

ROOKER REPORT

September 2004

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Remembering Holly

On August 25, the legal community said good-bye to Holly B. Russell, the beloved deputy clerk who endeared herself to attorneys and judges alike while managing their cases for trial in the circuit courts.

For more than a decade, her expertise and pleasant approach to her job mirrored a hallmark of excellence, only to be interrupted by the same deadly disease that had claimed both her parents years earlier.

With a hospice caretaker at her bedside, Holly slipped the painful, devastating grip of cancer in merciful submission. Her eight-month trial of pain and suffering had been adjudicated.

The wreath on the circuit court clerk's office door the following day elicited mixed emotions from the many people who had prayed for Holly's recovery. Sadness was blended with feelings of relief that her winless battle with pain would be no more.

In an unprecedented reaction, the circuit court judges immediately established a Holly Russell Scholarship Fund at the Nashville School of Law in memory of the clerk who had served them so proficiently.

In lamenting her loss, Circuit Court Clerk Richard Rooker said, "She was a very nice, genuine person who handled her job professionally and with total dedication. Judges and attorneys alike benefited from her expertise in setting their cases for trial without error. Her strong work ethic and pleasant demeanor made her a role model for others around her."

Holly's career in the clerk's office began in November 1990. She adapted quickly to training and soon was given the responsibility of coordinating jurors for civil trials, a position that seasoned her for what would later be her permanent position as assignment clerk.

As such, she would serve as liaison between the judges and attorneys, ensuring scheduling and other aspects of trial preparation were carried out without conflict.

"If you had a jury or non-jury trial, you saw Holly," said Criminal Court Judge Monte Watkins, who practiced in circuit court before becoming a judge.

It is unknown just how long cancer had maintained residence in Holly's body. But by the time she celebrated her 53rd birthday in April, the cancer had gained an irreversible grip.

Her best friend Delores Stephenson, whom she met 30 years earlier when the two worked at an import auto dealership, saw Holly through her darkest moments. She recalled the time some 12 years earlier when Holly learned that her mother had developed ovarian cancer.

"Holly sold her condominium and moved back home to take care of her mother," she remembered. "Four weeks after her mother died, her father was diagnosed with stomach cancer and would live only two and a half weeks."

During that devastating period, Stephenson was an emotional crutch for her friend, providing a shoulder when needed as well as sisterly bonding. In the years ahead, they would share both good and bad times together, withholding no secrets.

In January of this year, Stephenson accompanied Holly to see a doctor about her bronchitis, which had become a growing problem of concern. Tests were ordered for two days later and the results were not good.

Stephenson said she listened as the doctor told Holly that the tumor was inoperable and that the only apparent hope was that chemotherapy and radiation treatments would reduce the size of the tumor to where it could be removed by surgery.

After four weeks of treatments, there was no improvement and Holly, weakened and growing more gravely ill, would eventually be required to go on disability from the job she loved so much.

Just prior to one of her medical procedures, Stephenson recalled Holly saying to her that, "I had better wake up and see your smiling face."

"I told her she would wake up and see my face or her mother's face. And she said, "Yes, I have been thinking about that."

In the eight months to follow, the invasive disease would become more and more intense. On August 25, the pain would end.

PLEASE SEE HOLLY, PAGE 2



HOLLY B. RUSSELL

1951-2004

CHEERS...

Ask traffic docket clerk **Beverly Swafford** to tell you her lucky number and she will probably go with seven. It was six before August 21. But that's the day **Mackensie Brooklyn Wilson** arrived on the scene to become her seventh grandchild. Number seven weighed 6 pounds, 9.5 ounces when she made her appearance at Baptist Hospital, much to the delight of mom **Lisa Erin (Swafford) Wilson** and dad **Kevin Wilson**, a member of the Davidson County Sheriff's Department.

Grandmotherhood also came to another Traffic Violations Bureau employee when deputy clerk **Penny Reed**'s daughter **Brandy Brown** gave birth to 8 pound, 11 ounce **Joseph Ethan Brown** on August 2 at Centennial Hospital. Daddy **Elijah Brown** expressed pride over his new son's 20.5-inch length.

And the Traffic Bureau baby parade concluded on August 31 when bookkeeper **Stacey Plummer** presented new son **Stephen Andrew Plummer** to husband **Bobby Plummer** and the Baptist Hospital nursing staff. The new arrival tilted the scales at 7.5 pounds, extended over a 19.5 inch frame. He could grow up to be a Metro police officer like his father.



MR./MRS. BETTS

A three-year courtship has led to wedding bells for **Lisa Cooper**, a deputy clerk in the Criminal Court Clerk's Office, who became Mrs. **Anthony G. Betts** on August 27. The couple, who first met in the Metro Courthouse where Betts was working as a janitor, repeated their vows before Criminal Court Judge **Monte Watkins** in a courtroom just down the hall from where the bride is employed at the Metro Center. Betts actually is the owner of the janitorial service that brought them together. You might say he swept her off her feet. Lisa says she couldn't resist his "sweet and humble disposition."

...TEARS

RONALD COLEMAN, 68, husband of former General Sessions Civil Division deputy clerk Faye Coleman, passed away on August 30. He was a retired Marine officer who saw combat in Vietnam. He and Faye had been married for 48 years. Other survivors include a son, a daughter and two grandchildren.

CHRISTOPHER PAUL PERUTELLI, son of Nashville attorney Barbara Perutelli, passed away on Aug. 16 in Franklin, Tennessee. He was 29 years old. In addition to his parents, he is survived by his wife Katherine Hart Perutelli.

ELDON O. PRESLEY, 81, who served as special assistant to former Metro Mayor **Richard Fulton** for 17 years before his retirement in 1992, died on September 4. Prior to his service with the government, he was department manager for the Neely-Harwell Wholesale Dry Goods company for 25 years.

JON E. HASTINGS, 45, prominent attorney and local civic leader, died on Aug. 21 after an extended illness. He served as legal counsel to the Tennessee Democratic Party and was involved in numerous other reputable organizations. His wife Emily Harmon Hastings and two daughters survive.

WILLIAM MARK WYATT, 62, expired on Sept. 11, just 10 days after his retirement as a court officer for his brother Criminal Court Judge J. Randall Wyatt Jr. He was best known, perhaps, for his 30 years of service as a football official in the TSSAA. He was a cancer victim.

Correction: Nelson Serving 'Third' PJ Term

In our August issue we mistakenly reported that Tom Nelson had been selected to preside over the Night Court Commissioners for a second term. This is actually his third straight term at that position. Our apologies, Tom.



GARRETT

Computer Chief Mike Garrett Resigns Clerk's Office Position

Mike Garrett has resigned his position as systems administrator with the Circuit Court Clerk's Office to pursue other career opportunities.

Garrett will end his 14-year career with the office on September 24 and will take on a new position as consultant/analyst in the judicial environment.

Garrett joined the clerk's office on Dec. 16, 1990 after serving as an intern for two years. He played a key role in the design and development of the current computer system utilized by four departments under jurisdiction of Circuit Court Clerk Richard Rooker.

"I would like to thank Mike for his 14 years of service," said Rooker. "He has been a dedicated employee and a key member of our management staff. We wish Mike much success in his new endeavor and he will be missed."



HOLLY AT WORK: NEAT, ORGANIZED, FOREVER PLEASANT

Holly Remembered

(From Page 1)

Temesia Harris, a former circuit court employee, was another close friend and considered Holly a part of her family. "Holly would spend every Christmas with us and sometimes Thanksgiving as well," she said. "She loved my grandchildren and the feeling was mutual. They called her Aunt Holly."

Holly proudly displayed pictures of the children on her desk, along with her cairn terrier Chelsea, whom she affectionately referred to as "my baby."

Chelsea, who turned 13 last December, has now gone to live with Holly's cousin Becky Blunkall in Hendersonville. By eerie coincidence, Chelsea too has been diagnosed with cancer.

Holly's other passion was flowers. "Her home in Inglewood was like a scene from Southern Living magazine," said Harris, referring to the immaculate yard that reflected the constant attention provided by Holly, who often shared her gardening experiences with co-workers.

"She was a very unique person," opined Harris. She never had bad words to say about anybody. She was always well mannered and treated everybody the same."

Donations to the Holly Russell Scholarship Fund should be made in the form of a check payable to the Nashville School of Law, 2934 Sidco Drive, Nashville, TN 37204. Denominations of any amount will be appreciated. Please note on check: For Holly Russell Scholarship Fund.

AUGUST JURY TRIALS

APPEALS

Week of August 16

CIRCUIT COURT

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
98C-3489	WRONGFUL DEATH	3RD*		UNDER ADVISEMENT			

*--JURY WAIVED

Week of August 23

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
04C-794	GSA/AUTO ACCIDENT	5TH		DEFENDANT		P-\$15,000	DEFENDANT
02C-717	FRAUD	2ND*	\$50,000	UNDER ADVISEMENT			
03C-1922	AUTO ACCIDENT	5TH	\$200,000	\$2,194			

Week of August 30

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
03C-603	ASSAULT/BATTERY	2ND		\$8,091			

*--JURY WAIVED

Soft Tissue

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
03C-1163	AUTO ACCIDENT/ST	6TH	\$270,000	\$110,962			
03C-140	AUTO ACCIDENT/ST	6TH	\$30,000	\$7,500			
03C-2343	AUTO ACCIDENT/ST	3RD		\$700			
04C-495	GSA/AUTO ACCIDENT/ST	5TH		\$6,000	(D-75) (P-25)	P-\$9,601	DEFENDANT
03C-519	AUTO ACCIDENT/ST	1ST		\$2,653			
02C-604	AUTO ACCIDENT/ST	5TH	\$25,000	\$5,500	(P-75) (D-25)		

NON-JURY TRIAL RESULTS

Week of August 9

CIRCUIT COURT

GENERAL SESSIONS

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
02C-378	WORKERS COMPENSATION	1ST	DEFENDANT			
04C-865	GSA/CONTRACT	7TH	\$2,029		P-\$2,020	DEFENDANT
04C-1021	GSA/CONTRACT	1ST	\$41,288		P-\$16,188	DEFENDANT
96C-4562	WORKERS COMPENSATION	1ST	DEFENDANT			
03C-2178	GSA/CONTRACT	6TH	PENDING		P-\$1,450	DEFENDANT
03C-1900	GSA/CONTRACT	5TH	P-\$900, D-\$600		P-\$2,415	DEFENDANT
04C-433	GSA/CONTRACT	1ST	P-\$3,500, D- BIKE		P-\$2,000	DEFENDANT
04C-1095	GSA/CONTRACT	1ST*	\$12,812+ INTEREST		P-\$12,812	DEFENDANT
03C-2002	CONTRACT	5TH	DEFENDANT			
03C-356	GSA/AUTO ACCIDENT	3RD	\$7,000		P-\$8,118	DEFENDANT

*--HEARD BY MARSH NICHOLS

P	PLAINTIFF	GSA	GENERAL SESSIONS APPEAL
D	DEFENDANT	ST	SOFT TISSUE

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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 (660-3309)

OCTOBER BIRTHDAYS

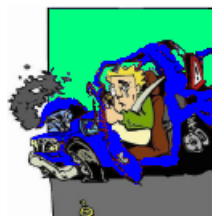
Circuit Court Clerk
6 Carolyn Davis
9 Sandy Adams

General Sessions
3 Mark Sheffield
9 Margaret Larobardiere

Traffic Violations
2 Ashley Gerald
4 Joe Hurt
9 Kim Soto
21 David Patterson
24 Mary Archey
30 Susan Grannis

Probate Clerk
None

AUTO ACCIDENTS



2004 CASE ANALYSES

PLAINTIFFS 27
DEFENDANTS 8

RATIO: PLAINTIFFS 3-1

MONTH-BY-MONTH

	TOTALS	JURY	NON-JURY	PLAINTIFF	DEFENDANT	NONE
JAN-MARCH	16	11	5	12	1	3
APRIL-JUNE	13	12	1	7	5	1
JULY	2	0	2	1	0	1
AUGUST	9	8	1	8	1	0

JURY AWARDS

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	57,050	1,296-52,500	3,254
FEBRUARY	76,410	1,266-60,000	15,144
MARCH	243,589	0-243,589	N/A
APRIL	46,717	N/A	N/A
MAY	55,250	5,250-50,000	N/A
JUNE	137,071	6,871-102,500	13,850
JULY	N/A	N/A	N/A
AUGUST	135,509	700-110,962	4,769

NON-JURY AWARDS

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	60,124	6,664-35,000	18,460
FEBRUARY	6,500	N/A	N/A
MARCH-MAY	N/A	N/A	N/A
JUNE	900	N/A	N/A
JULY	2,000	N/A	N/A
AUGUST	7,000	N/A	N/A

SOFT TISSUE CASES

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	53,500	1,000-52,500	N/A
FEBRUARY	61,266	1,266-60,000	N/A
MARCH	243,589	0-243,589	N/A
APRIL	N/A	N/A	N/A
MAY	55,250	5,250-50,000	N/A
JUNE	14,571	6,871-7,700	N/A
JULY	2,000	N/A	N/A
AUGUST	133,315	700-110,962	5,413

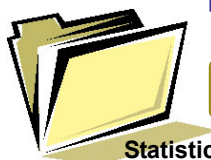
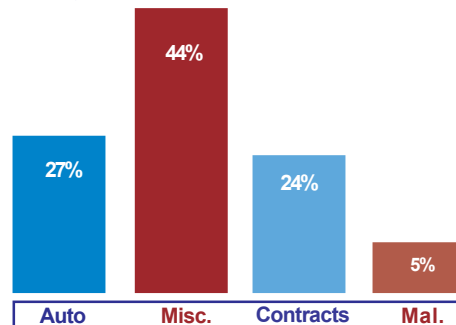
GENERAL SESSIONS AUTO CASE APPEALS

MONTH	\$TOTALS	PLAINTIFF	DEFENDANT	NONE
JANUARY	28,378	3	0	0
FEBRUARY	0	0	0	0
MARCH-MAY	0	0	1	0
JUNE	8,600	2	1	1
JULY	0	0	0	0
AUGUST	3	2	1	0

MISCELLANEOUS

YTD PLAINTIFFS 66 DEFENDANTS 49 NO VERDICT 13

CIVIL TRIALS BY CLASS



DATA BANK

Statistics compiled for the month of August

CASE INFORMATION

Circuit Court

NEW CIVIL CASES FILED	264
JURY	118
NON-JURY	146
CIVIL CASES CONCLUDED	279
JURY	155
NON-JURY	124
NEW DIVORCE CASES FILED	221
DIVORCE CASES CONCLUDED	234

General Sessions Civil

NEW CASES FILED	2,877
EXECUTIONS ISSUED	3,093
GARNISHMENT PAYMENTS	3,414
JUDGMENTS COLLECTED	\$636,991
ORDER OF PROTECTION PETITIONS	244

Probate Court

NEW CASES FILED	160
CASES CLOSED	175

Traffic Violations

MOVING CITATIONS	34,841
PARKING VIOLATIONS	6,920
TOTAL FINES COLLECTED	\$408,032
NULLIFICATIONS	3,170
NULLIFICATION FEES COLLECTED	\$38,040

Metro Court

MISDEMEANOR CITATIONS	710
TOTAL FINES COLLECTED	\$4,588

CONTRACTS

YTD PLAINTIFFS 35 DEFENDANTS 24 NO VERDICT 8

August Awards--60,529. Year to Date--\$249,606



MEDICAL MALPRACTICE

YTD PLAINTIFFS 7 DEFENDANTS 1 NO VERDICT 6

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