

Rooker Report

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Tribute to a Dedicated Public Defender

HE LIVED TO SERVE OTHERS

Ross Alderman, who spent the last 20 years of his life defending the legal rights of the financially challenged, will be remembered as a man who blended compassion, vision, strong family values and respect for his fellow man.

He applied those qualities with an outward air of humility that belied an inner determination to nurture his spirit of fairness without compromise.

Indeed, he was a hero to many from all walks of life.

He was driven by a strong work ethic, complemented by a mentality for raising the bar for others to follow.

For him, there was no higher office than public defender. And it was the public that allowed him to reach his personal dream nine years earlier and again in elections to follow.

He achieved his goals and he did it with class. He proved that success could be achieved in a gentlemanly manner and without flamboyancy or fanfare.

Following his passing on August 9, hundreds of citizens whose own lives had been touched by the mild mannered champion of legal causes turned out to pay their final respects as flags flew at half mast from the buildings that were his professional domain.

Because of his unassuming nature, accolades were of little importance to the 56-year-old public servant. What was important was his oath to ensure equal access to justice for the state's indigent and to provide appellate representation to indigent clients.

Above all else was his love for his wife, Tennessee Court of Appeals Judge Patricia Cottrell, and his son Noah, a deputy warrant officer in the Traffic Violations Bureau.

Then there was the loyal staff that made up his extended family and who proclaimed him the "perfect" boss. With their support, he was able to establish new services for the public defender's office, among them the creation of a program to help clients with mental health and substance abuse problems. He upgraded services for cases involving child neglect and increased the number of Spanish-speaking attorneys on staff.

Mr. Alderman, a man of deep compassion, possessed an uncompromising work ethic that he instilled in those who worked beside him. They were traits applauded by Mayor Karl Dean, who preceded his longtime friend as public defender and who supported his colleague's successful election campaign in 1999, a fitting reward for the man who had spent 11 years representing defendants in the courtroom as an assistant.

Throughout those years and beyond, Mr. Alderman's laid-back style and mannerly approach at the defense table, combined with dry witted interjections, endeared him to judges presiding over his cases.

Criminal Court Judge Mark Fishburn, whose friendship with the late public defender pre-dates his service on the bench, provided this eloquent epitaph:

"He was the consummate family man, lawyer and public servant. His unwavering dedication and commitment to the pursuit of justice for everyone epitomizes all that is honorable about the legal profession. And his uncompromising devotion to Patsy and Noah reflects the soul of a man who understood the secrets to



Ross Alderman 1951-2008

Please turn to Page 4



MARGARET LAROBARDIERE
RETIREMENT PENDING

Larobardiere's Pending Retirement Prompts Shuffle

Sowell, Kahrs Get New Assignments In Staff Management Changes

Circuit Court Clerk Richard Rooker has announced a pending reassignment of management positions in the Circuit and Probate departments.

The forthcoming changes are contingent on the retirement date of Public Information Director Margaret Larobardiere, who has given notice that she will be leaving sometime before the end of the year.

Upon her departure, Rooker said, the public information position will be filled by Kyle Sowell, currently serving as Chief Clerk of the Probate Clerk's Office.

Brian Kahrs, longtime Assistant Chief Clerk of the Circuit Court Clerk's Office, will replace Sowell as Chief Clerk of the Probate Office.

"These are key positions within our framework," Rooker said. "It is extremely important that they be filled by key personnel who have proven their value to the overall operations of this office. Both Kyle and Brian possess the experience and professionalism required in carrying out these assignments."

Prior to joining the Probate Clerk's Office in 2002, Sowell served as an aide in Washington to former Sen. Jim Sasser, specializing in legislative matters and public relations. He later practiced civil law, but found his niche in the Probate office



BRIAN KAHRs
NEW CHIEF OF PROBATE



KYLE SOWELL
PUBLIC INFORMATION DIRECTOR

where he earned the title of Chief Clerk within months after his arrival.

Kahrs began his career in the Circuit Court Clerk's Office in 1996 and has served in numerous roles, expanding his knowledge of the broad range of administrative duties relevant to the overall operations of the department. His mild mannered approach to conducting business has been well received by co-workers and the general public alike during his leadership role as Assistant Chief Clerk.

Rooker said there are no immediate plans to fill the assistant's position once Kahrs moves to the Probate office. Those duties will be absorbed by current Chief Clerk Glenn Balletto and other members of the staff, he said.

Larobardiere's decision to retire comes after 23 years of Metro service, including six years as Chief Clerk of the General Sessions Civil Division and three years as Public Information Director. Immediately prior to joining Rooker's staff in 1999, she was employed by the Criminal Court Clerk's Office.

Larobardiere's duties shifted to public information in April 2005 when new technology dictated the need for personal representation of Rooker's CaseLink internet service, a program for subscriber access to case files in Circuit, Probate and General Sessions Civil Division. Through on-site personal presentations, the program's subscriber list has grown steadily.

Because of her skills as a photographer, Larobardiere's work is often featured in the monthly Rooker Report and on the Clerk's intranet site, which displays her photos of all employees and civil court judges.

Photography, she says, will play a key role in her forthcoming years of retirement, which will be shared with husband John Jana, who recently ended a career with state government. "We plan on doing a lot of sailing, enjoying life and each other."

July Trial Verdicts

Jury

Week of July 21

CIRCUIT COURT

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
*07C-309	AUTO ACCIDENT	1		\$15,000			
06C-2830	ASSAULT	6		\$500			

*--JURY WAIVED

Non-Jury

Week of July 28

CIRCUIT COURT

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
07C-3581	GSA/CONTRACT	6		\$19,110		DISMISSED	PLAINTIFF
08C-147	TRAFFIC	1		PLAINTIFF			
08C-253	GSA/DEBT	2		\$1,221		P-VERDICT	DEFENDANT
08C-470	GSA/DEBTAINER	1		\$1,098		P-POSSESSION	DEFENDANT
07C-3765	RESTORATION	5		DEFENDANT			
07C-3035	DAMAGES	5		\$34,050			
07C-3539	GSA/DOG BITE	1		\$4,308		P-\$4,308	DEFENDANT
08C-169	TRAFFIC	5		PLAINTIFF			
06C-259	WORKERS COMPENSATION	5		\$80,965			
07C-497	DAMAGES	2		\$55,300			
07C-2609	TRAFFIC	5		PLAINTIFF			
06C-1711	SLIP/FALL	2		\$60,000			
07C-661	DEBT	6		\$46,154			
04C-2406	PERSONAL INJURY	6		\$250,000			
07C-2168	CONTRACT	5		\$74,562			
08C-862	DEBTAINER	2		\$24,750			

Appeals

GENERAL SESSIONS

Cheers...

Janice Johnson, who serves as Assistant Chief Clerk of the General Sessions Civil Division, will add a new title to her name on August 30. On that day, she will go from being a Ms. to a Mrs. as she ties the knot with **Cesaro Ingro**, her beau of two years. The couple will repeat their vows in ceremonies at her home in Bellevue with General Sessions Judge **John Aaron Holt** officiating. In case you are wondering, Cessaro is an auto body repairman. Congratulations to both.

Editor **Gene Baker** became a great-grandfather for the seventh time on August 19 with the birth of **Parker James Phillips** in North Carolina. The newborn is the first child of Baker's grandson, **James Robert Phillips**, and his wife **Heather**. He weighed a whopping 8.6 pounds and measured 22.5 inches

...Tears

Belatedly, we acknowledge the passing of longtime Nashville Attorney **Mose Davie**, who died at his home on July 24. Our condolences to his wife Constance and daughter Arnetta Hamilton, who survive.

Attention Attorneys

Discard Old Garnishment Forms With Preprinted Wage Amounts

The recent increase in the federal minimum wage has rendered some of our old preprinted garnishment forms obsolete.

The old forms listed the previous wage amount, which changed in July 2007 and will continue to change this year and again next year.

Those forms should be discarded and replaced with the new form containing the wording "Federal Minimum Wage" or "FMW" but is minus a wage amount figure. The new forms are available upon request from any of our clerk's offices.

Offices Will Be Closed on Labor Day

Clerk's offices will be closed Monday, September 1 in observance of Labor Day.

Regular business hours will resume at 8 a.m. on Tuesday, September 2.

Ross Alderman: Public Servant, Family Man

(From Page 1)

happiness. He will be greatly missed. Fortunately, we will continue to hear his demand for justice through the voices of the countless attorneys he has mentored."

His sentiments were embraced by veteran Criminal Court Judge Randall Wyatt.

"He appeared in our court a number of times and he always did an outstanding job," said Wyatt. "He was a great lawyer with much integrity and committed to the clients he represented. He brought together a nice group of competent, conscientious attorneys to his office.

"Not only was he the consummate professional, he had a quiet sense of humor about him and was a pleasure to have in our court. He was just a good person all around in every respect."

Circuit Court Clerk Richard Rooker echoed those assessments, saying, "He was a good man and I considered him a dear friend. His passing leaves me with a heavy heart and an eternal appreciation for his many contributions to the legal community. He stood for justice, based on every person's right to the best legal representation the system has to offer. He delivered it well."

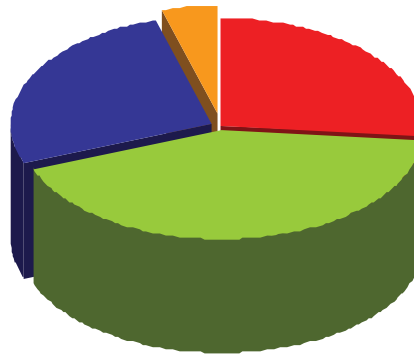
Mr. Alderman was quickly recognized by a bushy Viking moustache, curling downward on either side of his mouth. Less noticeable, perhaps, were the cowboy boots that were his preference in footwear for all appearances in public.

Weekend motorcycle rides provided a form of relaxation for Mr. Alderman--a means of release from the pressures of the hectic days prior.

He had an insatiable appetite for knowledge, fed by an eclectic taste in literary works.

Mr. Alderman would have celebrated his 57th birthday on September 2.

Civil Trial Recap By Class



Miscellaneous	58%
Auto	23%
Contracts	17%
Medical Malpractice	2%



DATA BANK

July 2008

Case Information

Circuit Court

New Civil Cases Filed	239
Jury	98
Non-Jury	141
Civil Cases Concluded	286
Jury	183
Non-Jury	103
New Divorce Cases Filed	178
Divorce Cases Concluded	207
Domestic Petitions Filed	200
Domestic Petitions Concluded	160

General Sessions Civil

New Cases Filed	4,500
Executions Issued	4,432
Garnishment Payments	4,351
Judgments Collected	\$897,613
Orders of Protection Petitions	195

Probate Court

New Cases Filed	173
Cases Closed	145

Traffic Violations

Moving Citations	14,958
Total Violations	21,488
Parking Violations	5,813
Total Fines Collected	\$600,451
Nullifications	2,249
Nullification Fees Collected	\$26,989
Environmental Citations	804
*Credit Card Payments	4,540

*--Online and phone payments combined

Case Analyses

GENRE	JULY	YTD
AUTO ACCIDENTS	1	21
PLAINTIFF VERDICTS	1	14
DEFENDANT VERDICTS	0	6
NONE	0	1
CONTRACTS	2	16
PLAINTIFF VERDICTS	2	10
DEFENDANT VERDICTS	0	6
NONE	0	0
TOTAL AWARDS	\$93,672	*\$197,872
*REPRESENTS ONLY THOSE AMOUNTS DISCLOSED.		
MEDICAL MALPRACTICE	0	2
PLAINTIFF VERDICTS	0	0
DEFENDANT VERDICTS	0	1
PENDING	0	1
MISCELLANEOUS	15	54
PLAINTIFF VERDICTS	14	41
DEFENDANT VERDICTS	1	12
NONE	0	1

Auto Accident Cases

	JULY	YTD
JURY TRIALS	1	17
NON-JURY TRIALS	0	4
PLAINTIFF VERDICTS	1	14
DEFENDANT VERDICTS	0	6
NONE	0	1
HIGHEST JUDGMENT	\$15,000	\$66,000
AVERAGE JUDGMENT	N/A	N/A

Soft Tissue Auto Cases

	JULY	YTD
JURY TRIALS	0	8
NON-JURY TRIALS	0	0
PLAINTIFF VERDICTS	0	6
DEFENDANT VERDICTS	0	2

General Sessions Auto Appeals

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

Rooker Report

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1 Public Square, Suite 302, Nashville, TN 37201
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(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