
JUDGMENTS COLLECTED	\$692,946
ORDER OF PROTECTION PETITIONS	202

Probate Court

NEW CASES FILED	141
CASES CLOSED	204

Traffic Violations

MOVING CITATIONS	20,239
PARKING VIOLATIONS	6,374
TOTAL FINES COLLECTED	\$250,615
NULLIFICATIONS	1,624
NULLIFICATION FEES COLLECTED	\$19,488