



# ROOKER

## SEPTEMBER 2010

# REPORT

A MONTHLY PUBLICATION OF THE DAVIDSON COUNTY CIRCUIT COURT CLERK'S OFFICE

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### CLARK NEW SUPREME COURT CHIEF JUSTICE



Justice Cornelia A. Clark was sworn in as chief justice of the Tennessee Supreme Court on September 1, making her the second woman in the state's history to hold the position. Clark was appointed to the Supreme Court in September 2005 and was elected to a full eight-year term in August 2006. Prior to her appointment to the Supreme Court, Clark was appointed director of the Administrative Office of the Courts in May 1999. She held this position until she was appointed to the Supreme Court by Governor Phil Bredesen.

## JUDGE DALTON TAKES THE HELM IN GENERAL SESSIONS COURT

### NEW PRESIDING JUDGE AS OF SEPTEMBER 1

Just halfway through her first term on the bench, Judge Angelita Black-shear Dalton has garnered the respect and confidence of her fellow judges as expressed by their electing her to serve as presiding judge over General Sessions Court for a one year term which began September 1. Dalton succeeds Judge Dan Eisenstein, who held the position for a one year term. As presiding judge, Dalton will oversee the court's fiscal budget, work with each of the court's individual specialty committees, resolve issues of dispute and promote court-related legislation during general assembly sessions. Dalton was elected to General Sessions Court Division III in 2006. Before becoming a judge she was an assistant prosecutor for the Davidson County District Attorney General. A native of Nashville, Judge Dalton graduated from Whites Creek High School. She earned her Bachelors degree from Lane College in 1993. She received her law degree from the University of Toledo. Judge Dalton is a member of the Nashville Bar Association, Napier Looby Bar Association, Lawyers' Association for Women, Nashville Women's Political Caucus, a member of the NAACP and the Nashville Alumnae Chapter of Delta Sigma Theta Sorority. Judge Dalton is married to Derrick Dalton and they have one son, Ryan.



JUDGE ANGELITA DALTON



# NOTICE

## DAVIDSON COUNTY DOMESTIC COURT JUDGES ENTER A PROCEDURAL ORDER REGARDING DIVORCE CASES WITH AN ORDER OF PROTECTION

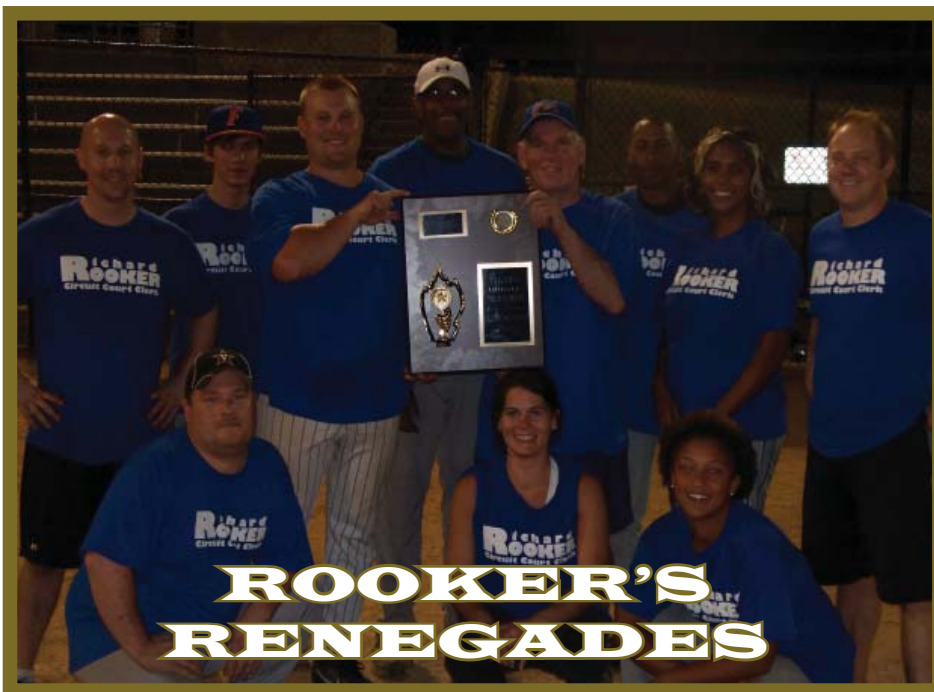
On September 30, 2010, the Domestic Court Judges of Davidson County entered a procedural Order governing cases wherein the Court grants an Order of Protection and the Petitioner or Respondent thereafter files for divorce. In order to ensure that proper notification is made to the legal authorities and otherwise, pursuant to T.C.A. 36-3-609, the Domestic Courts now require the following two filings on the Order of Protection case when a divorce is filed thereafter:

- File an "Order Extending the Order of Protection by Operation of Law" upon filing the Complaint for Divorce. The form Order is located on the Circuit Court Clerk's website at: [http://circuitclerk.nashville.gov/circuit/forms/formcir\\_OPOrderExtensionDivorceFiling.pdf](http://circuitclerk.nashville.gov/circuit/forms/formcir_OPOrderExtensionDivorceFiling.pdf)
- File an "Order of Protection Status Order Due to Entry of the Final Divorce Decree" upon finalization of the divorce. The form Order is located on the Circuit Court Clerk's website at: [http://circuitclerk.nashville.gov/circuit/forms/formcir\\_OPStatusOrderuponFDD.pdf](http://circuitclerk.nashville.gov/circuit/forms/formcir_OPStatusOrderuponFDD.pdf)

A copy of the Domestic Courts' Order is located as an Appendix to the Chamber Rules on the Circuit Court Clerk's website at <http://circuitclerk.nashville.gov/circuit/forms/Extendoplaw.pdf>

## MEET THE CHAMPIONS

## CIRCUIT COURT CLERK'S OFFICE WINS METRO EMPLOYEES SOFTBALL TOURNAMENT



When the final out was called on September 9 at the end of the three day double elimination Metro employee softball tournament at Cedar Hill Park, the team fielded by the Circuit Court Clerk's Office (known infamously in the softball world as Rooker's Renegades) found itself at the top of the standings and was crowned champion. Eight teams competed this year including three teams from the sheriff's department, a team from Metro Information Technology and a team from the tax assessor's office. The Renegades managed to play their way through the tournament with an undefeated record. Way to go team!



STANDING (left to right): David Farmer, Nathan Patterson, Trey Clary, William Belliford, Tim Ray, Antonio Lanier, Heather Dunnivant, Brian Kahrs  
KNEELING (left to right): Scotty Ray, Brandi Ray, Cosundra Sharp  
PLAYED BUT NOT IN PICTURE: Jeremy Sanders, Christy Allen, Stephanie Chatman

# SCENES AROUND THE COURTHOUSE COMPLEX



## YOGA ON THE GREEN

Sept. 26 -- Almost 1,000 expert and beginner yoga enthusiasts from 13 local yoga studios joined together in Public Square Park to share their energy in a "Yoga for the People" event in honor of National Yoga Month.



## CLIPS OF FAITH FILM TOUR

Sept. 3 -- Hundreds of bicyclists attended the Clips of Faith Beer & Film Tour in Public Square Park sponsored by New Belgium Brewing Company. Nashville was 1 of 14 cities nationwide to host the film festival.

## LIVE ON THE GREEN

The free 6 week concert series running Sept. 9 to October 14 each Thursday night kicked off its second year in the Public Square Park this month as thousands attend each week.



# OVERVIEW OF CIRCUIT COURT TRIALS BY TYPE OF CASE AUGUST 2010

| AUTO ACCIDENT      | AUG | YTD |
|--------------------|-----|-----|
| Total Cases Tried  | 0   | 20  |
| Plaintiff Verdicts | 0   | 16  |
| Defendant Verdicts | 0   | 3   |
| Other/Under Adv    | 0   | 1   |
| Jury Trials        | 0   | 15  |
| Non-Jury Trials    | 0   | 5   |
| Appeal from G.S.   | 0   | 2   |
| Plaintiff Verd.    | 0   | 2   |
| Def. Verdict       | 0   | 0   |
| Other/None         | 0   | 0   |



| MEDICAL MALPRACTICE | AUG | YTD |
|---------------------|-----|-----|
| Total Cases Tried   | 1   | 4   |
| Plaintiff Verdicts  | 0   | 0   |
| Defendant Verdicts  | 1   | 3   |
| Other/Under Adv     | 0   | 1   |

| CONTRACTS          | AUG | YTD |
|--------------------|-----|-----|
| Total Cases Tried  | 6   | 44  |
| Plaintiff Verdicts | 4   | 35  |
| Defendant Verdicts | 2   | 7   |
| Other/Under Adv    | 0   | 2   |

| MISCELLANEOUS      | AUG | YTD |
|--------------------|-----|-----|
| Total Cases Tried  | 8   | 51  |
| Plaintiff Verdicts | 5   | 31  |
| Defendant Verdicts | 2   | 16  |
| Other/Under Adv    | 1   | 4   |

# CIRCUIT COURT TRIAL VERDICTS

USE CASELINK TO ACCESS MORE  
DETAILED INFORMATION ABOUT  
THESE CASES AND OTHERS



## CASES TRIED IN AUGUST 2010

### JURY TRIALS

IF CASE WAS  
APPEALED FROM  
GENERAL SESSIONS

| CASE                     | TYPE                | COURT | CIRCUIT<br>JUDGMENT            | GEN. SESSIONS<br>JUDGMENT | APPELLANT |
|--------------------------|---------------------|-------|--------------------------------|---------------------------|-----------|
| <b>Week of August 2</b>  |                     |       |                                |                           |           |
| 08C-3497                 | NEGLIGENCE          | 5     | PLAINTIFF \$31,500 (35% FAULT) | N/A                       |           |
| <b>Week of August 23</b> |                     |       |                                |                           |           |
| 05C-3404                 | MEDICAL MALPRACTICE | 1     | DEFENDANT VERDICT              | N/A                       |           |

### NON-JURY TRIALS

| CASE                     | TYPE               | COURT | CIRCUIT<br>JUDGMENT           | GEN. SESSIONS<br>JUDGMENT | APPELLANT |
|--------------------------|--------------------|-------|-------------------------------|---------------------------|-----------|
| <b>Week of August 16</b> |                    |       |                               |                           |           |
| 05C-3596                 | SWORN ACCOUNT      | 2     | PLAINTIFF \$13,950 + INTEREST | DISMISSED                 | PLAINTIFF |
| 10C-1069                 | CONTRACT/DEBT      | 2     | PLAINTIFF \$23,000            | N/A                       |           |
| 10C-1528                 | CONTRACT/DEBT      | 6     | DEFENDANT VERDICT             | P-\$14,500                | DEFENDANT |
| 10C-1971                 | WRONGFUL REPO      | 5     | DEFENDANT VERDICT             | P-\$2,500                 | DEFENDANT |
| 09C-1759                 | FRAUD/CONTRACT     | 2     | PLAINTIFF \$16,954            | N/A                       |           |
| 09C-2573                 | BREACH OF CONTRACT | 2     | DEFENDANT \$40,524            | N/A                       |           |
| 09C-2841                 | SWORN ACCOUNT      | 3     | PLAINTIFF \$9,824             | P-\$8,907                 | DEFENDANT |
| 09C-4248                 | BREACH OF LEASE    | 3     | PLAINTIFF \$25,234            | P-\$13,400                | DEFENDANT |
| 09C-3487                 | TRAFFIC APPEAL     | 5     | VERDICT FOR METRO GOVT        | N/A                       |           |
| 08C-3623                 | WORKERS' COMP      | 5     | PERMANENT TOTAL DISABILITY    | N/A                       |           |
| 10C-2275                 | CAR REPAIR         | 1     | DISMISSED, INJUNCTION         | DISMISSED                 | PLAINTIFF |
| 07C-3275                 | WORKERS' COMP      | 5     | 30% PPD, \$26,118             | N/A                       |           |

### SPECIALLY SET TRIALS (JURY & NON-JURY)

| CASE   | TYPE    | COURT | CIRCUIT<br>JUDGMENT | DATE OF<br>TRIAL | JURY OR<br>NON-JURY |
|--------|---------|-------|---------------------|------------------|---------------------|
| 06C-94 | PROBATE | 5     | UNDER ADVISEMENT    | 8-5-10           | NON-JURY            |

# DEPARTMENTS BY THE NUMBER

## CIRCUIT COURT

August 2010

### NEW CASES

|                                |     | YTD   |
|--------------------------------|-----|-------|
| New Civil Cases Filed.....     | 194 | 1,692 |
| Jury Demand.....               | 85  | 746   |
| Non-Jury.....                  | 109 | 946   |
| New Divorce Cases Filed .....  | 183 | 1,639 |
| Domestic Petitions Filed ..... | 238 | 1,731 |
| New Adoption Petitions .....   | 13  | 83    |

### CONCLUDED CASES

|                                    |     |       |
|------------------------------------|-----|-------|
| Civil Cases Concluded.....         | 236 | 1,858 |
| Jury Demand.....                   | 153 | 1,117 |
| Non-Jury .....                     | 83  | 741   |
| Divorce Cases Concluded.....       | 200 | 1,505 |
| Domestic Petitions Concluded ..... | 363 | 3,408 |

## PROBATE

August 2010

### CASE OVERVIEW

|                             |     | YTD   |
|-----------------------------|-----|-------|
| Total New Cases Filed ..... | 168 | 1,352 |
| Total Cases Closed .....    | 204 | 1,276 |

### NEW CASE FILINGS BY TYPE

|  |    |     |
|--|----|-----|
| Probate Will .....                       | 74 | 624 |
| Probate Will for Muniment of Title ..... | 2  | 44  |
| Letters of Administration.....           | 25 | 183 |
| Small Estate Affidavits.....             | 23 | 190 |
| Conservatorship.....                     | 22 | 145 |
| Guardianship of Minor.....               | 2  | 17  |
| Name Change .....                        | 12 | 68  |
| Trust Matters.....                       | 3  | 19  |
| Other Miscellaneous .....                | 5  | 62  |

## GENERAL SESSIONS

### CIVIL

August 2010

### NEW CASES

|                                  |       | YTD    |
|----------------------------------|-------|--------|
| Total New Cases Filed .....      | 4,111 | 32,379 |
| Civil Warrants .....             | 2,242 | 17,867 |
| Detainer Warrants .....          | 911   | 7,781  |
| Recovery Warrants.....           | 40    | 227    |
| Pet for Order of Protection..... | 274   | 1,750  |
| Emergency Committals .....       | 575   | 4,008  |
| Other.....                       | 69    | 746    |

### MISCELLANEOUS

|                            |           |             |
|----------------------------|-----------|-------------|
| Executions Issued.....     | 4,047     | 34,194      |
| Garnishment Payments ..... | 4,289     | 34,879      |
| Judgments Collected.....   | \$894,540 | \$7,277,558 |

## TRAFFIC VIOLATIONS

August 2010

### NEW MATTERS

|                               |        | YTD     |
|-------------------------------|--------|---------|
| Total Traffic Violations..... | 14,848 | 113,867 |
| Moving Citations .....        | 10,117 | 81,386  |
| Parking Citations.....        | 4,731  | 32,481  |
| Environmental Citations.....  | 433    | 3,356   |

### MISCELLANEOUS

|                                  |           |             |
|----------------------------------|-----------|-------------|
| Total Fines Collected .....      | \$513,299 | \$4,523,703 |
| Nullifications.....              | 1,247     | 9,645       |
| Nullification Fees Collected ... | \$14,958  | \$115,721   |
| *Credit Card Payments .....      | 2,886     | 24,242      |

## Quotes of the Month

COURTESY OF THE ROOSEVELT FAMILY

“If you could kick the person in the pants responsible for most of your trouble, you wouldn't sit for a month.”

Theodore Roosevelt

“Remember that you are just an extra in everyone else's play.”

Franklin D. Roosevelt

“Do one thing every day that scares you.”

Eleanor Roosevelt

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