



ROOKER APRIL 2013 REPORT

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

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Trial Verdicts
(Jury, Non-Jury, Specially Set)

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Statistical Numbers by Each
Department for
April 2013
and Year-to-Date
(Circuit, Probate, Gen Sessions,
Traffic)

Memorial Service Honors
Local Attorneys

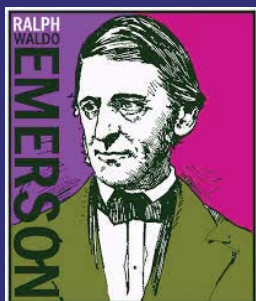
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Overview of April 2013
Trials By Type of Case

Nashville Cherry Blossom
Festival Celebrates 5th Year
In Public Square Park

QUOTE OF THE MONTH

“To be yourself in a world
that is constantly trying
to make you something
else is the greatest accom-
plishment.”— Ralph Waldo
Emerson



RECALLING “THE MOVE” 10 YEARS LATER

Do you remember when General Sessions Court used to be located in the Stahlman Building? Do you remember when a parking garage stood behind the Ben West Building where the Birch Building now stands? Do you remember that sprawling and unappealing surface parking lot that used to be located in front of the Historic Courthouse before it was transformed into our city's beautiful Public Square Park sitting atop an enormous underground parking structure? If you do, then you recall the days before the entire court system temporarily moved for several years to the Metro Center office complex area just north of downtown.

The move was necessary so that a major renovation of the Historic Courthouse could take place and so that the Birch Building could be built adjacent to the Ben West Building, which itself underwent significant renovations. But making the move happen in a seamless way was a logistical challenge which those involved remember to this day. It was 10 years ago this month in April 2003 when the moving trucks began to roll. Business as usual ceased at 4:30 p.m. on Friday, April 4th. Over the next two weeks, the employees of this office, as well as the judge's offices and other courthouse operations, worked tirelessly to relocate every aspect of the court system to Metro Center as quickly as possible. Tens of thousands of files had to be boxed up and then unpacked on the receiving end. Hundreds of pieces of furniture, machinery, computer equipment and countless boxes of personal items had to be loaded up and then delivered to the correct location which was often a challenge in and of itself. Making matters



Excavation taking place for the new
Public Square Garage and Park

more interesting was the fact that the court system was not just relocating to Metro Center; it was relocating to three separate buildings in Metro Center which were not within easy walking distance of one another. And, most remarkably, during the entire move, the offices of the Circuit Court Clerk never closed during regular business hours. Circuit Court Clerk Richard Rooker endeavored to make sure that customers were accommodated at the new locations without interruption despite the chaos of the move. But somehow it all came together. By Monday morning, April 21st, the courts were once again holding regular dockets in their new home.

In June 2006, after a little over a three year stay, General Sessions, Traffic Violations and the Criminal Courts moved back downtown to occupy the newly constructed Justice A.A. Birch Building. Eight months later, in February 2007, the civil trial courts, along with the clerk operations for Circuit Court, Probate Court and Chancery Court returned to the newly renovated Metro Historic Courthouse.

CHECK OUT THESE ARCHIVED EDITIONS OF THE ROOKER REPORT FOR FURTHER
INFORMATION ABOUT THE RELOCATION TO AND FROM METRO CENTER

<http://circuitclerk.nashville.gov>

March 2003
April 2003

May 2006
June 2006

January 2007
February 2007

April 2007
May 2007

CIRCUIT COURT TRIAL VERDICTS

APRIL 2013

JURY TRIALS

**IF CASE WAS
APPEALED FROM
GENERAL SESSIONS**

| CASE | TYPE | COURT | CIRCUIT JUDGMENT | GEN. SESSIONS JUDGMENT | APPELLANT |
|-------------------------|-----------------------|-------|--------------------------------------|------------------------|-----------|
| Week of April 8 | | | | | |
| 12C-1029 | NEGLIGENCE | 8 | PLAINTIFF \$12,000 | N/A | |
| Week of April 15 | | | | | |
| 10C-3153 | AUTOMOBILE | 1 | DEFENDANT VERDICT | N/A | |
| 12C-1888 | AUTOMOBILE | 8 | PLAINTIFF \$25,203 (AGAINST D2 ONLY) | P - \$24,999 | DEFENDANT |
| 12C-4776 | AUTOMOBILE | 5 | DEFENDANT VERDICT | P - \$9,000 | DEFENDANT |
| 12C-4586 | AUTOMOBILE | 1 | PLAINTIFF \$37,046 | N/A | |
| 10C-3240 | HEALTH CARE LIABILITY | 6 | DEFENDANT VERDICT | N/A | |
| Week of April 8 | | | | | |
| 09C-1488 | AUTOMOBILE | 6 | PLAINTIFF \$97,500 (JURY WAIVED) | N/A | |

NON-JURY TRIALS

| CASE | TYPE | COURT | CIRCUIT JUDGMENT | GEN. SESSIONS JUDGMENT | APPELLANT |
|-------------------------|----------------------|-------|--------------------------------------|------------------------|-----------|
| Week of April 2 | | | | | |
| 12C-3659 | SWORN ACCOUNT | 1 | PLAINTIFF \$31,638 BY DEFAULT | P - \$25,000 | DEFENDANT |
| 12C-3452 | SWORN ACCOUNT | 1 | PLAINTIFF \$3,214 + ATTY FEES & INT | DISMISSED | PLAINTIFF |
| 12C-2934 | TRAFFIC APPEAL | 1 | DEFENDANT / DISMISSED | N/A | |
| 12C-4997 | DAMAGE TO FENCE | 1 | PLAINTIFF (GS JUDG AFFIRMED IN PART) | P - \$490 | DEFENDANT |
| 12C-3170 | CONTRACT | 5 | PLAINTIFF \$9,600 (AGAINST D2 ONLY) | P - \$24,999 | DEFENDANT |
| Week of April 22 | | | | | |
| 12C-3984 | CONTRACT | 1 | DEFENDANT / CASE DISMISSED | P - \$7,655 | DEFENDANT |
| 13C-338 | CONTRACT | 2 | PLAINTIFF \$1,300 | P - \$1,500 | DEFENDANT |
| 12C-2951 | CONTRACT | 8 | DEFENDANT / DISMISSED FOR FTP | P - \$4,000 | DEFENDANT |
| 11C-4439 | WORKERS' COMP RECON | 8 | PLAINTIFF / RECONSIDERATION GRANTED | N/A | |
| 12C-5287 | TRAFFIC APPEAL | 1 | DISMISSED / DEFT TO PAY Ct COSTS | N/A | |
| 12C-2733 | CONTRACT | 5 | PLAINTIFF \$11,008 | P - \$18,968 | DEFENDANT |
| 12C-3845 | TRAFFIC APPEAL | 5 | DISMISSED | N/A | |
| 12C-4998 | DETAINER | 2 | DEFENDANT (RULE 60 MOT OVERTURNED) | DISMISSED/FTP | DEFENDANT |
| 12C-881 | CONTRACT | 2 | PLAINTIFF \$38,312 | N/A | |
| 11C-720 | AUTOMOBILE / DAMAGES | 2 | PLAINTIFF \$450,000 | N/A | |
| 12C-1376 | WORKERS' COMP | 1 | EMPLOYEE \$24,790 (39% PPD) | N/A | |
| 12C-1713 | CONTRACT | 5 | PLAINTIFF \$10,613 | P - \$14,070 | DEFENDANT |
| 12C-3550 | TRAFFIC APPEAL | 5 | DEFENDANT / DISMISSED | N/A | |

SPECIALLY SET TRIALS

| CASE | TYPE | COURT | CIRCUIT JUDGMENT | DATE OF TRIAL | JURY OR NON-JURY |
|----------|--------------------|-------|---------------------------------|---------------|------------------|
| 12C-2999 | CONTRACT | 5 | PLAINTIFF \$150,000 + ATTY FEES | 4-26-13 | NON-JURY |
| 12C-3352 | BREACH OF CONTRACT | 8 | PLAINTIFF \$33,463 | 4-26-13 | NON-JURY |

DEPARTMENTS BY THE NUMBER

April 2013

CIRCUIT COURT

| | APR | YTD |
|------------------------------------|-----|-------|
| New Civil Cases Filed..... | 211 | 858 |
| Jury Demand..... | 96 | 367 |
| Non-Jury..... | 115 | 491 |
| New Divorce Cases Filed | 204 | 840 |
| Domestic Petitions Filed | 240 | 918 |
| New Adoption Petitions | 15 | 52 |
| Civil Cases Concluded..... | 294 | 953 |
| Jury Demand..... | 156 | 590 |
| Non-Jury | 138 | 363 |
| Divorce Cases Concluded | 279 | 861 |
| Domestic Petitions Concluded | 526 | 1,093 |

GENERAL SESSIONS CIVIL

| | APR | YTD |
|----------------------------------|-------------|-------------|
| Total New Cases Filed | 3,929 | 14,996 |
| Civil Warrants | 1,945 | 7,310 |
| Detainer Warrants | 866 | 3,639 |
| Recovery Warrants..... | 18 | 92 |
| Pet for Order of Protection..... | 329 | 1,090 |
| Emergency Committals | 746 | 2,796 |
| Other..... | 25 | 69 |
| Executions Issued..... | 4,287 | 15,562 |
| Garnishment Payments..... | 4,709 | 18,333 |
| Judgments Collected..... | \$1,084,230 | \$4,220,572 |

PROBATE COURT

| | APR | YTD |
|---|-----|-----|
| Total New Cases Filed | 189 | 761 |
| Total Cases Closed | 208 | 662 |
| Probate Will | 86 | 355 |
| Probate Will for Muniment of Title..... | 9 | 30 |
| Letters of Administration..... | 24 | 115 |
| Small Estate Affidavits..... | 35 | 127 |
| Conservatorship..... | 16 | 71 |
| Guardianship of Minor | 0 | 5 |
| Name Change | 9 | 33 |
| Trust Matters..... | 2 | 6 |
| Other Miscellaneous | 8 | 19 |

TRAFFIC VIOLATIONS BUREAU

| | APR | YTD |
|------------------------------------|-----------|-------------|
| Total Traffic Violations..... | 11,427 | 41,369 |
| Moving Citations | 6,594 | 26,106 |
| Parking Citations..... | 4,833 | 15,263 |
| Environmental Citations..... | 90 | 484 |
| Total Fines Collected | \$431,548 | \$1,764,778 |
| Nullifications..... | 580 | 2,763 |
| Nullification Fees Collected | \$6,954 | \$33,148 |
| *Credit Card Payments | 5,150 | 17,620 |

MEMORIAL SERVICE TO HONOR LOCAL ATTORNEYS WHO PASSED AWAY WITHIN THE PAST SIX MONTHS

The Nashville Bar Association's Spring Memorial Service will be held on Thursday, May 23, 2013, at 11:00 a.m. at the Downtown Presbyterian Church. A project of the NBA's Historical Committee, the Memorial Service honors the memory of those Nashville lawyers and judges who passed away during the preceding 6-month period. The service will be the 105th such memorial conducted by the NBA and will be immediately followed by a reception.

Memorial resolutions, recounting the lives and legal careers of the deceased individuals, are prepared and then read at the service by friends and colleagues. Those attorneys to be honored are Judge Shelton Hatcher, Jr.; Tom Ware; Houston Hagar; Mary Schaffner; Martin Simmons; Charles Galbreath; and William Wommack.



CIRCUIT COURT TRIALS
BY TYPE OF CASE

APRIL 2013



AUTO ACCIDENT

| | APR | YTD |
|--------------------|-----|-----|
| Total Cases Tried | 6 | 12 |
| Plaintiff Verdicts | 4 | 9 |
| Defendant Verdicts | 2 | 3 |
| Other/Under Adv | 0 | 0 |
| Jury Trials | 5 | 11 |
| Non-Jury Trials | 1 | 1 |
| Appeal from G.S. | 2 | 4 |
| Plaintiff Verd. | 2 | 4 |
| Def. Verdict | 0 | 0 |
| Other/None | 0 | 0 |

CONTRACT

| | APR | YTD |
|--------------------|-----|-----|
| Total Cases Tried | 11 | 19 |
| Plaintiff Verdicts | 9 | 14 |
| Defendant Verdicts | 2 | 5 |
| Other/Under Adv | 0 | 0 |

HEALTH CARE LIABILITY

| | APR | YTD |
|----------------------|-----|-----|
| Total Cases Tried | 1 | 2 |
| Plaintiff Verdicts | 0 | 1 |
| Defendant Verdicts | 1 | 1 |
| Other/Under Adv/Hung | 0 | 0 |

MISCELLANEOUS

| | APR | YTD |
|--------------------|-----|-----|
| Total Cases Tried | 9 | 26 |
| Plaintiff Verdicts | 4 | 16 |
| Defendant Verdicts | 5 | 10 |
| Other/Under Adv | 0 | 0 |



On Saturday, March 23rd, a crowd of several thousand people celebrated all things Japanese by attending the 5th 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 500 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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please call Dart Gore at 880-3309

