

Rooker Report

November 2007

Published by the Davidson County Circuit Court Clerk's Office

Vol.15, No. 10

Ms. Ruth Has Her 'Day'



Photos by Margaret Larobardiere

Probate Deputy Honored on 80th Birthday

When state and county dignitaries decided to throw a surprise birthday party for Ruth Lester, they took it to where they knew she would be--on the job in the courtroom.

So, in the setting that has embraced her presence for more than 30 years, the venerable Probate docket clerk was treated to a celebration of her 80th birthday. It was a glowing tribute to her service to the court.

Before the party ended with birthday cake, she was honored in word and song, teased, and applauded by both local and state government officials. She received certificates of appreciation from Gov. Phil Bredesen and Mayor Karl Dean. And, on behalf of the State Legislature, Sen. Joe Haynes proclaimed November 1 as "Ruth Lester Day."

General Sessions Court Announces Abbreviated Holiday Schedule

General Sessions civil dockets will be suspended from December 20 through January 2 as the courts break for the holidays.

Presiding Judge Gloria Dumas said regular criminal and order of protection dockets would continue with judges alternating duties during that period with normal scheduling resuming on January 3.

The civil division clerk's office will remain open for business, except for the Christmas holiday break (December 24-25) and New Year's Day (Jan. 1). The same holiday closings apply to the Circuit Court Clerk's Office.

Circuit Court Clerk Richard Rooker joined Judge Randy Kennedy in expressing gratitude for her dedicated service to the court, a career that began in 1973. She served four judges during her 34 years with the office.

Throughout the years, "Ms. Ruth" has endeared herself to co-workers, litigants and attorneys alike with her pleasant personality and willingness to assist those with questions about probate matters. Many attorneys have relied on her guidance while learning the ropes of probate practice.

October Trial Verdicts

Jury

Week of October 1

CIRCUIT COURT

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT
05C-2030	SLIP/FALL	5		DEFENDANT	
04C-2373	AUTO ACCIDENT	1		\$570	
04C-952	AUTO ACCIDENT	2		\$10,000	(D-51, P-49)
06C-2311	ARREST	3		DEFENDANT	

Week of October 29

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
05C-1797	GSA/CONTRACT	1		\$7,140		P-\$6,712	DEFENDANT

Non-Jury

Week of October 22

CIRCUIT COURT

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
04C-3473	WORKERS COMPENSATION	5		UNDER ADVISEMENT			
07C-778	GSA/CONTRACT	2		DEFENDANT		P-\$4,180	DEFENDANT
07C-1656	TRAFFIC	6		DEFENDANT			
07C-1709	GSA/CONTRACT	2		\$5,897		P-\$7,202	DEFENDANT
07C-1695	WORKERS COMPENSATION	6		PLAINTIFF			
07C-1457	TRAFFIC	2		PLAINTIFF			
07C-635	GSA/CONTRACT	5		\$11,568		P-\$9,424	DEFENDANT
06C-3015	GSA/CONTRACT	2		\$24,600		P-\$3,250	DEFENDANT
07C-1373	GSA/DEBT	5		DEFENDANT		D-ZERO	PLAINTIFF
07C-718	GSA/PROPERTY	2		\$3,101		P-\$3,101	DEFENDANT
07C-1999	TRAFFIC	2		PLAINTIFF			

Appeals

GENERAL SESSIONS

GENERAL SESSIONS

New Civil Warrants Added to Web Site

Twelve new General Sessions civil warrants have been added to the Circuit Court Clerk's web site for downloading and printing.

Now available in PDF format are the following warrants:

- [Civil Warrant Courtroom 5C](#)
- [Civil Warrant Courtroom 5D](#)
- [Pro Se Civil Warrant Courtroom 5D](#)
- [Detainer Warrant Courtroom 5C](#)
- [Detainer Warrant Courtroom 5D](#)
- [Pro Se Detainer Warrant Courtroom 5D](#)
- [Immediate Possession Warrant Courtroom 5C](#)
- [Immediate Possession Warrant Courtroom 5D](#)
- [Pro Se Immediate Possession Warrant Courtroom 5D](#)
- [Warrant to Recover Courtroom 5C](#)
- [Warrant to Recover Courtroom 5D](#)
- [Pro Se Warrant to Recover Courtroom 5D](#)

Each warrant is double sided and should be printed front and back on one piece of paper. The original warrant must be filed with the clerk, along with one copy for each defendant.

When completing the form, follow these steps:

1. Double click on the correct form.
2. When the form appears, click in the "highlight field" box at the top right hand corner above the form.
3. To print the form, click on the "print form" box at the top left hand corner of the back page.

Sessions Civil Rule Changes

General Sessions judges have overhauled their local rules for both criminal and civil divisions.

The revisions, which went into effect on Nov. 15, include the following changes to civil rules of practice:

*Adopted new dress code for all parties appearing in courtroom, prohibiting see-through tops, shorts, exposed midriffs, hats and other inappropriate clothing. Rule 1.04.

*If a case is on indefinite status, all parties must be notified by certified mail if there is a change in mailing address of parties or counsel. Rule 6.02.

*Prior to trial, all parties must exchange exhibits and prepare copies for opposing party and the court. Rule 9.01.

*Apply existing rules regarding signature on Orders, certificate of service, and when Orders prepared by attorneys subsequent to hearing are submitted to the Judge in negotiation and settlement cases. Rules 9.02 and 9.04.

Cheers...

During her 3.5 years as a deputy clerk in the General Sessions Civil Division, Karin Kelley spent her evenings in the classroom at the Nashville School of Law in quest of a law degree. She went on to graduate last May and earlier this month was admitted to practice in separate ceremonies before the courts of Davidson County and the Tennessee Supreme Court. "We salute her unwavering efforts and wish her the best in her pursuit of a legal career," said Circuit Court Clerk Richard Rooker.

Civil Trial Recap By Class



Miscellaneous.....49%
 Auto25%
 Contracts.....23%
 Medical Malpractice.....3%



DATA BANK

October 2007

CASE INFORMATION

Circuit Court

New Civil Cases Filed.....	226
Jury.....	110
Non-Jury.....	116
Civil Cases Concluded.....	208
Jury.....	142
Non-Jury.....	66
New Divorce Cases Filed.....	203
Divorce Cases Concluded.....	266
Domestic Petitions Filed.....	203
Domestic Petitions Concluded.....	248

General Sessions Civil

New Cases Filed.....	4,349
Executions Issued.....	4,024
Garnishment Payments.....	4,283
Judgments Collected.....	\$856,627
Orders of Protection Petitions.....	206

Probate Court

New Cases Filed.....	185
Cases Closed.....	169

Traffic Violations

Moving Citations.....	11,891
Total Violations.....	18,360
Parking Violations.....	7,369
Total Fines Collected.....	\$650,834
Nullifications.....	3,278
Nullification Fees Collected.....	\$39,327
Environmental Citations.....	776
*Credit Card Payments.....	\$251,334

*--Online and phone payments combined

...Tears

JAMES CHARLES DENNIS EVANS, 49, son of General Sessions Court Judge Sue McKnight Evans, passed away on Nov. 5 after suffering a massive heart attack. He had been employed by the Nashville Gas Company for 27 years.

Case Analyses

GENRE	OCTOBER	YTD
AUTO ACCIDENTS	2	31
PLAINTIFF VERDICTS	2	25
DEFENDANT VERDICTS	0	5
NONE	0	1
CONTRACTS	5	29
PLAINTIFF VERDICTS	4	23
DEFENDANT VERDICTS	1	4
NONE	0	2
TOTAL AWARDS	\$49,205	\$328,464
MEDICAL MALPRACTICE	0	4
PLAINTIFF VERDICTS	0	0
DEFENDANT VERDICTS	0	3
MISTRIALS	0	1
MISCELLANEOUS	9	62
PLAINTIFF VERDICTS	4	36
DEFENDANT VERDICTS	4	17
NONE	1	9

Auto Accident Cases

	OCTOBER	YTD
JURY TRIALS	2	26
NON-JURY TRIALS	0	5
PLAINTIFF VERDICTS	2	25
DEFENDANT VERDICTS	0	5
NONE	0	1
HIGHEST JUDGMENT	\$10,000	\$80,000
AVERAGE JUDGMENT	N/A	N/A

Soft Tissue Auto Cases

	OCTOBER	YTD
JURY TRIALS	0	7
NON-JURY TRIALS	0	0
PLAINTIFF VERDICTS	0	5
DEFENDANT VERDICTS	0	1

General Sessions Auto Appeals

	OCTOBER	YTD
PLAINTIFF VERDICTS	0	5
DEFENDANT VERDICTS	0	1
NONE	0	0

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Published by the Davidson County
 Circuit Court Clerk's Office
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 Internet @ www.nashville.gov/circuit
 Established by George L. Rooker (1929-1993)
 (Circuit Court Clerk, 1968-1993)

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