

# Rooker Report

April 2006

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## New System Provides Convenience to Cited Motorists

# TRAFFIC CONTROL

ON-LINE



**School  
Enrollment**

MAIL-IN



**Plea  
Options**

COURT



**Citation  
Challenges**



While there is no absolute way of eliminating the aggravation attached to dealing with traffic tickets, the county's new mandatory mail-in response system is providing a higher degree of convenience for the thousands of motorists who are cited each month.

Since the program took effect in January, a gradual phase-in has culminated in a dramatic reduction in court dockets and the number of errant motorists who previously jammed the courtroom hourly to satisfy their legal obligations.

An example of the mail-in program's impact is reflected in a comparison of dockets before and after the change.

In December, a month before the new mail-in system was implemented, a total of 11,759 cases were docketed for court with as many as 350-plus individuals assigned to a single docket.

As the newly designed mail-in tickets were phased in by traffic officers, the numbers began to drop, reaching full effectiveness by the end of March.

With a "flushing out" of cases previously scheduled under the old system, the planned reduction of dockets to two-a-day was fully in place by April. The results were phenomenal. The hundreds of motorists who had filled the courtrooms and hallways of the First Image Building had dwindled to a comparative handful. Through the middle of the month, only 355 cases had been scheduled for the 8:30 a.m. and 10:30 a.m. docket calls.

The reason is simple; the mandatory mail-in system has provided other alternatives.

Each driver cited for a moving citation now receives a simple form requiring a response to the alleged violation(s) noted on the traffic ticket. The driver has the choice of pleading guilty and paying the applicable fine by mail, pleading not guilty and asking for a court date or requesting enrollment in traffic school.

Unless the cited driver chooses to pay the assigned fine in

person, he or she is required to mail the form to the Traffic Violations Bureau for determination of eligibility for the requested option.

Consequently, only those choosing to have a hearing are required to appear in court. Hence, the need for only two daily dockets.

"We conducted an extensive five-month study of the dockets to determine how many people who came to court actually wanted a trial," says Presiding General Sessions Court Judge Casey Moreland. "We found that number to be less than 2 percent--certainly not enough to justify the inconvenience and cost of operating an hourly docket operation."

Moreland praised the input of Traffic Violations Bureau Chief Clerk Bill Cartwright, who not only was instrumental in designing the mail-in program but streamlining the bureau's computer system and providing employee training to accommodate the necessary changes under authorization from Circuit Court Clerk Richard Rooker.

As a result of the new system, an on-line service for the court's traffic school program has emerged with such roaring success that judges have approved its expansion in the near future.

Qualified drivers choosing the school option from the mail-in form can now enroll for class from their computers after paying their enrollment fees via the mail or in person. And soon, even the fees can be paid on-line by credit card.

But that's not all. A program also is being devised to allow approved students to complete certain traffic courses on-line without being required to attend class in person.

Currently, on-line school enrollment is even more popular than expected with a rate of about 50 percent--enough to stimulate optimism that as many as 75 percent will use the service in the future when the e-commerce phase is implemented.

## CHEERS...

Chancellor **Richard Dinkins** has received the nod for becoming a member of the State Supreme Court.

Dinkins, a Davidson County chancellor since 2004, was one of three men nominated by the Judicial Selection Commission to fill an impending vacancy on the high court.



DINKINS

The commission recommended Dinkins, along with Court of Criminal Appeals Judge **Gary Wade** and Covington attorney **Houston Gordon**, for one of the vacancies that will come with the impending retirements of Jus-

tices **Adolpho A. Birch Jr.**, of Nashville, and **E. Riley Anderson** of Knoxville.

Gov. **Phil Bredesen** will select the new justice from among the three nominees.

**Dan Vincent** says he will concentrate on hunting and fishing after he retires from his deputy clerk position with the Circuit Court Clerk's Office .

Vincent says he plans to retire on June 30, almost 14 years after joining the office staff on October 15, 1992.

We hope all his catches are keepers.



VINCENT

The official ribbon-cutting ceremony for the new **Justice A. A. Birch Building** will be held on Wednesday, June 21. The event is being coordinated by the mayor and the criminal trial courts and will take place at 3 p.m.

Clerks' offices will begin operating from the new building a week earlier (June 14) and regular court dockets will resume there on Monday, June 19 following a one-week recess for the relocation from Metro Center.

All General Sessions and Criminal Court operations will be located in the new courts building while Circuit and Probate will remain at the Metro Center location until completion of the Metro Courthouse renovation later in the year.

## ...TEARS

**CHARLES JOSEPH WILLIAMS**, attorney and community activist, passed away suddenly on April 27. He practiced law at his firm Williams and Associates P. C., which is listed in the Bar Register of Preeminent Lawyers. He was recognized as one of Nashville's top personal injury attorneys. At the civic level, he was instrumental in starting the East Nashville revitalization effort known as Historic Edgefield. He also served on the board of the Nashville Sports Authority and for many years was chief counsel and lead negotiator for the Fraternal Order of Police.

# CaseLink IMAGING

## Signed Documents Now Viewable For Circuit, Probate, Sessions Cases

Subscribers to the Circuit Court Clerk's electronic case access service received an extra bonus this month with the addition of viewable and printable signed documents in Probate and Circuit courts.

Imaged documents in General Sessions Civil Division files already were included in subscriber packages.

The addition of the trial court images further enhances the benefits of the service by reducing or eliminating the need for physically redeeming paper copies from the clerks' offices.

While case files from all three courts already were accessible to subscribers, documents such as signed orders were not available via computer query.

The new service addition allows subscribers to view and print all case documents that bear an official court signature once they have been imaged by the clerk's office.

Currently, the subscriber base numbers around 200 law firms and private companies such as title researchers, financial institutions and investigative services.

Circuit Court Clerk Richard Rooker introduced the service in an effort to increase the availability of information from the three offices under his administration. Over the years, the service evolved from a modem dial-up hookup to the much faster on-line computer link of today.

Subscribers have found that the nominal cost of the program is more than recovered in savings of driving, parking, staff time and other related costs attached to making trips to the courthouse.

Information about the service can be obtained from the Circuit Court Clerk web site or by calling Margaret Larobardiére at 862-5204.

## MAY BIRTHDAYS

### BIRTHSTONE: EMERALD

#### Circuit Court Clerk

2 Christenah Haefner  
7 Michelle Sawyer  
10 Suzanne Parker  
13 Jeff Williams  
29 Bobbie Eden

#### Traffic Violations

2 Beverly Swafford

#### General Sessions Civil

6 Dawn Gorham  
24 Jennifer Borntreger  
29 Sue Burgett

#### Traffic Warrants

13 David Farmer  
25 Felice Graham  
30 Ray Fuller

#### Probate Clerk

17 Kim Jackson

## MARCH JURY TRIALS

APPEALS

GENERAL SESSIONS

Week of March 6

CIRCUIT COURT

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
03C-1016	WORKER'S COMPENSATION	3		\$2,905,000			

### Soft Tissue Auto Cases

CASE	PRAYER	COURT	VERDICT	PCT. FAULT	GENERAL SESSIONS	JUDGMENT	APPELLANT
05C-923	\$125,000	5	\$40,000				

## NON-JURY TRIAL RESULTS

APPEALS

GENERAL SESSIONS

Week of March 13

CIRCUIT COURT

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
03C-782	AUTO ACCIDENT	5	DEFENDANT			
03C-2581	SEXUAL HARASSMENT	2	UNDER ADVISEMENT			
05C-3602	GSA/FRAUD	6	DEFENDANT		P-\$134	DEFENDANT
05C-3277	DAMAGES	5	\$100,191			
05C-1632	GSA/CONTRACT	6	\$810		P-\$802	PLAINTIFF
05C-2838	GSA/PROPERTY DAMAGE	6	DEFENDANT		P-\$661	PLAINTIFF
04C-3329	DAMAGES	2	\$52,500			
04C-2060	GSA/CONTRACT	5	DISMISSED		P-\$13,135	DEFENDANT
03C-3070	AUTO ACCIDENT	5	DEFENDANT			
03C-3198	AUTO ACCIDENT	2	STIPULATED DAMAGES (P-20/D-80)			

P	PLAINTIFF	GSA	GENERAL SESSIONS APPEAL	TPD	TOTAL PARTIAL DISABILITY
D	DEFENDANT	TTD	TOTAL TEMPORARY DISABILITY	ST	SOFT TISSUE

### CASE ANALYSES

GENRE	MARCH	YTD
<b>AUTO ACCIDENTS</b>	4	22
•PLAINTIFF VERDICTS	2	14
•DEFENDANT VERDICTS	2	5
•NONE	0	3
<b>CONTRACTS</b>	2	6
•PLAINTIFF VERDICTS	1	3
•DEFENDANT VERDICTS	0	1
•NONE	1	2
TOTAL AWARDS	\$810.00	\$3,300
<b>MEDICAL MALPRACTICE</b>	0	0
•PLAINTIFF VERDICTS	---	---
•DEFENDANT VERDICTS	---	---
<b>MISCELLANEOUS</b>	6	18
•PLAINTIFF VERDICTS	3	11
•DEFENDANT VERDICTS	2	4
•NONE	1	3

### Auto Accident Cases

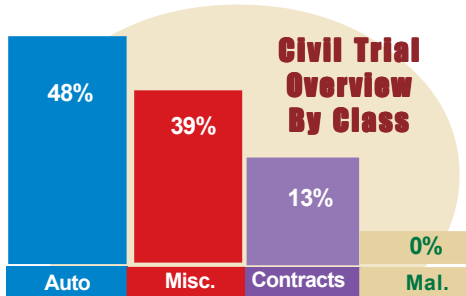
	MARCH	YTD
JURY TRIALS	1	15
NON-JURY TRIALS	3	7
PLAINTIFF VERDICTS	2	14
DEFENDANT VERDICTS	2	5
NONE	0	3
HIGHEST JUDGMENT	\$40,000	
AVERAGE JUDGMENT	N/A	

### Soft Tissue Auto Cases

	MARCH	YTD
JURY TRIALS	1	7
NON-JURY TRIALS	0	1
PLAINTIFF VERDICTS	1	6
DEFENDANT VERDICTS	0	1
PENDING	0	2
HIGHEST JUDGMENT	\$40,000	
AVERAGE JUDGMENT	N/A	

### General Sessions Auto Appeals

	MARCH	YTD
PLAINTIFF VERDICTS	0	2
DEFENDANT VERDICTS	0	2
NONE	0	1



## DATA BANK

Statistics compiled for the month of March

### CASE INFORMATION

#### Circuit Court

NEW CIVIL CASES FILED .....	241
JURY .....	104
NON-JURY .....	137
CIVIL CASES CONCLUDED .....	248
JURY .....	132
NON-JURY .....	116
NEW DIVORCE CASES FILED .....	110
DIVORCE CASES CONCLUDED .....	209
DOMESTIC PETITIONS FILED .....	386
DOMESTIC PETITIONS CONCLUDED .....	262

#### General Sessions Civil

NEW CASES FILED .....	4,146
EXECUTIONS ISSUED .....	3,185
GARNISHMENT PAYMENTS .....	3,667
JUDGMENTS COLLECTED .....	\$734,905
ORDER OF PROTECTION PETITIONS .....	175

#### Probate Court

NEW CASES FILED .....	207
CASES CLOSED .....	159

#### Traffic Violations

MOVING CITATIONS .....	27,884
PARKING VIOLATIONS .....	5,747
TOTAL FINES COLLECTED .....	\$608,296
NULLIFICATIONS .....	6,215
NULLIFICATION FEES COLLECTED .....	\$74,578

## Now, THAT's Funny...

THE COURT: Now, as we begin, I must ask you to banish all present information and prejudice from your minds, if you have any.

\*\*\*\*\*

Q. When he went, had you gone and had she, if she wanted to and were able, for the time being excluding all the restraints on her not to go, gone also, would he have brought you, meaning you and she, with him to the station?

OPPOSING ATTORNEY: Objection. That question should be taken out and shot.

## 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



If you have a disability and require assistance, please contact 862-5204