

ROOKER REPORT

November 2004

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...CHEERS

Congratulations to General Sessions Civil Division cashier **Connie Colley** and husband **Ed Colley** upon becoming grandparents for a second time. The newest addition arrived on Nov. 5 in Round Rock, Texas when daughter **Emily Meyer** delivered a 6-pound, 14-ounce baby girl whose name is **McKenna Meyer**. Daddy **Jeff Meyer** said she measured 18 inches at the top of her stretch. Big sister **Madi-son** reportedly was excited.



COLLEY

Pat Baxter, the personable indigency clerk of the Traffic Violations Bureau, took a new surname this month when she became Mrs. **Bobby Nichols** in wedding ceremonies at the St. James Baptist Church on November 20.

The groom, a minister at the Nashville Rescue Mission, scheduled a week-long honeymoon in Gatlinburg and, perhaps, other undisclosed places of interest.



NICHOLS

General Sessions Judge **Sue McKnight Evans** tells us about a commendable project carried out by her grandson **Don Long**, a 17-year-old freshman at Tennessee Tech. It seems that David, who became an Eagle Scout in May, put his talents to work for the Senior Citizens Center in Murfreesboro where he lives. With the help of relatives and friends, Don designed and built an outdoor grill for the center's residents, a good samaritan project that took 24 hours to complete. Names of those helping with the project appear on a plaque as a reminder to current and future center residents of who made it possible for the great cook-outs they will be enjoying.



EVANS

Forrest Garrett, longtime court officer for General Sessions Judge **Leon Ruben**, is on the mend after undergoing a recent surgical procedure. We wish him a speedy recovery.

...TEARS

ELIZABETH MARIE KURTZ, 17, daughter of attorney Melissa Kurtz Blackburn and stepdaughter of attorney Gary Blackburn, died in a home accident on Oct. 26. She was a senior at Father Ryan High School. Death reportedly was attributed to a fall in the bathtub, causing her to strike her head.

EMORY HIGGINS, 80, uncle of deputy General Sessions Civil Division clerk Janice Johnson, passed away on Nov. 2. He was a retired employee of the Checker Company.

BEN C. NANCE, 83, father of Kitty Lammers, assistant to Probate Judge Randy Kennedy, departed on Nov. 1. He was a retired U. S. Postal Service employee. Survivors include four other children and eight grandchildren.

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



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Ruben Looks Forward To 35th Year of Holding Christmas Court

Long before he was elected to the bench, Leon Ruben was a real life Santa Claus to General Sessions judges, volunteering to work on their behalf at Christmas so the non-Jewish jurists could spend time with their families.

That goodwill gesture in 1969 started a tradition that has gone unbroken. This coming Christmas holiday will find the veteran attorney-turned-judge on duty at the Criminal Justice Center for the 35th time.

Regular court dockets will be suspended during that time, but those running afoul of the law will be greeted by Santa Ruben and his helpers--wife Sandi and his children--from 8 a.m. to 4 p.m. on both Christmas Eve and Christmas Day.

Regardless of how their cases are disposed, each person appearing before the judge can expect to be treated with Christmas spirit and a small gift. That's part of the tradition that appears to be Ruben's personal gratification for helping out his fellow judges and his fellow man.

With the election to the court this year of Dan Eisenstein, Ruben now has an "understudy" to take his place should he ever decide to pass on his Santa hat.



JUDGE RUBEN

Justice Birch Back on Bench

Some two months after taking time off to undergo cancer treatments, Tennessee Supreme Court Justice A. A. Birch, Jr. has returned to the bench on a fulltime basis.

Birch announced in August that he had undergone surgery for an unidentified form of cancer and needed time off to undergo radiation and chemotherapy treatments.



BIRCH

Senior judges were selected to serve in his absence. He returned this month, saying that he was feeling fine and that his prognosis is good.

At the age of 72, Birch has served on the Supreme Court for 11 years following a career as an assistant public defender, assistant district attorney, General Sessions Court judge and Criminal Court judge.

Rooker Mom Scores Golf Hole-In-One

Guess who now has bragging rights in the Rooker family?

None other than mother **Betty Rooker**, who did something on the golf course unmatched by either of her sons **George Jr.** or **Ricky**, our athletically inclined Circuit Court Clerk.

Playing at the Two-Rivers Municipal Course on Nov. 18, the Rooker matriarch slammed a hole-in-one on the par-3 eighth hole.

Said **Ricky**, who has three aces to his credit on courses in Florida and Alabama but none in this state: "She's got me beat in Tennessee."

The real kicker?

Betty is a 76-year-old grandmother!!

DECEMBER BIRTHDAYS

Circuit Court Clerk

- 1 Kelly Baltz
- 4 Becky Dye
- 15 Keisha Bass

General Sessions

- 2 Denise Dill
- 25 Marie Anderson
- 27 Brenda Osborne

Probate Clerk

- 29 Tom Brown

Traffic Violations

- 3 Chance Rainey
 - 11 Connie Murff
 - 18 Tammy Sampson
 - 27 Joseph Day
 - 29 Lori Davis
- Pat Baxter-Nichols

OCTOBER JURY TRIALS

APPEALS

Week of October 25

CIRCUIT COURT

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
02C-195	SLIP/FALL	3RD		\$39,656	(D-80/P-20)		
02C-568	NEGLIGENCE	5TH		DEFENDANT	(P-90/D-10)		
04C-957	GSA/AUTO ACCIDENT	2ND*		DEFENDANT	(P-60/D-40)	P-\$4,115	DEFENDANT

*--JURY WAIVED

Soft Tissue

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
01C-2883	AUTO ACCIDENT/ST	6TH		\$16,595			

NON-JURY TRIAL RESULTS

Week of October 4

CIRCUIT COURT

GENERAL SESSIONS

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
03C-98	WORKERS COMPENSATION	2ND		DEFENDANT			
02C-1100	NEGLIGENCE	5TH		DEFENDANT			
04C-1303	GSA/CONTRACT	6TH		INJUNCTION DENIED		DISMISSED	PLAINTIFF
03C-2	CONTRACT	2ND		PENDING			
04C-2117	GSA/CONTRACT	6TH*		\$1,700		P-\$1,700	DEFENDANT
03C-2503	GSA/CONTRACT	1ST		PENDING		P-\$13,000	DEFENDANT
03C-3536	DAMAGES	2ND		\$16,541			
02C-3682	GSA/CONTRACT	6TH		\$3,765		P-\$4,222	DEFENDANT

*--HEARD BY MARSH NICHOLS

ABBREVIATIONS

P	PLAINTIFF	GSA	GENERAL SESSIONS APPEAL
D	DEFENDANT	ST	SOFT TISSUE

OCTOBER TRIALS BY CLASS

AUTO ACCIDENTS	2	MISCELLANEOUS	5
CONTRACTS	5	MEDICAL MALPRACTICE	0

Pretrial Worker Chronicles Career of Famous Kin

Actor-Singer John Pickard In Tennessee Historical Publication



ROBERT PICKARD

Those who remember the late singer/actor John Pickard will be interested in the December issue of the Tennessee Historical Quarterly.

A biographical article on the Rutherford County native recounts his film and television career from the early 1930s as a singer on WSM radio until his unfortunate death in 1993 when he was killed by a raging bull on the family farm.

In between, Pickard logged 200 television roles and appeared in 87 films, including "True Grit" and several other John Wayne movies. He also was a member of the all-star cast of the film "How the West Was Won."

The article, as well as a video version, was written by Middle Tennessee State University history professor Robert Pickard, who also is an employee of the Davidson County Sheriff's Department assigned to the Pretrial Release program.

Robert Pickard (the name's the same) has vast knowledge of the late entertainer, who was a distant cousin. Because of his family ties, he had access to materials that lend personal flavor and authenticity to both the text and visual offerings.

For example, the writer had the opportunity to interview actors John Alderson and Johnny Western, two of Pickard's co-stars from the hit NBC television series "Boots and Saddles" in the 1950s. The pair offers personal insights into the show's star, who played a cavalry officer in the series' two-year run.

The late actor resided in rural Lascassas in a house built in 1829. Strangely enough, his widow still lives there, said Pickard the author.

Look for the Tennessee Historical Quarterly the first week of December in area book stores.

A good read for Tennessee history buffs.



AUTO ACCIDENTS

2004 CASE ANALYSES

PLAINTIFFS 31
DEFENDANTS 10

RATIO: PLAINTIFFS 3-1

MONTH-BY-MONTH

	TOTALS	JURY	NON-JURY	PLAINTIFF	DEFENDANT	NONE
JAN-JUNE	29	23	6	19	6	4
JULY-SEPTEMBER	15	11	4	11	2	2
OCTOBER	2	2	0	1	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
SEPTEMBER	43,795	5,420-30,375	19,187
OCTOBER	16,595	N/A	N/A

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
SEPTEMBER	93,400	N/A	N/A
OCTOBER	N/A	N/A	N/A

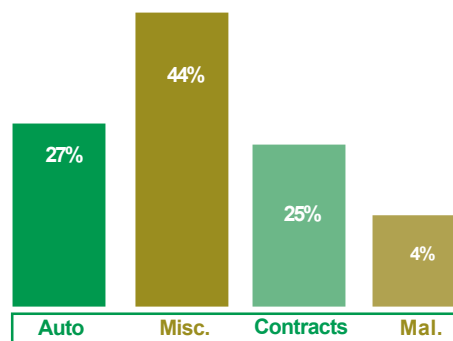
SOFT TISSUE CASES

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
SEPTEMBER	129,195	5,420-93,400	30,375
OCTOBER	N/A	N/A	N/A

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	13,000	2	1	0
SEPTEMBER	8,000	1	0	0
OCTOBER	N/A	0	1	0

CIVIL TRIALS BY CLASS



DATA BANK

Statistics compiled for the month of October

CASE INFORMATION

Circuit Court

NEW CIVIL CASES FILED	255
JURY	120
NON-JURY	135
CIVIL CASES CONCLUDED	279
JURY	149
NON-JURY	130
NEW DIVORCE CASES FILED	219
DIVORCE CASES CONCLUDED	203

General Sessions Civil

NEW CASES FILED	2,875
EXECUTIONS ISSUED	3,210
GARNISHMENT PAYMENTS	3,401
JUDGMENTS COLLECTED	\$586,064
ORDER OF PROTECTION PETITIONS	214

Probate Court

NEW CASES FILED	171
CASES CLOSED	139

Traffic Violations

MOVING CITATIONS	31,872
PARKING VIOLATIONS	4,488
TOTAL FINES COLLECTED	\$433,402
NULLIFICATIONS	3,602
NULLIFICATION FEES COLLECTED	\$43,221

CONTRACTS

YTD	PLAINTIFFS	DEFENDANTS	NO VERDICT
43	28	9	6

October Awards--5,465. Year to Date--\$287,396



MEDICAL MALPRACTICE

YTD	PLAINTIFFS	DEFENDANTS	NO VERDICT
7	1	6	0



MISCELLANEOUS

YTD	PLAINTIFFS	DEFENDANTS	NO VERDICT
77	55	7	15