



# ROOKER

## MARCH 2012

# REPORT

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

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## PHILLIP ROBINSON SWORN IN AS JUDGE OF THIRD CIRCUIT COURT

Three years ago, Phillip Robinson looked on proudly as his long-time law partner, Phil Smith, was sworn in as Judge of Davidson County's Fourth Circuit Court, replacing Judge Muriel Robinson upon her retirement. Fast forward to present day, and Judge Smith found himself in a similar role recently as he watched Robinson be sworn in by Governor Bill Haslam on March 19th as Judge of Davidson County's Third Circuit Court. The seat on the Third Circuit bench became available upon the retirement of Judge Barbara Haynes last November. Governor Haslam appointed Robinson to fill the vacancy left by Judge Haynes, and he will do so until the general election this coming August, at which time he must face the voters of Davidson County in order to retain the seat for the remainder of the original judicial term which expires in 2014.

Robinson is a lifelong resident of Nashville and has been married to his college sweetheart, the former Christy Cason, for thirty-nine years. He graduated high school from Montgomery Bell Academy in 1968 before attending and graduating from the University of Tennessee with a Bachelor of Science Degree in 1972. From there, it was on to law school at the University of Tennessee from which he graduated in 1975. Robinson's legal career began in what turned out to be a most favorable setting for a young lawyer destined to become a judge. He went to work as an associate of the Norman Law Offices in 1975. This provided him the opportunity to learn his profession under the tutelage of attorneys Jack Norman, Sr.; Jack Norman, Jr. (now Special Master for the Fourth Circuit Court); Seth Norman (now Judge of Division IV of the Criminal Court for Davidson County); Muriel Robinson (retired Judge of the Fourth Circuit Court); and Herb Rich. In his early years of practice, Robinson handled personal injury actions, criminal cases, probate matters and domestic relations cases. In 2001, he and associates Phil Smith (now Judge of the Fourth Circuit Court) and Teresa Oglesby opened a law practice focusing exclusively on domestic relations



Governor Bill Haslam swears in Robinson as the newest Judge of Davidson County's Third Circuit Court as his wife, Christy, looks on

### QUOTE OF THE MONTH

"In civilized life, law floats in a sea of ethics. Each is indispensable to civilization. Without law, we should be at the mercy of the least scrupulous; without ethics, law could not exist."

EARL WARREN  
Former Chief Justice  
U.S. Supreme Court

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# JUDGE ROBINSON

law. For the past twenty-five years, Robinson himself has focused exclusively on family law and domestic relations. In addition to having helped draft legislation dealing with domestic relations statutes and testifying before legislative committees regarding domestic relations matters, he obtained a successful ruling from the Tennessee Supreme Court in the 1993 noteworthy case of *Nash v. Mulle* which established the authority of the trial courts in appropriate cases to require parents to set aside funds during the

minority of a child for future college education. Robinson is also a member of the Tennessee Bar Association and, as a member of the Nashville Bar Association, he has served as Vice-Chairman and Chairman of the Domestic Relations Committee. He is also a Fellow of the American Academy of Matrimonial Lawyers and is a Board Certified Family Law Trial Advocate. He has been honored in *Best Lawyers in America* since 2005.

Judge Robinson's extensive background in family law and domestic relations matters should prove useful in light of the recent announcement that the Third Circuit Court will now replace the Eighth Circuit Court as one of two courts in Davidson County focusing exclusively on family and domestic matters. The Fourth Circuit Court is the second court performing this function.

## SCENES FROM THE SWEARING-IN CEREMONY



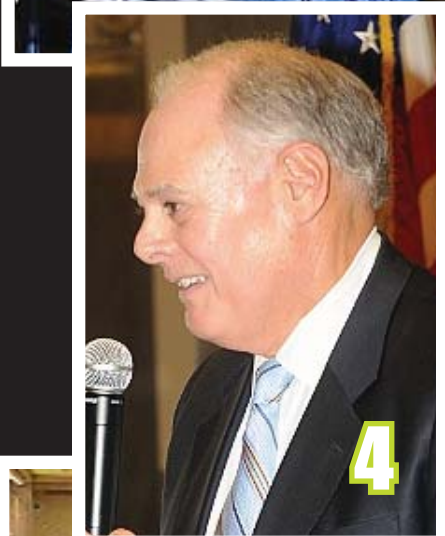
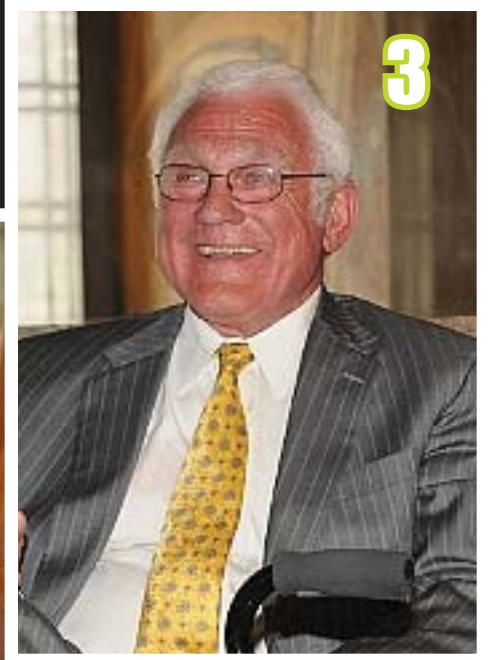
(1) Judge Robinson presenting flowers to Judge Haynes; (2) Judge Randy Kennedy passing Judge Robinson his first gavel; (3) Judge Robinson after accepting the gavel; (4) Judge Robinson addressing those gathered; (5) Judge Phil Smith speaking at the ceremony.



# RETIREMENT CEREMONY FOR JUDGE BARBARA HAYNES



Friends, colleagues, family, courthouse personnel and others gathered at the historical Metro Courthouse on March 29th to honor retired Judge Barbara Haynes for her 29 year career on the bench serving Davidson County



(1) Tennessee Supreme Court Chief Justice Connie Clark honors Judge Haynes' service to the judiciary; (2) Retired Judge Barbara Haynes addresses the crowd; (3) State Senator Joe Haynes (husband) looks on with pride; (4) Judge Joe Binkley, Presiding Judge of Circuit Court, delivers his comments; (5) a view of the crowd gathered for the ceremony; (6) Nashville Mayor Karl Dean shares his memories of Judge Haynes

# CIRCUIT COURT TRIAL VERDICTS MARCH 2012

## JURY TRIALS

**IF CASE WAS  
APPEALED FROM  
GENERAL SESSIONS**

CASE	TYPE	COURT	CIRCUIT JUDGMENT	GEN. SESSIONS JUDGMENT	APPELLANT
<b>Week of March 5</b>					
07C-1287	HEALTH CARE LIABILITY	2	NON-SUIT ON 3/7 (AFTER 2 DAYS OF TRIAL)	N/A	
10C-4231	AUTOMOBILE	8	PLAINTIFF \$8,248	N/A	
10C-3042	AUTOMOBILE	6	PLAINTIFF 50% FAULT (CASE DISMISSED)	N/A	
09C-2373	FALSE IMPRISONMENT	5	COMPROMISE & SETTLEMENT (2ND DAY OF TRIAL)	N/A	
09C-2192	AUTOMOBILE	6	DEFENDANT VERDICT	N/A	
09C-3694	AUTOMOBILE	1	PLAINTIFF 50% FAULT (CASE DISMISSED)	TRANSFERRED TO CIRCUIT	
<b>Week of March 26</b>					
11C-542	AUTOMOBILE	2	PLAINTIFF \$10,408	N/A	
10C-3444	AUTOMOBILE	6	PLAINTIFF \$5,000	N/A	
11C-1730	CONTRACT	8	PLAINTIFF \$4,809	TRANSFERRED TO CIRCUIT	
09C-978	HEALTH CARE LIABILITY	1	DEFENDANT VERDICT	N/A	
05C-3935	HEALTH CARE LIABILITY	5	HUNG JURY/MISTRIAL ON 4/5/12		

## NON-JURY TRIALS

CASE	TYPE	COURT	CIRCUIT JUDGMENT	GEN. SESSIONS JUDGMENT	APPELLANT
<b>Week of March 19</b>					
11C-2999	CONTRACT/DEBT	1	PLAINTIFF \$175 / COSTS SPLIT	DEFENDANT	PLAINTIFF
11C-5020	TRAFFIC APPEAL	1	PLAINTIFF/REDUCED TO SPEEDING/\$50	N/A	
11C-2332	SUBROGATION	5	DEFENDANT VERDICT	N/A	
11C-4903	CONTRACT/DEBT	1	PLAINTIFF \$7,400 (FROM DEF GORDON)	P - \$10,000	DEFENDANT
11C-2269	COLLECTION	5	PLAINTIFF \$55,228	N/A	
10C-4713	AUTOMOBILE	6	DEFENDANT VERDICT	N/A	
09C-3381	AUTOMOBILE/DAMAGES	6	PLAINTIFF \$17,572 + COSTS	N/A	
10C-3791	INTERPLEADER	5	LIFE INS. PROCEEDS TO DECEASED'S ESTATE, NOT TO NAMED BENEFICIARIES DUE TO FELONIOUS KILLING	N/A	

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

CASE	TYPE	COURT	CIRCUIT JUDGMENT	DATE OF TRIAL	JURY OR NON-JURY
04C-2916	AUTOMOBILE	1	PLAINTIFF \$2,030,000 (75% FAULT DEF STANLEY & 25% FAULT TO METRO)	3-12-12 (FINAL ARGUMENT)	Non-Jury
08C-1852	FRAUD / DAMAGES	5	PLAINTIFF \$55,150	3-23-12	Non-Jury

# DEPARTMENTS BY THE NUMBER

# March 2012

## CIRCUIT COURT

	MAR	YTD
New Civil Cases Filed.....	219	630
Jury Demand.....	95	285
Non-Jury.....	124	345
New Divorce Cases Filed .....	231	645
Domestic Petitions Filed .....	337	873
New Adoption Petitions .....	12	35
Civil Cases Concluded.....	222	663
Jury Demand.....	146	407
Non-Jury .....	76	256
Divorce Cases Concluded .....	169	557
Domestic Petitions Concluded .....	226	552

## GENERAL SESSIONS CIVIL

	MAR	YTD
Total New Cases Filed .....	4,078	12,397
Civil Warrants .....	2,266	6,520
Detainer Warrants .....	724	2,687
Recovery Warrants.....	20	56
Pet for Order of Protection.....	275	821
Emergency Committals .....	658	1,935
Other.....	135	378
Executions Issued.....	4,405	12,775
Garnishment Payments .....	4,972	14,073
Judgments Collected.....	\$1,132,652	\$3,097,853

## PROBATE COURT

	MAR	YTD
Total New Cases Filed .....	195	527
Total Cases Closed .....	177	516
Probate Will .....	76	220
Probate Will for Muniment of Title.....	5	17
Letters of Administration.....	36	77
Small Estate Affidavits.....	22	75
Conservatorship.....	27	61
Guardianship of Minor.....	0	11
Name Change .....	17	37
Trust Matters.....	4	9
Other Miscellaneous .....	8	20

## TRAFFIC VIOLATIONS BUREAU

	MAR	YTD
Total Traffic Violations .....	10,494	31,409
Moving Citations .....	6,592	20,838
Parking Citations.....	3,902	10,571
Environmental Citations.....	194	692
Total Fines Collected .....	\$449,798	\$1,379,423
Nullifications.....	841	2,536
Nullification Fees Collected ...	\$10,087	\$30,420
*Credit Card Payments .....	3,179	8,821



## LEGAL COMMUNITY MOURNS THE DEATH OF RETIRED NASHVILLE CHANCELLOR IRVIN H. KILCREASE, JR.

Former Davidson County Chancellor Irvin H. Kilcrease Jr., the first African American to head up a chancery court in Tennessee, died March 19th at the age of 80. Kilcrease was named by Governor Lamar Alexander to the bench in 1980 and served until his retirement in 2003, whereupon he was succeeded by Claudia Bonnyman. He graduated from the Nashville School of Law in 1966, being one of the first African-American graduates. In 2004, after his retirement, the law school honored him as a distinguished alumnus.

After entering the practice of law, he served as an assistant U.S. attorney in Nashville and worked in private practice and as a public defender before being appointed to the bench. Mayor Karl Dean called Chancellor Kilcrease a "trailblazer and a true public servant." He further commented that "while serving as the state's first African-American chancellor for 23 years, Judge Kilcrease was consistently fair and tough minded."

Mr. Kilcrease is survived by his wife, Kathleen, and his son, along with two brothers and two sisters.

CIRCUIT COURT TRIALS  
BY TYPE OF CASE

# MARCH 2012



## AUTO ACCIDENT

	MAR	YTD
Total Cases Tried	9	14
Plaintiff Verdicts	5	8
Defendant Verdicts	4	6
Other/Under Adv	0	0
Jury Trials	6	9
Non-Jury Trials	3	5
Appeal from G.S.	0	1
Plaintiff Verd.	0	1
Def. Verdict	0	0
Other/None	0	0

## CONTRACT

	MAR	YTD
Total Cases Tried	4	13
Plaintiff Verdicts	4	11
Defendant Verdicts	0	2
Other/Under Adv	0	0

## HEALTH CARE LIABILITY

	MAR	YTD
Total Cases Tried	3	7
Plaintiff Verdicts	0	1
Defendant Verdicts	1	3
Other/Under Adv/Hung	2	3

## MISCELLANEOUS

	MAR	YTD
Total Cases Tried	5	20
Plaintiff Verdicts	3	15
Defendant Verdicts	1	4
Other/Under Adv	1	1



On Saturday, March 24th, a crowd of several thousand people celebrated all things Japanese by attending the 4th Annual Nashville Cherry Blossom Festival in Public Square Park. Those in attendance enjoyed a variety of food, entertainment and cultural activities.

Cherry blossom festivals are celebrated every spring all over the United States, attracting tourists and bringing a taste of Japanese culture to local communities. One of the missions of the Nashville Cherry Blossom Festival Committee is to plant 1,000 cherry blossom trees by planting 100 trees every spring over 10 years. With 100 additional trees being planted this year, Nashville can boast of 400 cherry blossom trees now adorning our city's landscape as a direct result of this event.



## ROOKER REPORT

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RICHARD R. ROOKER . . . . . Circuit Court Clerk  
KYLE SOWELL . . . . . Editor



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