

Rooker Report

June 2006

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DEDICATION



Birch Witnesses Official Opening of Building Bearing His Name

Tennessee Supreme Court Justice A. A. Birch, Jr., (middle right) joined other judicial and governmental dignitaries at ribbon-cutting ceremonies officially opening the new Criminal and General Sessions Courts building named in his honor.

The ceremony took place on a sunny June 21 afternoon with attendees filling the building's modernistic plaza.

Joining Birch at the speakers' podium were General Sessions Presiding Judge Casey Moreland (top right), Mayor Bill Purcell (top left), Supreme Court Justice William M. Barker (middle left), Criminal Court Judge Randall Wyatt (bottom left), and General Sessions Court Judge Gale Robinson (bottom right). Probate Court Judge Randy Kennedy and Chancellor Carol McCoy (middle right) were among other jurists in attendance.



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Photos by Margaret Larobardiere

CHEERS...

Congratulations to **Patty Jack**, bookkeeper for the Probate Court Clerk's Office, upon the marriage of her youngest son **Brian Jack**, who wed **Aarron Elizabeth Lewis** in Elizabethton on June 10. The couple dated for approximately two years before tying the knot. Following the ceremony, the couple left for a honeymoon in Hawaii.

♦ **Pat (Baxter) Nichols** has returned to work in the Traffic Violations Bureau after having thyroid surgery recently. She is a deputy clerk in the slow-pay office. "Everything went fine," she says. "They (doctors) did their thing and sent me on my way."

Meantime, Editor **Gene Baker** has returned to work on a limited basis following back surgery on May 31.

...TEARS

DIXIE HALL, 82, passed away on May 21 at her home in Madison. She was the mother of Ellen Rosso, wife of Traffic Violations Bureau Business Manager Don Rosso.

WILLIE CRIPPS, 75, father of Eighth Circuit Court Officer Will Cripps, passed away on June 6 following an extended illness. He was a retired dentist.

LAURA FLETCHER GRIFFIN, 12, stepdaughter of Traffic Violations Bureau Administrative Assistant Peggy Griffin, succumbed to a year-long battle with aggressive kidney cancer on May 27 while on vacation in Gatlinburg with her parents. Father Perry Griffin said her death came shortly after she was treated to a trip to Disney World by the Make A Wish Foundation.

JESSIE WOODARD, SR., 71, grandfather of Traffic Warrant Officer Jessie Woodard, passed away on May 26 at Skyline Medical Center from heart failure related to diabetes.

General Sessions Jurisdictional Limit Will Increase to \$25,000

The civil caseload for General Sessions Court will take on new proportions in September when the jurisdictional limit increases to \$25,000.

The \$10,000 increase was approved for all counties by this year's General Assembly to take effect on September 1.

The new limit opens the door for more lawsuits of higher value to be adjudicated in the non-jury courts, providing litigants with an option of filing their cases in either General Sessions or Circuit Court.

During the 2005 calendar year, the 11 divisions of General Sessions Court presided over 47,599 civil cases involving claims of \$15,000 or less. There were 3,017 total unlimited civil claims filed for disposition in Circuit Court during the same year.

The new act (Chapter 722) states, in part:

"The jurisdiction of courts of General Sessions, where they have been created, shall extend to the sum of twenty-five thousand dollars (\$25,000) in all civil cases, both law and equity; provided that this section shall not apply to cases of forcible entry and detainer, wherein the court shall have unlimited original jurisdiction; and provided further, that this section shall not apply to actions to recover personal property wherein the court shall have unlimited original jurisdiction including jurisdiction to award an alternative money judgment; and General Sessions judges shall have jurisdiction to issue restraining orders and to enforce the penalty provisions for violation of such restraining orders."

Like the current law, the new jurisdictional limit does not include attorney fees or court costs.

Retirements



Connie Murff checks out the wide variety of food choices provided by fellow workers in honor of her retirement from the Traffic Warrant Office on June 9.

Her departure capped a 16-year service stint in the warrant office, which she said was the only office in which she ever wanted to work.

She received best wishes from many judges, friends and court personnel who attended out of appreciation for her many years of loyal service.

(Photo by Margaret Larobardiere)

Harvey Owens, Jr., shown here with wife Terri and grandsons Tracy (left) and Garrett, was honored for his 33-plus years of service to the Criminal Court Clerk's Office during a retirement reception on May 31.

Owens, who received a Key to the City from Mayor Bill Purcell, served in the office's accounting and finance department under five different clerks, rising from junior accountant in 1973 under the late Clerk Earl Hawkins to finance director under current Clerk David Torrence.



(Photo by Dana Effler)

In between, he served as senior accountant under clerks Jimmy Shea, John Lashlee and the late Joe Torrence.

Representatives from all areas of the local judiciary and a number of government officials joined friends and family in honoring the veteran employee, who now looks forward to trading a calculator for a fishing rod.

JULY BIRTHDAYS

BIRTHSTONE: **RUBY**

Circuit Court Clerk
24 Glenn Balletto

General Sessions Civil
2 Ginny McKee
15 Samantha Hutton
16 Karen Brown

Traffic Violations
1 Melissa McKee
6 Penny Adcock
11 Samantha Robinson
12 Candace Benbow

Traffic Warrants
1 Steve Rose
Probate Clerk
None

MAY JURY TRIALS

Week of May 8

CIRCUIT COURT

CASE	TYPE	COURT	DEFENDANT	VERDICT
2004D-3137	MURDER	5	MELVIN CRUMP	LIFE IMPRISONMENT*

*--FIRST DEGREE PREMEDITATED MURDER, FIRST DEGREE FELONY MURDER (RAPE), FIRST DEGREE FELONY MURDER (LARCENY), AGGRAVATED SEXUAL BATTERY.

Week of May 15

CIRCUIT COURT

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT
04C-202	AUTO ACCIDENT	3		\$6,000	
03C-1453	AUTO ACCIDENT	1		\$10,000	P-10/D-90

NON-JURY TRIAL RESULTS

Week of May 8

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
03C-2126	FRAUD	2	UNDER ADVISEMENT			
05C-1724	GSA/DETAINER	6	TRANSFER TO CHANCERY		P-\$3,000	DEFENDANT
05C-2769	DAMAGES	2	\$100,000			
04C-1396	DAMAGES	3	PENDING			
03C-2896	FRAUD	2	UNDER ADVISEMENT			
05C-1936	DAMAGES	1	\$150,000			

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

APPEALS

GENERAL SESSIONS

JUDGMENT APPELLANT

APPEALS

GENERAL SESSIONS

Birch Courts Building Officially Dedicated

(From Page 1)

The new \$49 million facility, which took three years to build, houses both General Sessions and Criminal Courts and their affiliated departments, all of which had been located in temporary quarters during the construction. It will be followed later this year by a renovated Metro Courthouse in which state trial civil court operations will be located, along with municipal offices.

Fittingly, Birch served both courts which occupy the new courts building. He began his career on the bench as a General Sessions judge from 1969 until 1978 when he was elevated to a Criminal Court judgeship. He became a member of the State Supreme Court in 1993 and has announced that he will retire from the high court later this year.

Interestingly, General Sessions Judge Gale Robinson, who opened the building dedication ceremonies, served as a court officer for Justice Birch at one point during his legal career.

Speakers and honored guests at the event were introduced by Judge Moreland and Wyatt, who also began his career as a jurist on the General Sessions Court.

The Metro Nashville Summer Orchestra provided entertainment.



An electronic docket board situated inside the lobby of the Justice A. A. Birch Building provides patrons with valuable information relevant to their day in court. Electronic docket displays also are situated on each floor where courtrooms are located.

Photos at right were taken a week before the building's dedication when some clerk's offices were open for business in advance of equipment delivery. At top, file drawers line a wall inside the General Sessions Civil Division while boxes await packing in the Traffic Violations Bureau in picture at bottom.



(Photos by Margaret Larobardiere)

CASE ANALYSES

GENRE	MAY	YTD
AUTO ACCIDENTS	2	28
•PLAINTIFF VERDICTS	2	18
•DEFENDANT VERDICTS	0	6
•NONE	0	4
CONTRACTS	0	11
•PLAINTIFF VERDICTS	0	7
•DEFENDANT VERDICTS	0	2
•NONE	0	2
TOTAL AWARDS	NONE	\$26,118
MEDICAL MALPRACTICE	0	1
•PLAINTIFF VERDICTS	0	0
•DEFENDANT VERDICTS	0	1
MISCELLANEOUS	6	29
•PLAINTIFF VERDICTS	2	16
•DEFENDANT VERDICTS	0	5
•NONE	4	8

Auto Accident Cases

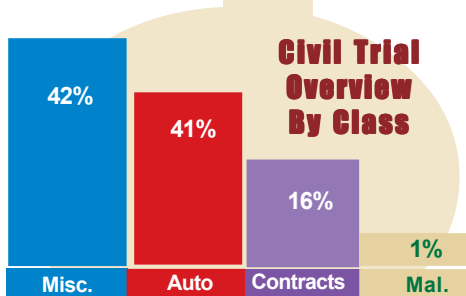
	MAY	YTD
JURY TRIALS	2	18
NON-JURY TRIALS	0	10
PLAINTIFF VERDICTS	2	18
DEFENDANT VERDICTS	0	6
NONE	0	4
HIGHEST JUDGMENT	\$10,000	
AVERAGE JUDGMENT	N/A	

Soft Tissue Auto Cases

	MAY	YTD
JURY TRIALS	0	8
NON-JURY TRIALS	0	1
PLAINTIFF VERDICTS	0	6
DEFENDANT VERDICTS	0	2
PENDING	0	2
HIGHEST JUDGMENT	N/A	
AVERAGE JUDGMENT	N/A	

General Sessions Auto Appeals

	MAY	YTD
PLAINTIFF VERDICTS	0	3
DEFENDANT VERDICTS	0	2
NONE	0	2



DATA BANK

Statistics compiled for the month of May

CASE INFORMATION

Circuit Court

NEW CIVIL CASES FILED	233
JURY	97
NON-JURY	136
CIVIL CASES CONCLUDED	273
JURY	155
NON-JURY	118
NEW DIVORCE CASES FILED	84
DIVORCE CASES CONCLUDED	142
DOMESTIC PETITIONS FILED	468
DOMESTIC PETITIONS CONCLUDED	250

General Sessions Civil

NEW CASES FILED	4,109
EXECUTIONS ISSUED	3,156
GARNISHMENT PAYMENTS	3,758
JUDGMENTS COLLECTED	\$752,889
ORDER OF PROTECTION PETITIONS	203

Probate Court

NEW CASES FILED	181
CASES CLOSED	162

Traffic Violations

MOVING CITATIONS	26,527
PARKING VIOLATIONS	4,364
TOTAL FINES COLLECTED	\$505,835
NULLIFICATIONS	4,686
NULLIFICATION FEES COLLECTED	\$56,236

Rooker Report

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Established by George L. Rooker (1929-1993)

(Circuit Court Clerk, 1968-1993)

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Gene Baker.....Editor



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