

Rooker Report

December 2008

Published by the Davidson County Circuit Court Clerk's Office

Vol.16, No. 11



*Richard Rooker
& Staff*

*Wish You
Season's Joy*

FYI: Two Banks Outline Procedures For Serving Levies, Garnishments

Attention attorneys!

The registered agent for Bank of America says it will not accept service for bank levies to the bank unless they are listed as "Bank of America N/A."

CT Corp said the bank's title must include the N/A extension for the levy to meet legal identifying guidelines. Levies addressed to "Bank of America" without the extension have been rejected by CT Corp.

On the heels of that announcement, Regions Bank clarified its procedure for bank levies and garnishments, declaring that service should be made to Corporation Service Company, 2908 Poston Avenue, Nashville, TN 37203.

TAX COST SCHEDULE, EFFECTIVE JANUARY 1

Beginning on January 1, a \$15 surtax will be charged for all civil and criminal cases filed in the county. Below is the new total tax amounts applicable to cases filed in the individual courts listed.

CIRCUIT COURT	\$57.50
TRAFFIC APPEALS	\$57.50
TRAFFIC (MOVING VIOLATIONS)	\$52.50
PROBATE COURT	\$57.50
GENERAL SESSIONS	\$38.75
ENVIRONMENTAL COURT	\$38.75

Cost totals include county and state taxes

Judge Muriel Robinson Announces Retirement

Veteran Domestic Court Jurist Applies for Senior Status, Effective February 15

Muriel Robinson, one of the county's longest serving judges, announced this month that she will leave the bench in February.

In a letter to Gov. Phil Bredesen, the noted domestic relations judge said her retirement will take effect on February 15, provided a replacement can be confirmed by that date. The governor will select a replacement to fill the seat until the next general election in 2010. Voters will then elect someone to complete the present term, which expires in 2014.

Robinson, who has presided over the Fourth Circuit Court since 1982 after winning four eight-year terms, said her retirement will coincide with her 65th birthday in February.

She has applied for senior judge status, which would allow her to continue hearing cases statewide on a selective basis.

Robinson said she plans to spend more time with her family and husband Irby Simpkins, former publisher of the Nashville Banner. She plans to remain active in the family's funeral home business of which she is a director.

A graduate of the Nashville School of Law, Robinson spent 14 years in private law practice before being elected to the Circuit Court bench. She comes from a family of public servants. Her father, Garner Robinson, was a longtime sheriff; her brother, the late Gale Robinson, was a General Sessions judge; and her nephew, Gale B. Robinson, is currently presiding judge over the General Sessions Court. Also, her daughter, Kathleen Gale Uhlhorn, is a practicing attorney.

The retiring judge also shares her family law knowledge and advice with television viewers on a regular basis.

November Trial Verdicts

Jury

Week of November 3

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
06C-297	NEGLIGENCE	2		DEFENDANT			
05C-1467	PEDESTRIAN	5		\$162,000	(D-70/P-30)		

Non-Jury

Week of November 10

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
07C-834	AUTO ACCIDENT	6		PLAINTIFF			
06C-1570	WORKERS COMPENSATION	1		UNDER ADVISEMENT			
08C-255	GSA/TRESPASSING	5		UNDER ADVISEMENT		P-\$2,016	DEFENDANT
08C-1370	GSA/CONTRACT	1		\$5,300		P-\$5,300	DEFENDANT
08C-1292	TRAFFIC	5		DEFENDANT			
07C-3115	GSA/CONTRACT	1		\$11,700		DISMISSED	PLAINTIFF
06C-1619	SLANDER	5		\$90,200			
07C-2232	WORKERS COMPENSATION	5		DEFENDANT			
08C-560	TRAFFIC	1		D-COURT COST			
06C-1423	AUTO ACCIDENT	6		\$2,000			
08C-254	GSA/PERSONAL PROPERTY	1		\$7,500		DISMISSED	PLAINTIFF
08C-1323	DAMAGES	6		\$96,430			

Appeals

GENERAL SESSIONS

Cheers...

Congratulations to Deputy Circuit Court Clerk **Karen Mallory** upon becoming a grandmother for the first time. It happened at Baptist Hospital on November 21 when daughter **Courtney Whitehurst** delivered **Cody Michael Whitehurst**, a robust 8-pound, 3.5-ounce baby boy who stretched the tape to 20 inches to the delight of proud dad **Jonathan Whitehurst**.

After 33 years as an appellate judge, Sixth Circuit Court of Appeals Judge **Martha Craig Daughtrey** will take senior judge status on January 1. The move is actually only a slow down for the veteran jurist, who will continue to hear cases on a selective basis. She has held the Sixth Circuit position since her appointment by President **Bill Clinton** in 1993. Three years earlier, she became the first female justice to serve on the Tennessee Supreme Court.

Samantha Anglin, a deputy clerk in the Traffic Violations Bureau, became a mommy this month, giving birth to a 7-pound, 12-ounce girl on December 8. On hand to welcome 19-inch **Chloe Annette Anglin** was proud papa **Paul Anglin**.

Beverly Swafford, another Traffic Violations Bureau staffer, is basking in the joy of being a grandmother for the ninth time. Her son **Jason Swafford** and wife **Jennifer Swafford** became parents to a daughter on November 13. The new arrival, **Mylee Michelle Swafford**, weighed 6 pounds, 10 ounces and measured 19.75 inches in length.

...Tears

FRED MASSEY, uncle of Kristen Massey of the Traffic Violations Bureau staff, passed away on December 8 at a hospital in Cleveland, Ohio where he was to receive an artificial heart.

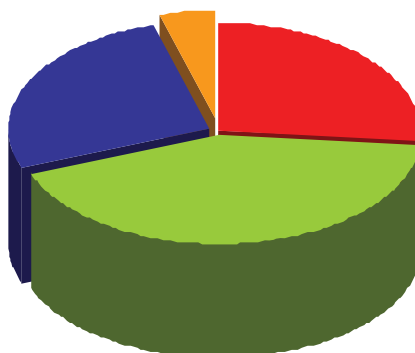
We extend our deepest sympathy to Attorney Benton Patton and his family in the recent death of their daughter Elizabeth.

HOLIDAY CLOSING DATES

Here are the holiday closing dates for all offices of Circuit Court Clerk Richard Rooker:

Christmas: December 24-25-26
New Year: January 1-2

Civil Trial Recap By Class



Miscellaneous 58%
Auto 22%
Contracts 18%
Medical Malpractice 2%

DATA BANK

November 2008

Case Information

Circuit Court

New Civil Cases Filed..... 182
Jury 65
Non-Jury 117
Civil Cases Concluded..... 249
Jury 149
Non-Jury 100
New Divorce Cases Filed 164
Divorce Cases Concluded..... 169
Domestic Petitions Filed 206
Domestic Petitions Concluded 187

General Sessions Civil

New Cases Filed..... 4,145
Executions Issued 3,294
Garnishment Payments..... 3,512
Judgments Collected..... \$687,024
Orders of Protection Petitions..... 118

Probate Court

New Cases Filed..... 132
Cases Closed 115

Traffic Violations

Moving Citations 10,754
Total Violations..... 16,239
Parking Violations..... 4,778
Total Fines Collected \$478,412
Nullifications 1,631
Nullification Fees Collected \$19,573
Environmental Citations..... 682
*Credit Card Payments 4,194
*--Online and phone payments combined

Case Analyses

GENRE	NOVEMBER	YTD
AUTO ACCIDENTS	2	31
PLAINTIFF VERDICTS	2	20
DEFENDANT VERDICTS	0	8
NONE	0	3
CONTRACTS	2	25
PLAINTIFF VERDICTS	2	18
DEFENDANT VERDICTS	0	7
NONE	0	0
TOTAL AWARDS	\$17,0006	*\$430,838
*REPRESENTS ONLY AMOUNTS DISCLOSED BY COURT.		
MEDICAL MALPRACTICE	0	3
PLAINTIFF VERDICTS	0	0
DEFENDANT VERDICTS	0	2
PENDING	0	1
MISCELLANEOUS	10	82
PLAINTIFF VERDICTS	5	59
DEFENDANT VERDICTS	3	18
NONE	2	5

Auto Accident Cases

	NOVEMBER	YTD
JURY TRIALS	0	21
NON-JURY TRIALS	2	10
PLAINTIFF VERDICTS	2	20
DEFENDANT VERDICTS	0	8
NONE	0	3
HIGHEST JUDGMENT	\$2,000	\$66,000
AVERAGE JUDGMENT	N/A	N/A

Soft Tissue Auto Cases

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

General Sessions Auto Appeals

	NOVEMBER	YTD
PLAINTIFF VERDICTS	0	5
DEFENDANT VERDICTS	0	2
NONE	0	0

Rooker Report

Published by the Davidson County
Circuit Court Clerk's Office
1 Public Square, Suite 302, Nashville, TN 37201
Internet @www.nashville.gov/circuit
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



*Greetings
From
Our Staff*

Circuit Court Clerk

*Christy Allen Glenn Balletto Kiesha Bass
Mickey Brissette Tom Brown Randy Bryant Tracy Cartwright
Stephanie Chatman Trey Clary Belinda Collins Carolyn Davis
Jim Davis Annecia Donigan Candy Finch Christenah Haefner Jean Harris
Deborah Hennessee Mark Herring Barbara Hinch John Holmes Randall Ladd
Karen Mallory Kristen Morman Jill Oliverius Suzanne Parker Chance Rainey
Tim Ray Bill Riggs Michelle Sawyer Charles Settle Matt Settle
Mary Stephens Rhonda Thomas*

Probate Court Clerk

*Deanna Alexander Bob Bradshaw Ricky Deatherage Becky Dye Penny Hubbell
Kim Jackson Brian Kahrs Tommy King Ruth Lester Kelli Olin Aaron Thomas*

Traffic Warrant Office

*Noah Alderman Roy Bohannon Joseph Day Tony Eden David Farmer Joe Foster Felice Graham
Hayden Guest Ryan Hager Leslie Hamlet Kim Head Joe Hurt Antonio Lanier Ronnie Mangrum
Sarah McClain Romayne Scaff Joey Torrence Jessie Woodard Joanie Young*

General Sessions Civil

*Gene Baker Jennifer Borntreger Karen Brown Debi Butzler Anita Carter Judy Christopher
Kim Clary Connie Colley Cindy Curtis Denise Dill Veronica Edmondson Katina Floyd
Dawn Gorham Tom Hudson Samantha Hutton Janice Johnson Shelley Kennedy Tiffany Long
Jonathon Mann Ginny McKee Judy Meadows Sandra Perryman Stephanie Phillips
Elizabeth Pittenger Diana Reed Kyle Sowell Lori Tyson Daniel Wiseman Kim Wolfe*

Traffic Violations Bureau

*Samantha Anglin Billye Barnard Latrice Baxter Denise Beverly Rhonda Bright
Nancy Capps Bill Cartwright Monica England Sandy Ford Bessie Fox Ashley Gerald
Shannon Gift Susan Grannis Peggy Griffin Elaine Howell Bethany Hulan
Teresa Johnson Ashley Joiner Jacquelyn Jones Lisa Jones Nick Lane
Kristen Massey Melissa McKee Pat Nichols Delores Oglesby
Brandi Overby Amanda Overstreet David Patterson Stacey Plummer
Marie Roberts Tammy Sampson Hava Slater Melba Suarez-Borda
Beverly Swafford Samantha Taylor
Debra Vaughn Candace Watkins*