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ANNUAL REPORT 1991-92

ACQUISITIONS

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National Institute of Justice**

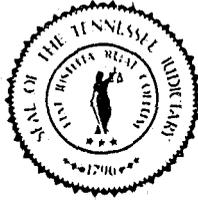
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ADMINISTRATIVE OFFICE OF THE COURTS

Supreme Court

State of Tennessee

Nashville City Center, Suite 1400

Nashville 37243-0607

CHARLES E. FERRELL
DIRECTOR

615/741-2687 • FAX NO. 615/741-6285

SUZANNE G. KEITH
DEPUTY DIRECTOR

Report from the Executive Secretary

On behalf of the Tennessee Judicial Council, and in accordance with the provisions of Tennessee Code Annotated, Section 16-21-107(b), the Tennessee Judicial Annual Report and companion, Statistical Appendix, are presented to officials of the State of Tennessee and other concerned persons. The purpose of these publications is to provide detailed caseload information (Statistical Appendix), along with an overview of Tennessee's judicial system (Annual Report) for fiscal year 1991-92.

The appellate courts and trial courts continue to experience a steady increase in caseload filings. Population shifts and increases in drug/alcohol related cases have created some disparities where judicial resources have had to be assigned or special programs created, such as the Shelby County Drug Court program.

The financial impact of the past several years has in no way hindered or reduced the delivery of quality services by the judges, clerks of court, or attorneys in this state.

A special expression of gratitude is extended to the judges and the clerks of court and their staffs for providing the information needed to publish these reports.

Respectfully submitted,

Charles E. Ferrell
Secretary, Tennessee Judicial Council
Executive Secretary to the Tennessee
Supreme Court

DUTIES OF THE JUDICIAL COUNCIL

The Judicial Council is required by T.C.A. 16-21-107 to continuously survey and study the operation of the judicial department of the state, to devise ways to improve the administration of justice, to submit suggestions and recommendations to the Supreme Court and the General Assembly regarding changes in the administration of the judicial system, and to collect, compile, analyze, and publish statistics and other information pertaining to the judicial system. The Tennessee Judicial Information System (TJIS) is the mechanism used to survey the state courts of record and to compile statistics reflecting their caseload. There are 197 court clerks who report caseload information to TJIS either by magnetic tape or on paper forms which are keyed into an IMSI database on the state's mainframe.

As established by statute, the Judicial Council consists of one justice of the Supreme Court selected by a majority vote of the judges on the Court; one of the judges of the Court of Appeals selected by the Court of Appeals; and one of the judges from the Court of Criminal Appeals chosen by the judges of the Court of Criminal Appeals. The Supreme Court also selects by majority vote one chancellor, one circuit court judge, one criminal court judge, and one general sessions court judge. The speaker of the state senate, the speaker of the state house of representatives, the chairman of the judiciary committee of the state senate, the chairman of the judiciary committee of the state house of representatives, the state attorney general and the executive secretary to the Supreme Court also serve as ex officio members of the Judicial Council.

The Governor also appoints Council members. He selects two lay people and two members of the Tennessee bar. The attorneys must have practiced in the state for at least three years.

The Council itself has the power to elect six members at large. These members may or may not be practicing attorneys.

Members of the Council serve for a period of four years except the attorney general, the executive secretary to the Supreme Court, the speakers of the senate and house of representatives, and the chairmen of the judiciary committees of the senate and house of representatives. The speakers and the chairmen of the judiciary committees serve as Council members during their representative terms of office.

The Council is statutorily mandated to meet once a year on the fourth Monday in October in Nashville. The Council may also call additional meetings to carry out its duties.

TENNESSEE JUDICIAL COUNCIL
1991-92

**SELECTED BY THE
SUPREME COURT**

E. Riley Anderson, Chairman
Justice, Tennessee Supreme Court

James E. Beckner
Criminal Court Judge
3rd Judicial District
(Term began 3/1/92)

Steve Daniel
Circuit Court Judge
16th Judicial District

W. Michael Maloan
Chancellor
27th Judicial District
(Term began 3/1/92)

Carol Catalano
General Sessions Court Judge
Montgomery County

**SELECTED BY COURT OF
APPEALS**

Samuel L. Lewis
Judge, Court of Appeals
Pulaski, Tennessee

**SELECTED BY COURT OF
CRIMINAL APPEALS**

Adolpho A. Blish, Jr.
Judge, Court of Criminal Appeals
Nashville, Tennessee

EX OFFICIO MEMBERS

John S. Wilder
Lieutenant Governor

Jimmy Naifeh
Speaker of the House

Curtis S. Person, Jr.
Chairman, Senate Judiciary
Committee

Frank Buck
Chairman, House Judiciary
Committee

Charles W. Burson
Vice Chairman
Attorney General

Cletus McWilliams
Secretary, Executive
Secretary to the Supreme Court
(Retired 6/30/92)

Charles E. Ferrell
Secretary, Executive Secretary
to the Supreme Court
(Term began 8/31/92)

George R. Bonds
Executive Secretary to the
District Attorneys
General Conference

William A. Hardin
Executive Secretary to the
District Public
Defenders Conference

SELECTED BY THE GOVERNOR

Gary Simmons
McKenzie, Tennessee

Rheubin M. Taylor
Attorney at Law
Chattanooga, Tennessee

Mary M. Farmer
Attorney at Law
Knoxville, Tennessee

Dan Buckner
Dickson, Tennessee

**SELECTED BY THE JUDICIAL
COUNCIL**

David Manning
Commissioner, Department of
Finance and Administration

Minerva J. Johnican
Criminal Court Clerk
Shelby County

Robert S. Brandt
Chancellor
20th Judicial District
(Resigned 3/26/92)

DICKSON COUNTY

County Seat: Charlotte, Tennessee 37036

*The Dickson County Courthouse in Charlotte, Tennessee, has the distinction of being the oldest courthouse in use in the state. It was built in 1833 after the first courthouse of 1812 was destroyed by the tornado that demolished the town of Charlotte in 1830. The builder was Phillip Murray. In 1930 wings were added and, because it was not possible to match the original brick, the whole building was encased in brick to match the new wings.

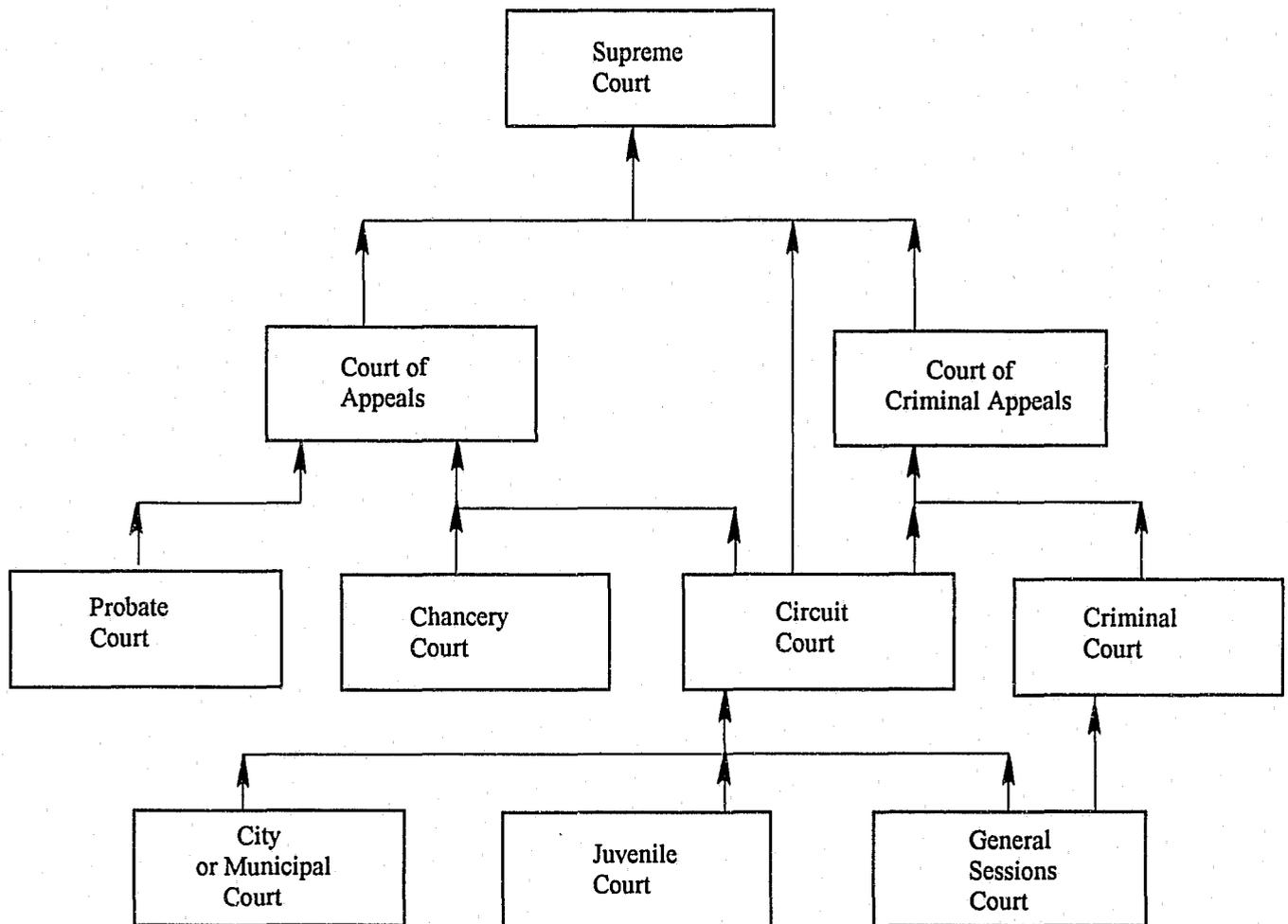
**The Dickson County Annex was built in 1977. This two story brick building's main entrance faces the Public Square. Many of the various court offices have been moved there although the general sessions court and various judicial offices remain in the old courthouse.



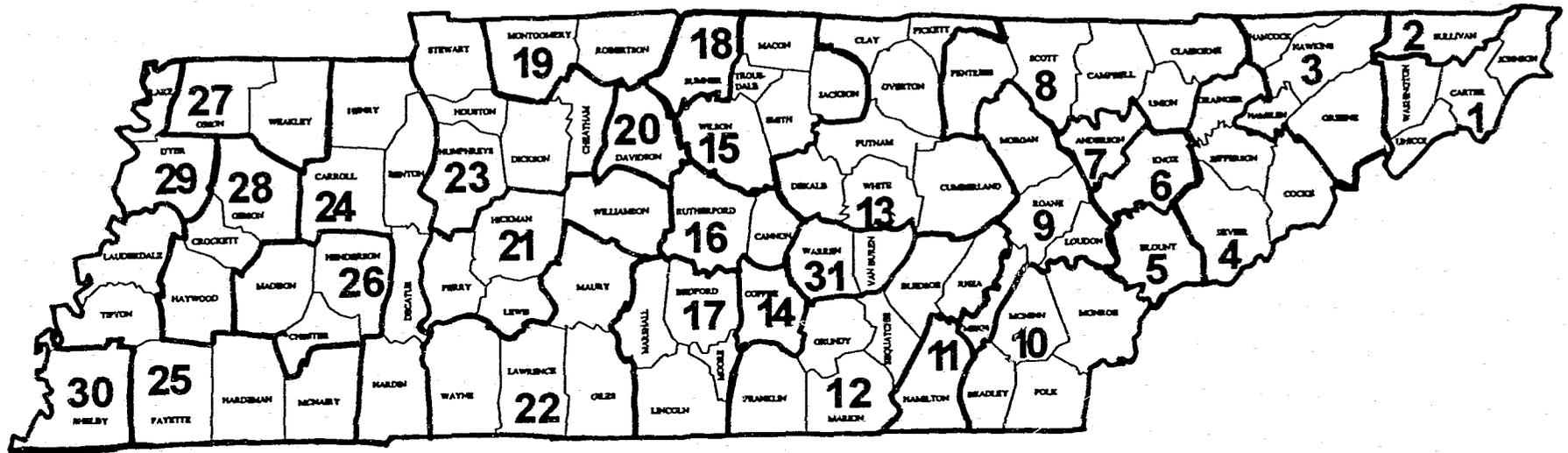
*Harper, Herbert L., "The Antebellum Courthouses of Tennessee," Tennessee Historical Quarterly, Spring 1971.

**"Historic Charlotte", a historical brochure by the City of Charlotte, 1992.

TENNESSEE JUDICIAL SYSTEM



TENNESSEE JUDICIAL DISTRICTS



The Tennessee Supreme Court

JUSTICES OF THE SUPREME COURT

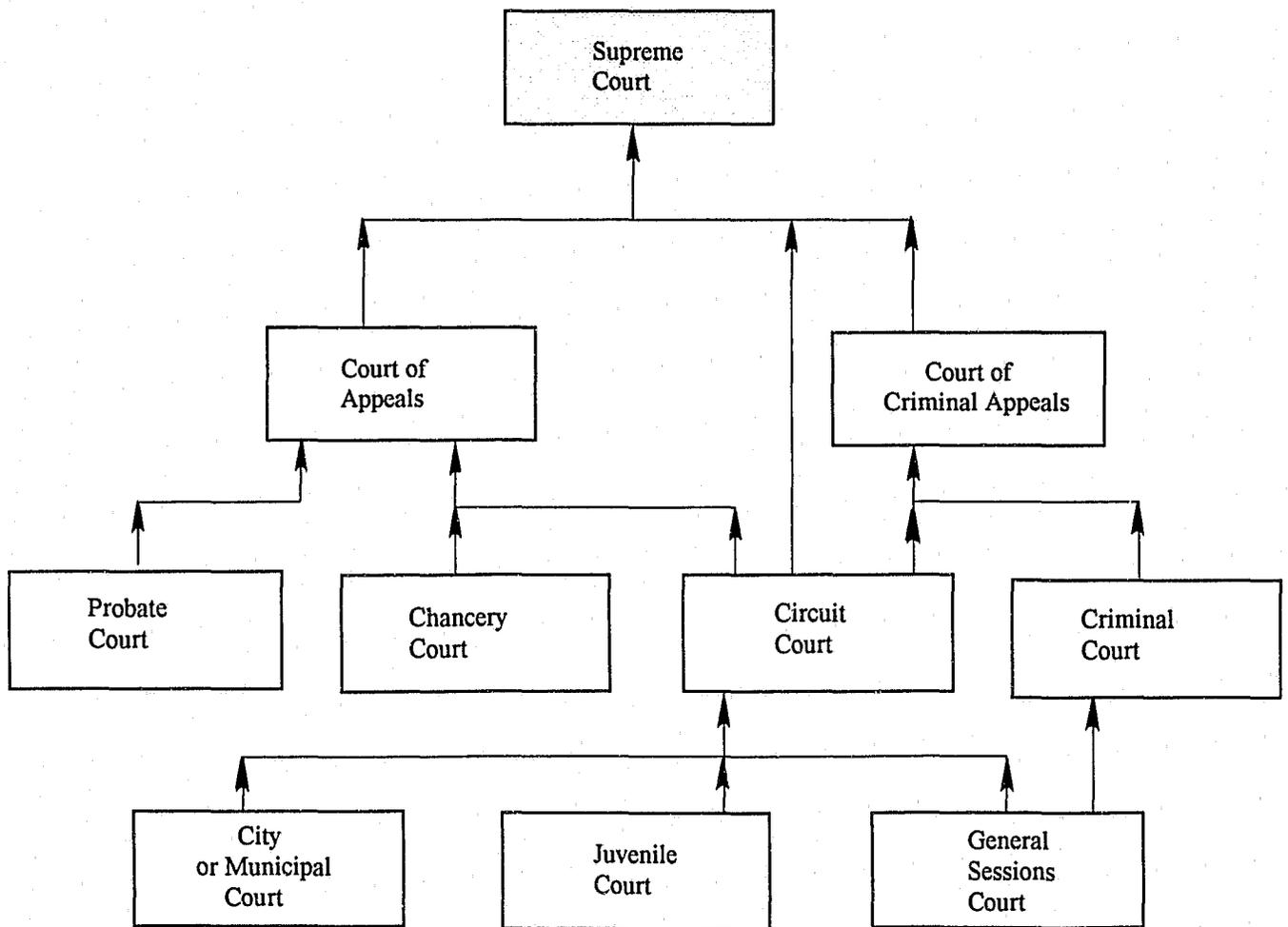
OVERVIEW OF THE COURT

SUPREME COURT RULINGS

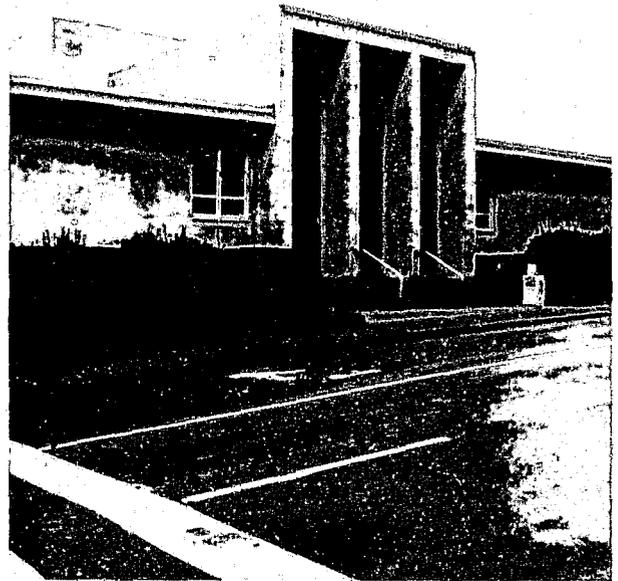
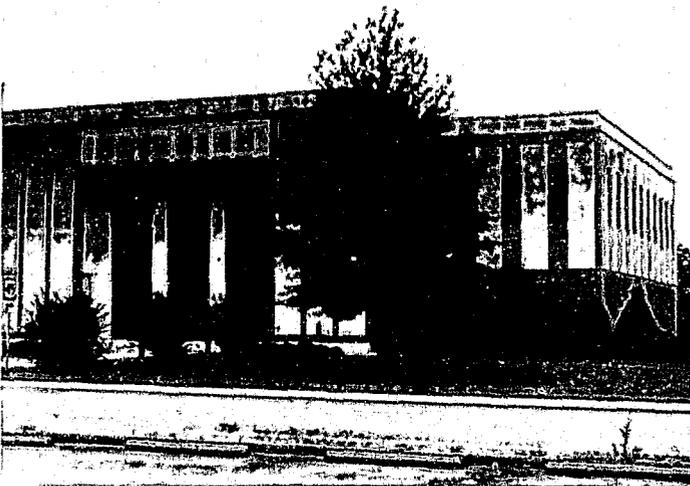
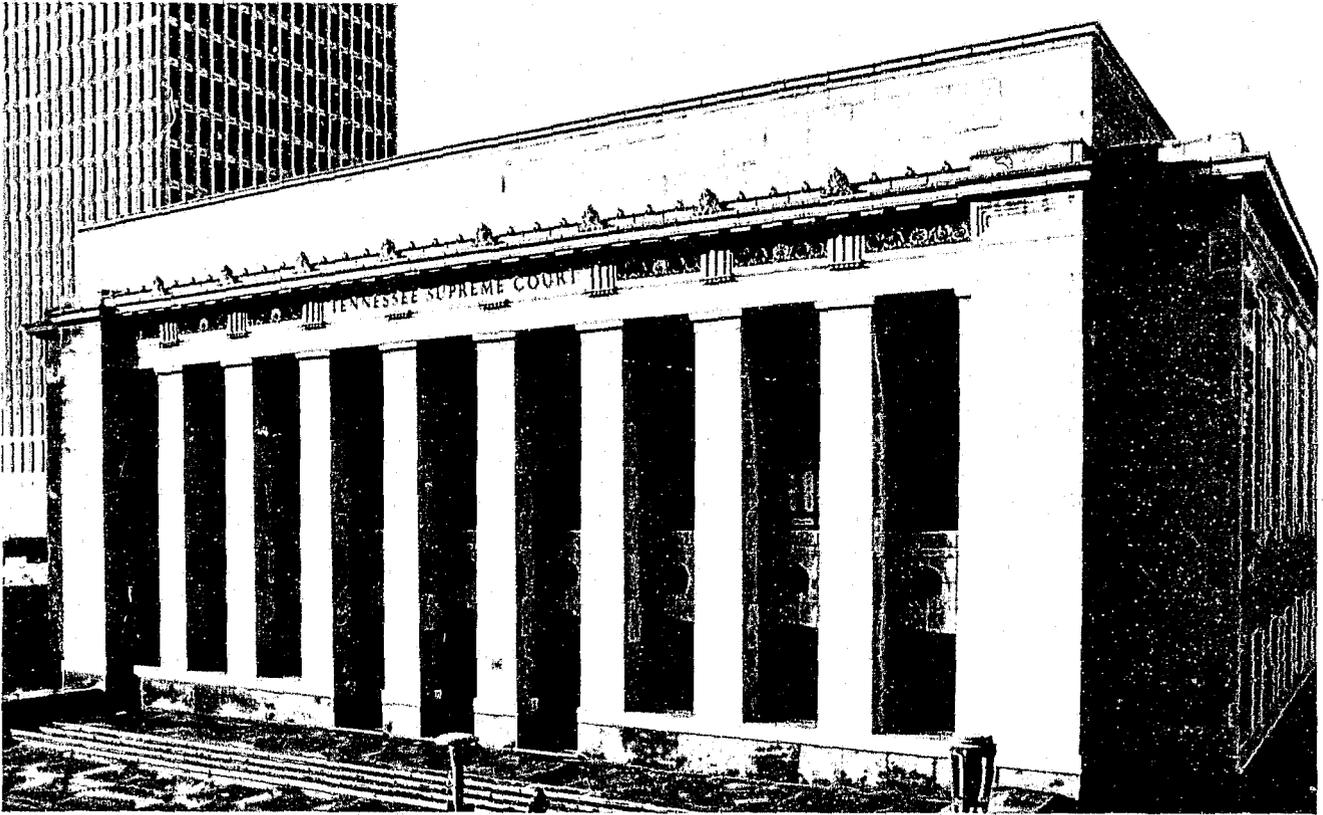
CASELOAD SUMMARY

SUPREME COURT COMMISSIONS

TENNESSEE SUPREME COURT



TENNESSEE SUPREME COURT BUILDINGS



Pictured Courthouses:
Top - Nashville
Above Left - Jackson
Right - Knoxville

**SUPREME COURT JUSTICES
1991-92**

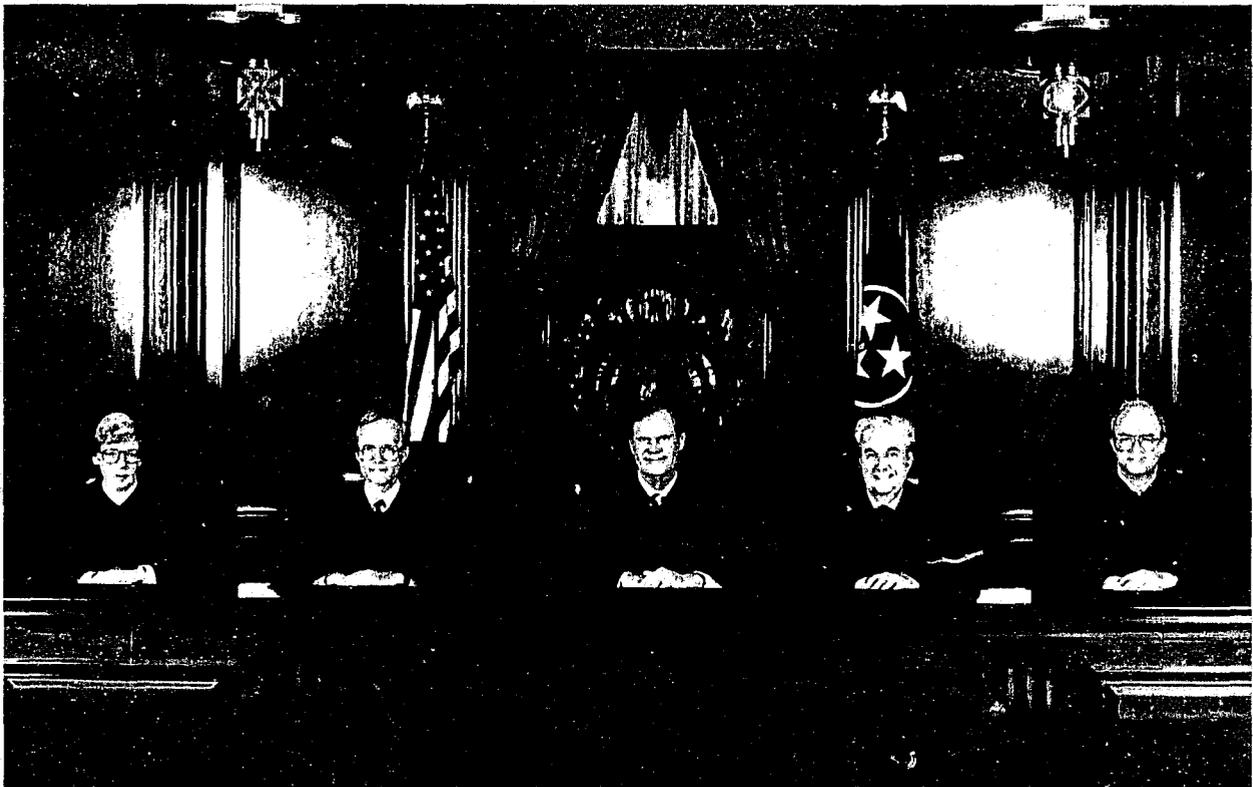
**Lyle Reid
Chief Justice**

**Frank F. Drowota, III
Associate Justice**

**Charles H. O'Brien
Associate Justice**

**Martha Craig Daughtrey
Associate Justice**

**E. Riley Anderson
Associate Justice**



SUPREME COURT

Organization and Selection

The State constitution vests the judicial power of Tennessee in one Supreme Court and in such circuit courts, chancery courts and other lower courts as the legislature may establish.

The Supreme Court is composed of five elected justices. A justice must be at least thirty-five years of age, a resident of the state for five years and licensed to practice law in the state. The justices are elected to eight year terms. No more than two justices may reside in any one of the state's three grand divisions. When a vacancy occurs on the Court, the Governor appoints a person to serve until the next regular August biennial election, at which time any qualified candidate may seek the office for the remainder of the current term.

The Supreme Court sits at Jackson on the first Monday in April, at Knoxville on the second Monday in September, at Nashville on the first Monday in December and at such other times and places as ordered by the Chief Justice.

Jurisdiction

The jurisdiction of the Court is appellate only, under such restrictions and regulations as may from time to time be prescribed by law; but it may possess such other jurisdiction as is now conferred by law upon the present Supreme Court.

The Court has no original jurisdiction, but appeals and writs of error, or other proceedings for the correction of errors, lie from the inferior courts and Court of Appeals of law and equity within each division to the Supreme Court as provided by law.

The Court also has jurisdiction over all interlocutory appeals arising out of matters over which the Court has exclusive jurisdiction.

The Supreme Court may, upon the motion of any party, assume jurisdiction over an undecided case in which a notice of appeal is filed before any intermediate state appellate court after June 22, 1992.

The provisions of law apply only to cases of unusual public importance in which there is a special need for an expedited decision and which involve:

state taxes;
the right to hold or retain public office; or
issues of constitutional law.

The Supreme Court may, by order, take such actions necessary or appropriate to the exercise of the authority vested by law.

Appeals of actions pertaining to jurisdiction and standing for contested elections may be appealed to the Supreme Court. All other actions relative to election contests shall be appealed to the Court of Appeals.

Administration of Justice

The Supreme Court has constitutional, statutory and inherent power to supervise the courts and the administration of justice in the state. The Court may prescribe general rules of practice and procedure in all state courts. The Court may take affirmative action to correct or alleviate any imbalance in caseloads among the judicial districts and to alleviate any condition or situation adversely affecting the administration of justice. The Court maintains a roster of retired judges who are able to assume special duties as necessary.

The Executive Secretary to the Supreme Court provides assistance to the Supreme Court in the supervision and administration of justice in all state courts.

Clerks

Administration of dockets and records of the Supreme Court is the responsibility of the clerks of the Supreme Court. The Supreme Court appoints one clerk for each of the state's three grand divisions. Each clerk serves a term of six years. The following persons serve as clerks for the Supreme Court: A. B. Neil, Jr., Nashville; Jewel Redden, Jackson; and Robert Summar, Knoxville.

SUPREME COURT RULINGS FOR 1991-92

Discussed below are several recent Tennessee Supreme Court decisions which were handed down during 1991-92. Some of these rulings may have a major impact on the practice of law in Tennessee.

Supreme Court Rule 21, Section 3.01, was amended to require attorneys to complete three (3) additional hours per year of approved Continuing Legal Education in courses dealing with ethics and professionalism. This is in addition to the twelve (12) hour general education requirement. The amendment is effective January 1, 1993.

Hodges vs. SC Tool and Co. modifies the manner in which punitive damages are awarded. A court may award punitive damages only if it finds the defendant has acted either intentionally, fraudulently, maliciously, or recklessly. The plaintiff must prove the defendant's conduct by clear and convincing evidence.

Hataway vs. McKinley abandons the theory of *lex loci delicti* (place/location of the injury) and adopts the significant relationship approach. In actions for personal injury for wrongful death, the local law of the state where injury occurred determines rights and liabilities of the parties unless another state has a more significant relationship.

McIntyre vs. Balentine abandons the doctrine of contributory negligence and adopts the theory of comparative fault. The comparative fault doctrine allows plaintiff to recover damages if plaintiff's negligence remains less than defendant's negligence. The plaintiff's damages are reduced in proportion to the percentage of the total negligence of the plaintiff.

State ex rel. Town of South Carthage vs. Chester Barrett limited municipal courts' jurisdiction over state criminal cases because municipal judges are not elected according to constitutional requirements and cannot preside over state criminal cases. The state constitution requires inferior court judges to be elected to an eight year term, be at least thirty years old and be a five year state resident and a one year resident of the district or circuit.

Davis vs. Davis. In a case which drew national attention, the Supreme Court was called upon to decide which party in a divorce action was to have custody of seven "frozen preembryos" which were stored in a fertility clinic. The wife sought to have the preembryos transferred to her own uterus in an effort to become pregnant. The former husband objected. The wife's motion was denied. The Court held that the right of procreation is a vital part of an individual's right to privacy under the Tennessee Constitution. Allowing such action by the wife would violate the former husband's constitutional right to privacy. The clinic was authorized to follow its normal procedure in dealing with the unused preembryos.

Appellate Court Improvements Act of 1992

- (1) Removes direct appeal to Supreme Court in cases involving only issues of constitutionality of state statute, teacher tenure, state revenues, right to hold office and all other cases except parental consent for adoption.
- (2) Provides for death penalty cases to be reviewed first by Court of Criminal Appeals with automatic appeal to the Supreme Court if sentence is affirmed.
- (3) Provides for appeals of workers' compensation cases to go to the Supreme Court. The Supreme Court may then refer the case to a special workers' compensation appeals panel for a memorandum opinion. The creation of the panel is designed to give the court more time to hear cases with more legal significance.

**SUPREME COURT CASELOAD DATA
FISCAL YEAR 1991-92**

**Applications for Permission to Appeal
Filings**

	Eastern Section	Middle Section	Western Section	Total
Civil	132	156	88	376
Criminal	193	161	104	458

Dispositions

	Eastern Section	Middle Section	Western Section	Total
Granted				
Civil	17	19	10	46
Criminal	16	14	11	41
Total Granted	33	33	21	87
Denied				
Civil	112	137	68	317
Criminal	160	148	147	455
Total Denied	272	285	215	772
Other				
Civil	2	0	2	4
Criminal	3	9	10	22
Total Other	5	9	12	26
TOTAL	310	327	248	885

Note: The numbers shown above are a combination of data on the Justice Automated Maintenance System (JAMS) and cases reported to TJIS. The total number of granted applications for permission to appeal may not be equal to the number of filings from granted appeals because of data entry or clerical errors.

**SUPREME COURT CASELOAD DATA
FISCAL YEAR 1991-92**

**Cases for Decision by the Court
Filings**

	Eastern Section	Middle Section	Western Section	Total
Granted Appeals				
Civil	17	21	13	51
Criminal	16	13	9	38
Total Granted	33	34	22	89
Direct Appeals				
Civil	65	78	53	196
Criminal	6	3	3	12
Total Direct Appeals	71	81	56	208
Other				
Civil	1	4	0	5
Criminal	0	4	0	4
Total Other	1	8	0	9
Original Proceedings	9	12	1	22
TOTAL	114	135	79	328

Dispositions

	Eastern Section	Middle Section	Western Section	Total
Opinions	87	75	49	211
Orders	85	130	16	231
TOTAL	172	205	65	442

Note: The numbers shown above are a combination of data on the Justice Automated Maintenance System (JAMS) and cases reported to TJIS. The total number of granted applications for permission to appeal may not be equal to the number of filings from granted appeals because of data entry or clerical errors. Original proceedings include Writ of Habeas Corpus and Writ of Mandamus cases. The number of opinions shown includes only majority opinions, not concurring or dissenting opinions.

JUDICIAL COMMISSIONS AND COMMITTEES

The authority to prescribe general rules of practice and procedure in the courts of the state is vested in the Supreme Court of Tennessee. The Supreme Court appoints advisory commissions composed of attorneys and judges for the purpose of reviewing the general rules of practice and procedure. It is the duty of such commissions to advise the Supreme Court with respect to the adoption of additional rules or the adoption of amendments to current rules.

Appellate Court Nominating Commission

The Appellate Court Nominating Commission was created by the Tennessee General Assembly for the purpose of assisting the governor in appointing the best qualified persons to fill vacancies on the Court of Appeals and Court of Criminal Appeals. The commission is composed of attorneys and laymen.

When a vacancy occurs on either the Court of Appeals or Court of Criminal Appeals, it is the duty of the commission to receive applications from qualified candidates. When all the applications have been received, the commission holds a public hearing for the purpose of hearing testimony in support of or in objection to the candidates. When the public hearing is concluded, the commission nominates three persons to fill the vacancy. The names of the three nominees are submitted to the governor, who selects one nominee to fill the vacancy.

Court of the Judiciary

The Court of the Judiciary was created by the Tennessee General Assembly for the purpose of providing a method for inquiring into the following: the physical, mental or moral fitness of a judge; the manner of a judge's performance of duty; or the commission of any act which may reflect unfavorably upon the judiciary or adversely affect the administration of justice. The court is composed of judges, attorneys and laymen.

Charges may be presented to the court by any person. The court must conduct an investigation of all charges. If the court determines a charge to be well founded, but a relatively minor offense, it may issue a cease and desist order. If the court determines a charge to be well founded and a major offense, it may conduct a formal hearing. At the conclusion of the formal hearing, the court may take the following action: dismiss the charges; issue a formal reprimand; issue a cease and desist order; suspend the judge from the duties of office without impairment of compensation

for a period not to exceed thirty (30) days; or, enter judgment recommending removal of the judge from office. The judgment of the court may be appealed to the Supreme Court.

Judicial Council

The Judicial Council was created by the Tennessee General Assembly for the purpose of establishing an advisory body to receive, consider and take action on suggestions as to the administration of justice in the state. Suggestions may be submitted to the council by the general assembly, judges, public officials, attorneys and other interested persons. Upon consideration of suggestions, the council may recommend changes in rules or statutes to the general assembly, the courts or any other public official or department.

The council must report annually to the governor and the Supreme Court on the condition of business in the courts of the state and on the advisability of any legislative proposal affecting the administration of justice in the state.

The council is composed of judges, members of the general assembly, attorneys and laymen.

Judicial Ethics Committee

The Judicial Ethics Committee was created by the Supreme Court for the purpose of issuing formal ethics opinions on proper professional conduct of judges. Formal ethics opinions may be issued by the committee upon request of a judge. The committee is composed of five judges.

Shelby County Drug Court

The Shelby County Drug Court is a division of the Shelby County Criminal Court designated for the sole purpose of adjudicating felony drug cases in Shelby County. An enormous backlog of felony drug cases had developed in the criminal court of Shelby County prior to the designation of this special court in January 1991. The drug court is funded by a federal grant and matching state funds. The drug court utilizes alternative sentencing techniques and rehabilitation programs in an effort to reduce the rate of repeat felony drug offenders. The Shelby County Drug Court will serve as a model for similar projects in other areas of the State.

Board of Law Examiners

The Board of Law Examiners was created by the Tennessee General Assembly for the purpose of assisting the Supreme Court in the licensing of attorneys. The Board is responsible for conducting examinations of applicants for licenses to practice law in the state. The Board is composed of attorneys.

Tennessee Sentencing Commission

The Tennessee Sentencing Commission is an independent Commission created by the General Assembly in 1985. It is responsible for monitoring and reviewing the criminal justice system in Tennessee to ensure that sentencing is uniform and consistent. Originally the Commission was given three primary tasks which were completed in 1989: complete revision of the criminal code, classification of criminal offenses, and development of sentencing guidelines. The Commission also has the statutory duty to collect, develop, and maintain statistical information relating to sentencing in order for public policy decisions to be made through the use of data which is accurate, valid, and relevant to Tennessee. The Commission is composed of representatives of the state trial judges, general sessions judges, district attorneys, defense attorneys, legislators, law enforcement officials, and officials from the administrative branch.

Commission on Continuing Legal Education

The Commission on Continuing Legal Education was established by the Supreme Court for the purpose of exercising supervisory authority over continuing legal education programs for attorneys licensed to practice in the state. The Commission maintains records for the purpose of ensuring that all licensed attorneys comply with the educational requirements established by the Supreme Court. The Commission is composed of attorneys.

Board of Professional Responsibility

The Board of Professional Responsibility was established by the Supreme Court for the purpose of investigating alleged violations of the Code of Professional Responsibility and exercising disciplinary powers over all attorneys licensed to practice in the state. The Code of Professional Responsibility provides ethical standards relating to the practice of law in the state. The Board is composed of lawyers.

Tennessee Lawyers' Fund for Client Protection

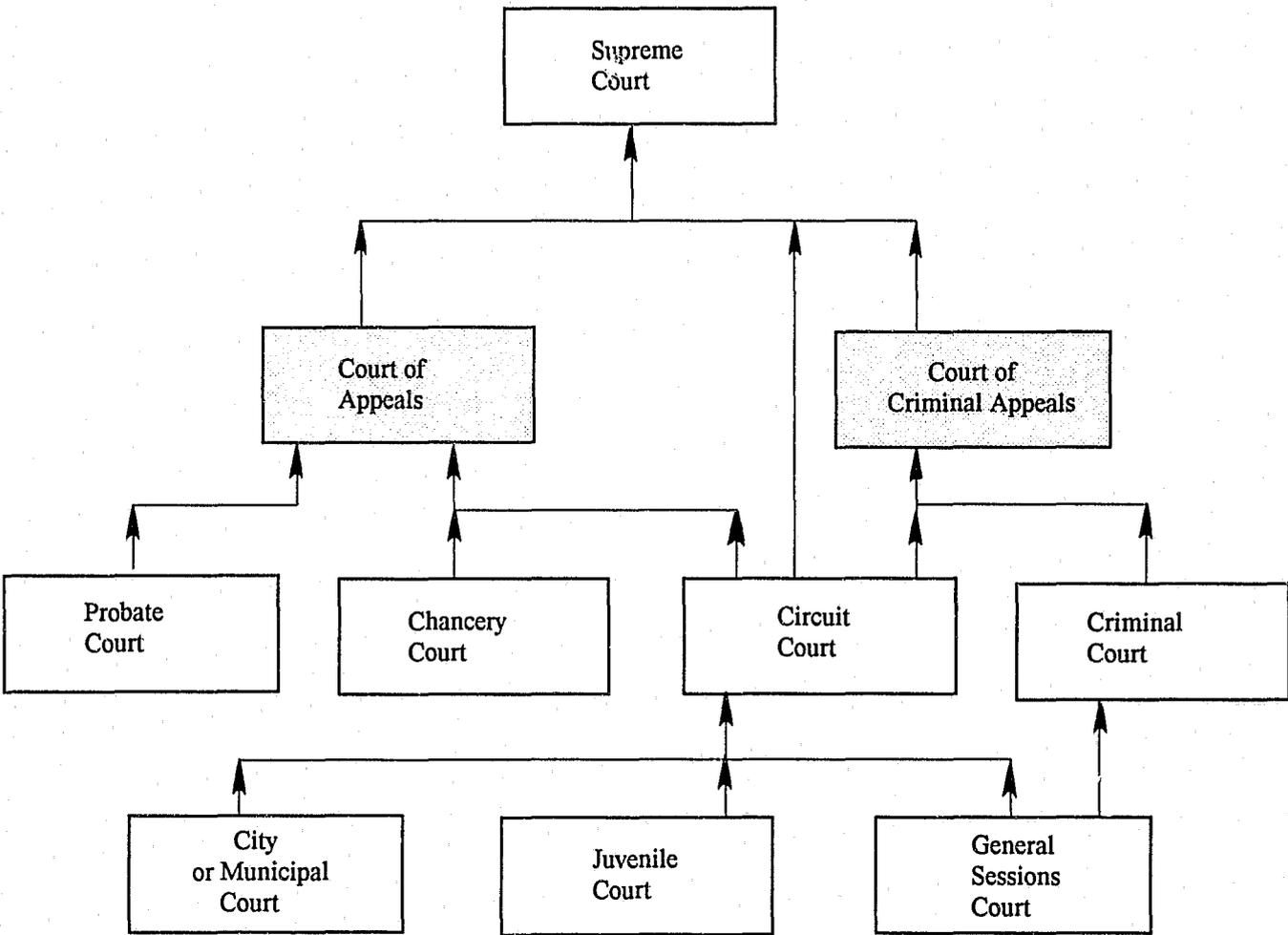
The Lawyers' Fund for Client Protection was established by the Supreme Court for the purpose of promoting public confidence in the administration of justice and the integrity of the legal profession. The Fund reimburses at least a portion of losses caused by misappropriation of a client's money through dishonest conduct of an attorney. The Fund is maintained by annual payments from all attorneys licensed to practice in the state. The Fund is administered by a board composed of attorneys and laymen.

Other Court Related Commissions and Boards

Several other commissions and boards have been created by either the general assembly or the Supreme Court. The various boards and commissions are responsible for the oversight and administration of such matters as continuing legal education for judges and attorneys, a client protection fund, professional responsibility of attorneys, uniform legislation and bench-bar relations.

**Intermediate
Appellate
Courts**

INTERMEDIATE APPELLATE COURTS



**APPELLATE COURT JUDGES
1991-92**

Eastern Grand Division

Court of Appeals	Court of Criminal Appeals	Clerk and Address
Clifford E. Sanders Houston Goddard Herschel P. Franks Don T. McMurray	Gary Wade Joseph M. Tipton John K. Byers	Robert W. Summar Supreme Court Bldg. Knoxville, TN 37901

Middle Grand Division

Court of Appeals	Court of Criminal Appeals	Clerk and Address
Henry F. Todd Samuel L. Lewis Ben H. Cantrell William C. Koch, Jr.	Jerry Scott Adolpho A. Birch, Jr. John H. Peay	A. B. Neil, Jr. Supreme Court Bldg. Nashville, TN 37219

Western Grand Division

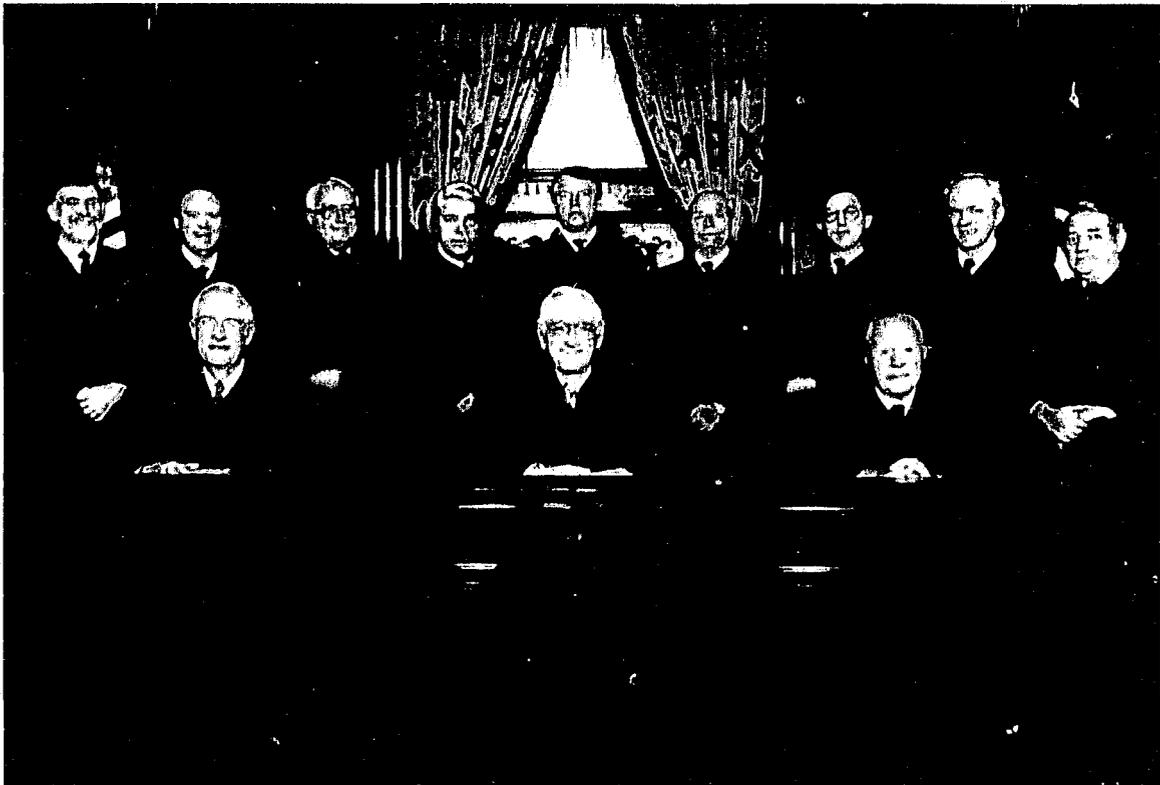
Court of Appeals	Court of Criminal Appeals	Clerk and Address
Hewitt P. Tomlin, Jr. W. Frank Crawford Alan E. Highers David R. Farmer	Robert K. Dwyer Joseph B. Jones Paul G. Summers	Jewell Redden Supreme Court Bldg. Jackson, TN 38301

The Court of Appeals

OVERVIEW

CASELOAD SUMMARY

JUDGES OF THE COURT OF APPEALS



Front Row - Left to Right - Hewitt P. Tomlin, Jr., Henry F. Todd, and Clifford E. Sanders

Back Row - Left to Right - Samuel L. Lewis, Alan E. Highers, Herschel P. Franks, Don T. McMurray,
David R. Farmer, W. Frank Crawford, William C. Koch, Jr., Ben H. Cantrell, and Houston Goddard

COURT OF APPEALS

Organization and Selection

The Court of Appeals is an intermediate appellate court established by the legislature. The Court is composed of twelve judges. A judge must be at least thirty years of age, a resident of the state for five years and licensed to practice law in the State. The judges are elected to eight year terms. No more than four judges may reside in any one of the state's three grand divisions.

The judges of the Court of Appeals are selected pursuant to Title 17, Chapter 4, of the Tennessee Code Annotated. When a vacancy occurs on the Court, the Appellate Court Nominating Commission selects and recommends to the Governor three persons from the grand division in which the vacancy exists. The Governor then appoints a nominee to fill the vacancy. The appointee serves as a judge of the Court until the next regular August biennial election. The appointed judge runs on his record and votes are cast on the question of whether to retain or reject the appointed judge. If a majority of those voting vote to retain the appointed judge, he or she serves until the end of the current term. If a majority of those voting vote to reject the appointed judge, he or she serves until the following September 1, at which time a vacancy exists, thereby necessitating recommencement of the selection process described above. At the end of each eight year term, the judges are subject to retention by the voters in the same manner.

The Court of Appeals sits in panels of three judges each at Jackson, Knoxville and Nashville for the length of time required for the disposition of cases before it. Cases are decided as if all twelve judges were present. The concurrence of two judges is sufficient for a decision.

The following judges serve on the Court of Appeals: **Eastern Section** - Clifford E. Sanders, Presiding Judge, Houston Goddard, Herschel P. Franks and Don T. McMurray; **Middle Section** - Henry F. Todd, Presiding Judge, Samuel L. Lewis, Ben H. Cantrell and William C. Koch, Jr.; and **Western Section** - Hewitt P. Tomlin, Jr., Presiding Judge, W. Frank Crawford, Alan E. Highers and David R. Farmer. Judge Henry F. Todd serves as presiding judge over all three sections.

Jurisdiction

The jurisdiction of the Court of Appeals is appellate only except where appeal is direct to the Supreme Court. A party to a civil case in which a final judgment has been entered in either a circuit or chancery court has the right to appeal the judgment and have it reviewed by the Court of Appeals.

Clerks

Administration of dockets and records of the Court of Appeals is the responsibility of the clerks of the Supreme Court. The Supreme Court appoints one clerk for each of the state's three grand divisions. Each clerk serves a term of six years. The following persons serve as clerks for the Supreme Court: A. B. Neil, Jr., Nashville; Jewel Redden, Jackson; and Robert Summar, Knoxville.

**COURT OF APPEALS CASELOAD DATA
FISCAL YEAR 1991-92**

**Preliminary Applications
Rules 7, 9, and 10**

	Eastern Section	Middle Section	Western Section	Total
Total Applications Filed	34	60	55	149
Applications Granted	9	14	22	45
Applications Denied	19	32	28	79
Other Actions	2	2	2	6

**Cases for Decision by the Court
Filings**

	Eastern Section	Middle Section	Western Section	Total
Granted Applications & Direct Appeals	391	447	252	1090
Original Proceedings	1	-	-	1
Other	-	-	-	-
TOTAL	392	447	252	1091

Dispositions

	Eastern Section	Middle Section	Western Section	Total
Opinions	324	328	190	842
Orders	100	103	56	259
TOTAL	424	431	246	1101

Post Judgment Applications

	Eastern Section	Middle Section	Western Section	Total
Total Applications Filed	41	45	21	107
Applications Granted	3	4	-	7
Applications Denied	38	41	27	106
Other Actions	-	-	-	-

Note: The numbers shown above are a combination of data on the Justice Automated Maintenance System (JAMS) and cases reported to TJIS. Original proceedings include Writ of Habeas Corpus and Writ of Mandamus cases. The number of opinions shown includes only majority opinions, not concurring or dissenting opinions.

The Court of Criminal Appeals

OVERVIEW

CASELOAD SUMMARY

JUDGES OF THE COURT OF CRIMINAL APPEALS



Front Row - Left to Right - Adolpho A. Birch, Robert K. Dwyer, Jerry Scott, Joe B. Jones, and Gary Wade

Back Row - Left to Right - Joseph M. Tipton, John H. Peay, Paul G. Summers, and Penny J. White

COURT OF CRIMINAL APPEALS

Organization and Selection

The Court of Criminal Appeals is an intermediate appellate court established by the legislature. The Court is composed of nine judges. A judge must be at least thirty years of age, a resident of the state for five years and licensed to practice law in the State. The judges are elected to eight year terms. No more than three judges may reside in any one of the State's three grand divisions.

The judges of the Court are selected pursuant to Tennessee's version of the "Missouri Plan". If a vacancy occurs on the Court, the Appellate Court Nominating Commission selects and recommends to the Governor three persons from the grand division in which the vacancy exists. The Governor then appoints a nominee to fill the vacancy. The appointee serves as a judge of the Court until the next regular August biennial election. The appointed judge runs on his record and votes are cast on the question of whether to retain or reject the appointed judge. If a majority of those voting vote to retain the appointed judge, he or she serves until the end of the current term. If a majority of those voting vote to reject the appointed judge, he or she serves until the following September 1, at which time a vacancy exists, thereby necessitating recommencement of the selection process described above. At the end of each eight year term, the judges are subject to retention in the same manner.

The Court of Criminal Appeals sits monthly in panels of three judge each at Jackson, Knoxville and Nashville, and at other places and times as may be required for the disposition of cases before it. The concurrence of two judges is sufficient for a decision. The Court also has the authority to sit en banc.

Judge John Byers retired from the Court of Criminal Appeals in July of 1992. Judge Penny White, Circuit Court Judge from the 2nd Judicial District, was appointed by the Appellate Court Nominating Commission to fill Judge Byer's vacancy. In the summer of 1992, Judge John Byers was appointed to serve as a senior judge.

The following judges served on the Court of Criminal Appeals during fiscal year 1991-92: **Eastern Grand Division**—Gary Wade, Joseph M. Tipton and John Byers; **Middle Grand Division**—Jerry Scott, Adolpho A. Birch, Jr. and John H. Peay; and **Western Grand Division**—Robert K. Dwyer, Joseph B. Jones and Paul G. Summers. Judge John Byers serves as presiding judge of the Court of Criminal Appeals.

Jurisdiction

The jurisdiction of the Court of Criminal Appeals is appellate only. In a criminal case in which a final judgment has been entered in either a circuit or criminal court, the State and defendant have the right to appeal the judgment and have it reviewed by the Court of Criminal Appeals.

Clerks

Administration of dockets and records of the Court of Criminal Appeals is the responsibility of the clerks of the Supreme Court. The Supreme Court appoints one clerk for each of the state's three grand divisions. Each clerk serves a term of six years. The following persons serve as clerks for the Supreme Court: A. B. Neil, Jr., Nashville; Jewel Redden, Jackson; and Robert Summar, Knoxville.

**COURT OF CRIMINAL APPEALS CASELOAD DATA
FISCAL YEAR 1991-92**

**Preliminary Applications
Rules 8, 9, and 10**

	Eastern Section	Middle Section	Western Section	Total
Total Filed	49	20	21	90
Applications Granted	14	9	5	28
Applications Denied	24	14	9	47
Other Actions	4	1	3	8

**Cases for Decision by the Court
Filings**

	Eastern Section	Middle Section	Western Section	Total
Granted Applications & Direct Appeals	293	268	176	737
Post-Conviction Appeals	103	103	54	260
Original Proceedings	4	5	0	9
Other	1	-	-	1
TOTAL	401	376	230	1007

Dispositions

	Eastern Section	Middle Section	Western Section	Total
Opinions	339	299	202	840
Orders	35	43	36	114
TOTAL	374	342	238	954

**Post Judgment Applications
Rule 39**

	Eastern Section	Middle Section	Western Section	Total
Total Applications Filed	18	22	5	45
Applications Granted	3	1	0	4
Applications Denied	17	16	6	39
Other Actions	0	0	0	0

Note: The numbers shown above are a combination of data on the Justice Automated Maintenance System (JAMS) and cases reported to TJIS. Original proceedings include Writ of Habeas Corpus and Writ of Mandamus cases. The number of opinions shown includes only majority opinions, not concurring or dissenting opinions.

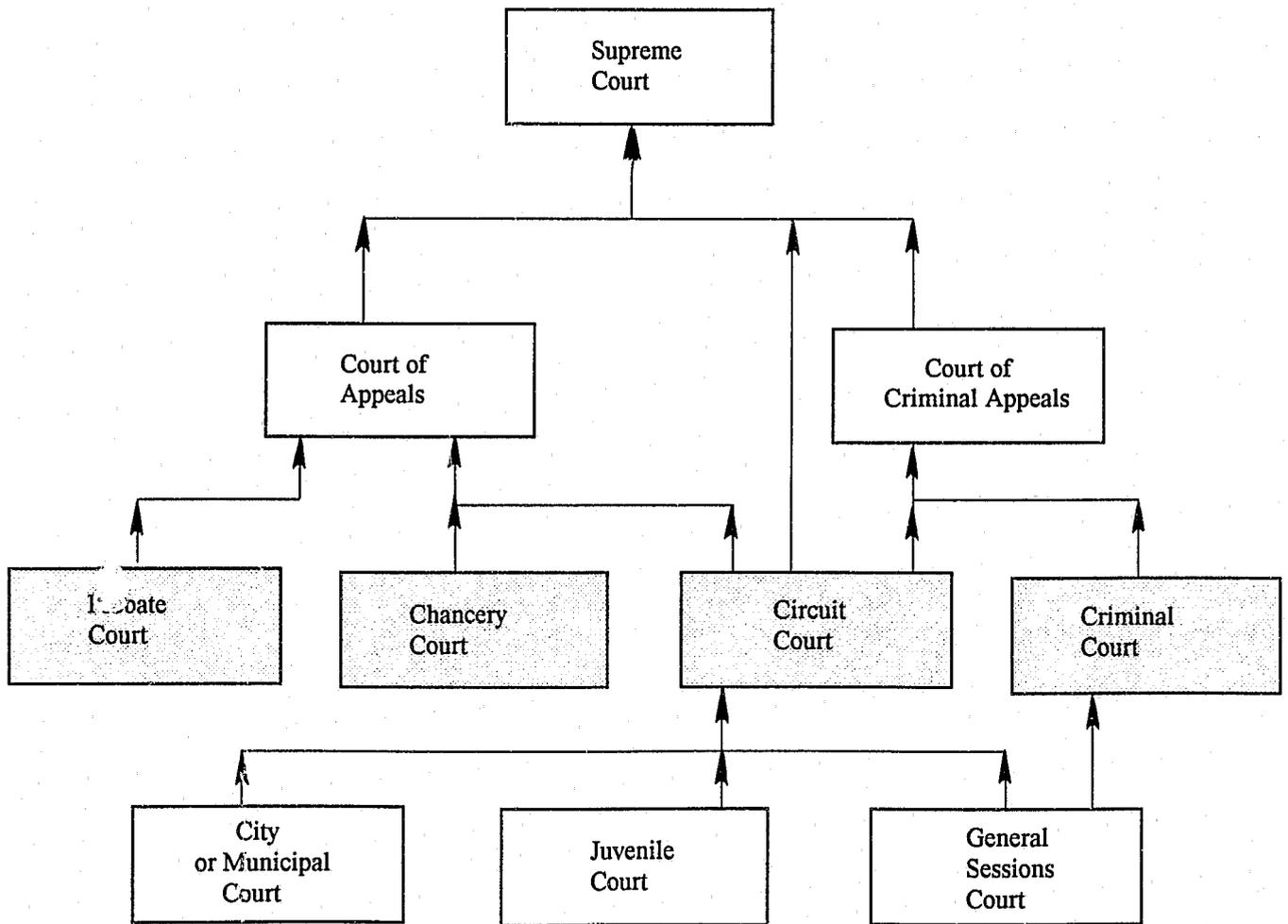
The State Trial Courts

OVERVIEW

TRIAL COURT JUDGES

CASELOAD SUMMARY

STATE TRIAL COURTS



STATE TRIAL COURTS

Organization and Selection

Tennessee's ninety-five counties are divided into thirty-one judicial districts. Within each district are circuit courts and chancery courts as provided by the state constitution. Many districts have legislatively established criminal courts in addition to the circuit and chancery courts. Judges of the circuit, chancery and criminal courts must be at least thirty years of age, residents of the state for five years and of the district for one year, and licensed to practice law in the State. The judges are elected to eight year terms. When a vacancy occurs in the circuit, chancery or criminal courts, the Governor appoints a person to serve until the next regular August biennial election, at which time any qualified candidate may seek the office for the remainder of the current term.

Jurisdiction

The circuit court is a court of general jurisdiction, vested with the power and authority to administer justice in civil actions at law. The circuit court exercises jurisdiction in criminal cases in all districts except those districts in which the legislature has established criminal courts. The circuit court exercises appellate jurisdiction in all cases appealed from city, municipal, juvenile and general sessions courts.

The chancery court is vested with the power and authority to administer justice in civil actions of an equitable nature.

The criminal court is vested with the power and authority to administer justice in criminal cases.

The jurisdiction of the circuit, chancery and criminal courts may be increased or diminished by the legislature.

The judges within each district designate the times and places at which the circuit, chancery and criminal courts will be held in each county. The courts must be held as often as necessary to dispose of the matters before them.

Administration

The circuit, chancery and criminal court judges in each of the thirty-one judicial districts choose one judge from among them to be the presiding judge for the district. It is the duty of the presiding judge to take necessary action to promote the orderly and efficient administration of justice within the district. Judges are authorized by statute to exercise the jurisdiction of any trial court other than the one to which they were elected.

Clerks

Maintenance of dockets and records and day-to-day administration of the circuit court are the responsibilities of the circuit court clerk. Each county has a circuit court clerk who is elected for a term of four years.

Maintenance of dockets and records and day-to-day administration of the chancery court are the responsibilities of the clerk and master. Each county has a clerk and master who is appointed by the judge of the chancery court for a term of six years.

Maintenance of dockets and records and day-to-day administration of the criminal courts established by the legislature are the responsibilities of the criminal court clerk. In each district in which the legislature has established a criminal court, a criminal court clerk is elected for a term of four years.

TRIAL COURT OFFICIALS BY JURISDICTION

1991 - 92

Judicial District	Chancellor	Circuit Judge	Criminal Judge	County	Circuit Clerk	Clerk & Master	Criminal Clerk
1	Richard Johnson	Thomas J. Seeley, Jr. Penny White (Now serving as Cl. of Criminal Appeals Judge)	Arden Hill Lynn W. Brown *	Carter Johnson Unicoi Washington	Luther McKeehan Gregory Masters Ruth Phillips Don Squibb	Charlotte McKeehan Robert Grindstaff Billie Peterson Dianna Boarman	
2	Richard E. Ladd	Roger E. Thayer George H. Garrett *	Edgar P. Calhoun	Sullivan	Raymond Winters	Dorothy Dulaney (Blountville) Ralph Harr (Bristol) Sarah Housewright (Kingsport)	
3	Dennis H. Inman	John K. Wilson Ben K. Wexler * William L. Jenkins	James E. Beckner	Greene Hamblen Hancock Hawkins	Betty Carter Justis Kathy Trent-Mullins Jack Stapleton Jean Riley	Polly Solomon Jean Jones Scott Collins Shirley Graham	
4	Chester S. Rainwater, Jr.	J. Kenneth Porter William R. Holt, Jr. * Rex Henry Ogle		Cocke Grainger Jefferson Sevier	Peggy Lane Rhonda Reagan Kathy Carpenter Helen Loveday	Charles Chesteen Vickie Burchell Sarah Reel Carolyn McMahan	
5	Served by 4th District Chancellor	W. Dale Young D. Kelly Thomas, Jr. *		Blount	Enoch Simerly	James Carroll	
6	Frederick McDonald H. David Cate Sharon J. Bell	Dale Workman Harold Wimberly, Jr. Wheeler A. Rosenbalm Bill Swann	Randall Eugene Nichols Ray L. Jenkins * Mary Beth Leibowitz	Knox	Lillian Bean	William Jones	Martha Phillips
7	William E. Lantrip	James B. Scott *		Anderson	Helen Jernigan	Don Layton	
8	Billy Joe White *	Conrad Troutman, Jr.	Lee Asbury	Campbell Claiborne Fentress Scott Union	Brenda Boshears Bill Debusk W. Frank Smith Irene Chitwood Lena Mae Tharp	Bill Archer Thomas Shumate Mary Taylor Betty Phillips Doris Seymour	

TRIAL COURT OFFICIALS BY JURISDICTION

1991 - 92

Judicial District	Chancellor	Circuit Judge	Criminal Judge	County	Circuit Clerk	Clerk & Master	Criminal Clerk
9	Frank V. Williams, III	Russell E. Simmons, Jr	E. Eugene Eblen *	Loudon Meigs Morgan Roane	Gerry Nichols Deloris C. Grissom Russell Scott Louise Thomas	Fred Chaney Jim Mercer Fayne Nelson Marietta Roberts	
10	Earl H. Henley	Earle G. Murphy Mayo L. Mashburn * John B. Hagler	Robert Steven Bebb	Bradley McMinn Monroe Polk	Pam D. Mull Norma Corn White Martha Cook Connie H. Clark	Reginald Hyberger Virginia Smith Judith Lee Sula Jenkins	
11	R. Vann Owens Howell N. Peoples *	Robert M. Summitt Samuel H. Payne William M. Barker William L. Brown	Douglas A. Meyer Joseph F. DiRisio Steve M. Bevil	Hamilton	Judy Medearis	Ronald Durby	Leon Haley
12	Jeffrey Stewart	Thomas W. Graham Thomas A. Greer, Jr. Buddy D. Perry *		Bledsoe Franklin Grundy Marion Rhea Sequatchie	Stacey DeBord Nancy Silvertooth Sue Parrott Billy F. Hill John E. Fine Patsy Frizzell	Gregory L. Forgey Dorothy Hunter Fritz Mayes Corry Sharp Barry Harrison Thomas C. Goins	
13	Vernon Neal	John A. Turnbull John J. Maddux, Jr. *	Leon C. Burns, Jr.	Clay Cumberland DeKalb Overton Pickett Putnam White	Bobby Meadows Ralph Baisley Caesar, Dunn Johnny Brown Tim R. Martin Lewis Coomer Henry E. Foster	Corinne McLerran Sue Tollett John Nixon Dorothy Stanton Sue Whited Charles Vaughn Lynda McCoy	
14	Served by 12th District Chancellor	Gerald L. Ewell, Sr. * John Rollins		Coffee	Charlene Camp	Ben Jenkins	

TRIAL COURT OFFICIALS BY JURISDICTION

1991 - 92

Judicial District	Chancellor	Circuit Judge	Criminal Judge	County	Circuit Clerk	Clerk & Master	Criminal Clerk
15	Charles K. Smith *	Bobby H. Capers	James O. Bond	Jackson Macon Smith Trousdale Wilson	Joe Ward Glen Donoho Helen L. Crawford Morris Crowder Jimmy Martin	Estelle Spivey Jamie D. Gregory Dinna Dillehay Gaynell Deering Britt Linville	
16	Robert E. Corlew, III	Joseph S. Daniel * James K. Clayton, Jr.		Cannon Rutherford	Robert Davenport Robert Suddarth	Lois Gilley Lucy Whitesell	
17	Tyrus H. Cobb	Charles Lee Lee Russell *		Bedford Lincoln Marshall Moore	Thomas A. Smith Gail Corder Jack Fagan Trixie Harrison	Howard Barton Odell Posey Tommy Higdon Frances Bedford	
18	Thomas E. Gray	Thomas Goodall *	Fred A. Kelly, III	Sumner	Mahailiah Hughes	Brenda Page	
19	Alex W. Darnell	James E. Walton Robert W. Wedemeyer John Gasaway *		Montgomery Robertson	Carrie Heath Ann Stroud	Dorothy Hall Kenneth Hudgens	
20	Irvin H. Kilcrease, Jr. C. Allen High Robert S. Brandt	Hamilton Gayden, Jr. Marietta M. Shipley Barbara N. Haynes Muriel Robinson Rice Walter C. Kurtz Thomas W. Brothers *	Thomas H. Shriver James Randall Wyatt Ann Lacy Johns Seth Norman	Davidson	George Rooker	Claudia Bonnyman	Joe Torrence
21		Henry D. Bell Cornelia A. Clark Donald P. Harris *		Hickman Lewis Perry Williamson	Jim Rice Cherry L. Beckett Robert O'Guin Joe Herbert	Sue Smith Janet Williams Joyce Marshall Janice Jordan	

TRIAL COURT OFFICIALS BY JURISDICTION

1991 - 92

Judicial District	Chancellor	Circuit Judge	Criminal Judge	County	Circuit Clerk	Clerk & Master	Criminal Clerk
22		Jim T. Hamilton * William B. Cain James L. Weatherford		Giles Lawrence Maury Wayne	Judy G. Callahan Jerald Willson Joe Scott Billy G. Crews	Alice Foster Geneva Frisbie Shirley Napier Carolyn Mathis	
23	Stewart Couty served by 19th District Chancellor	Robert E. Burch Leonard Martin * Allen W. Wallace		Cheatham Dickson Houston Humphreys Stewart	Dolores H. Moulton Sue Zwingle Cora Sue McMillan Dot Stainforth Barbara Wallace	Doris Sanders Nancy Miller Patsy Brooks Juanita Quarles Jane C. Wallace	
24	John Walton West	Charles Creed McGinley * Julian P. Guinn		Benton Carroll Decatur Hardin Henry	Mac Prichard Paul R. Newmon Charlie Kindle Kenneth Davis Ronnie Myers	Norma Pettyjohn Kenneth Todd Elizabeth James Martha S. Smith Reed Brewer	
25	Dewey C. Whitenton John H. Chisolm *	Jon K. Blackwood Joseph H. Walker		Fayette Hardeman Lauderdale McNairy Tipton	Jimmie German Linda Fulghum Richard Jennings Allen Lipford Doris McKenzie	Barbara Walls Marion Nuckolls Sandra Burnham Fairy Hunter Frances Glenn	
26	Joe C. Morris	Whit LaFon John F. Murchison		Chester Henderson Madison	Cecil W. Hearn Kenneth Cavness Joe Gaffney	Conan Hall Robbie Wallace Nancy Mathews	
27	W. Michael Maloan	David Hayes *		Obion Weakley	Robert G. Kendall Jerry Reid	Paula Rice Patricia Taylor	
28	Marion H. Holmes *	Dick Jerman, Jr.		Crockett Gibson Haywood	Casey Hughes Janice Jones Joe S. Moore	Betty Johnson Wanda Brown (Humboldt) Shirley McGill (Trenton) Judy Harister	

TRIAL COURT OFFICIALS BY JURISDICTION

1991 - 92

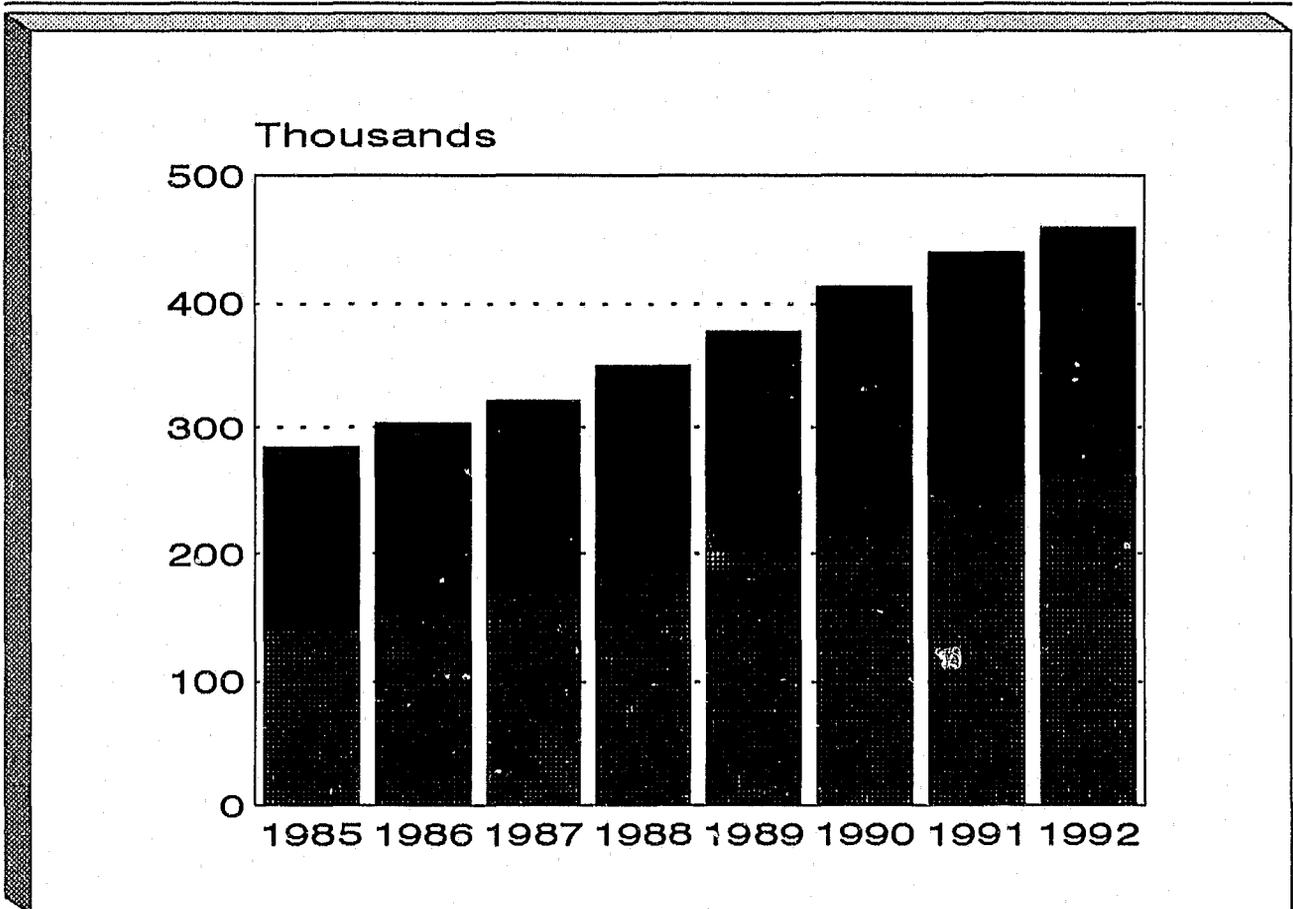
Judicial District	Chancellor	Circuit Judge	Criminal Judge	County	Circuit Clerk	Clerk & Master	Criminal Clerk
29	David W. Lanier	Joe G. Riley, Jr.		Dyer Lake	Tom Jones Debbie Beasley	Sandra Nale Penny K. Bratton	
30	C. Neal Small Floyd Peete, Jr. D. J. Alissandratos	Wyeth Chandler * Janice Holder James M. Tharpe James E. Swearingen Kay S. Robilio George H. Brown, Jr. Robert A. Lanier D'Army Bailey Robert L. Childers	Bernie Weinman L. Terry Lafferty John P. Colton H. T. Lockard Joseph B. Dailey W. Fred Axley Arthur T. Bennett Joseph B. McCartie Joseph Brown, Jr. William H. Williams **	Shelby	Clint Crabtree	John Robertson	Minerva Johnican
31	Warren County served by 12th District Chancellor	Charles D. Haston *		VanBuren Warren	Doris Dukes Claude Vinson	Delma Dishman Richard McGregor	

* Presiding Judge as of 9-1-91

** Senior Judge

GROWTH OF TOTAL CASELOAD

Cases Carried Over and New Filings



■ Cases Carried Over ■ New Cases

Numbers are for fiscal years (e.g., 1992 is FY91-92)

**STATEWIDE SUMMARY
CIRCUIT, CRIMINAL & CHANCERY COURT
Filings and Dispositions**

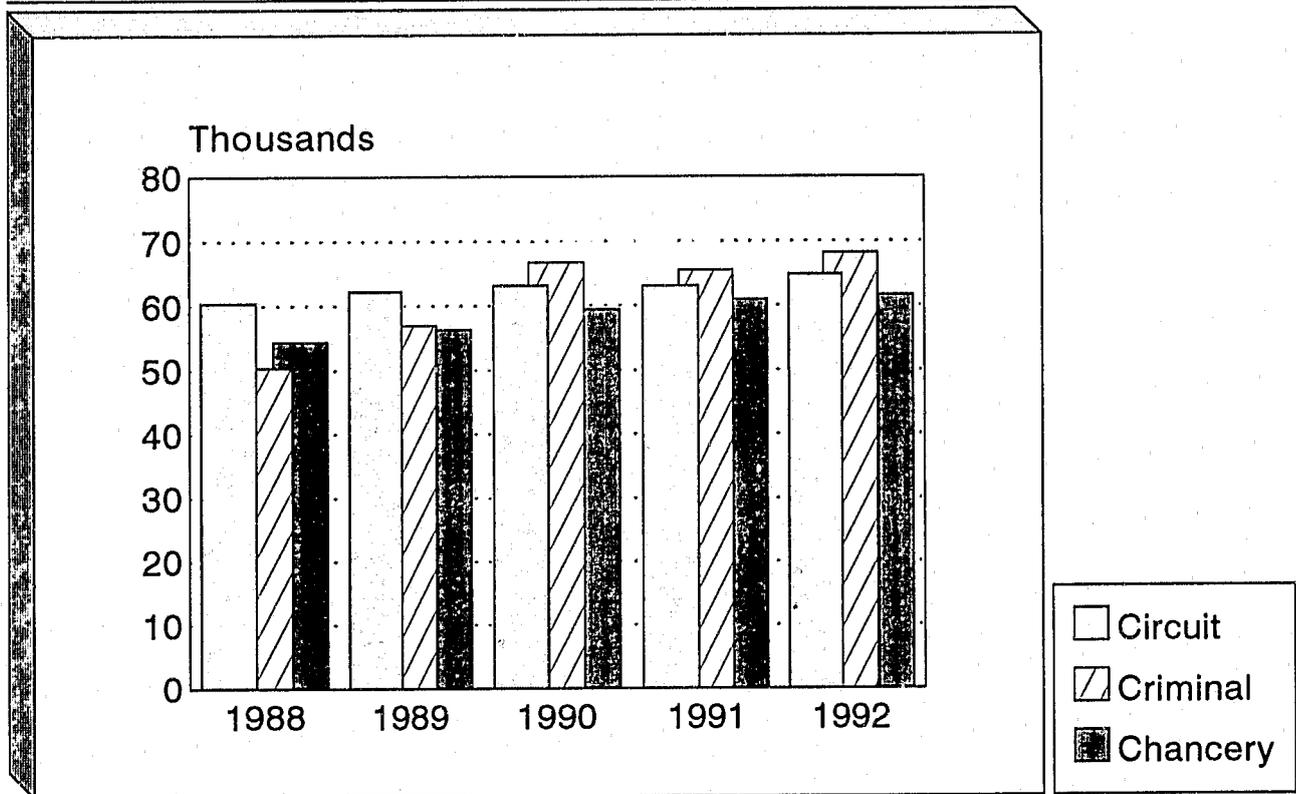
July 1, 1991 - June 30, 1992

	<u>Pending 7-1-91</u>	<u>Cases Filed</u>	<u>Total Caseload</u>	<u>Cases Disposed</u>	<u>Percent of Caseload Disposed</u>	<u>Pending 6-30-92</u>
<u>Circuit Court</u>						
Total Domestic Relations	43,346	34,186	77,532	29,856	38.5%	47,676
Total Non-Domestic Relations	55,159	30,704	85,863	27,939	32.5%	57,924
<u>Criminal Court</u>						
Acts Against the Person	11,648	8,078	19,726	7,064	35.8%	12,662
Acts Against Property	30,230	24,171	54,401	21,685	39.9%	32,716
Acts Against Public*	39,558	35,944	75,502	35,032	46.4%	40,470
<u>Chancery Court</u>						
Total Domestic Relations	31,682	32,558	64,240	30,297	47.2%	33,943
Total Non-Domestic Relations	53,233	29,119	82,352	28,002	34.0%	54,350
GRAND TOTALS	264,856	194,760	459,616	179,875	39.1%	279,741

For statistical information for each county, refer to the Annual Report Statistical Appendix

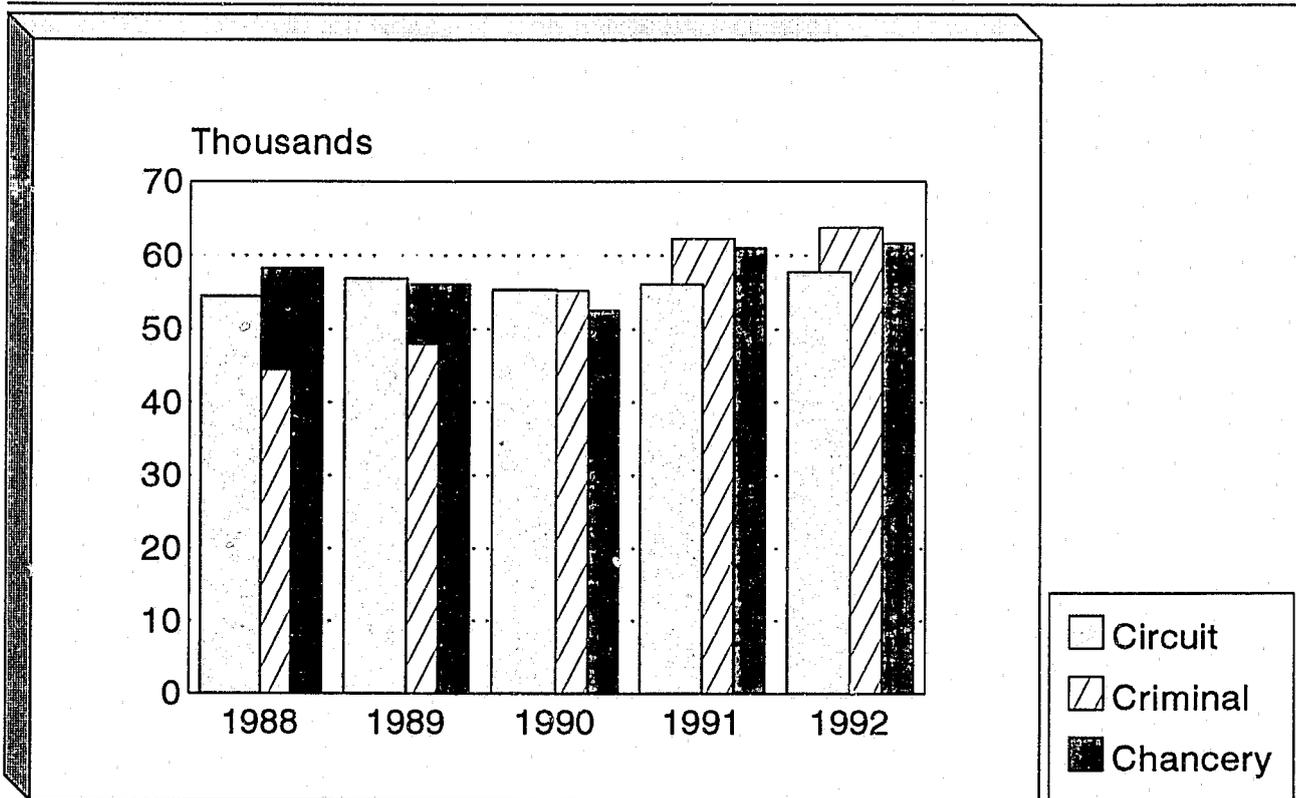
* These include drug offenses

ALL STATE TRIAL COURTS - FILINGS



Numbers are for fiscal years (e.g., 1992 is FY91-92)

ALL STATE TRIAL COURTS - DISPOSITIONS



Numbers are for fiscal years (e.g., 1992 is FY91-92)

POPULATION AND CASES PER JUDGE
By Judicial Districts

Judicial District	Authorized Judgeships	District Population	Population Per Judge	Population Rank	Total Case Filings	Cases Filed Per Judge	Rank
1	5	174,135	34,827	14	5,288	1058	25
2	4	143,596	35,899	13	6,592	1648	5
3	5	157,637	31,527	25	6,314	1263	14
4	3.5*	130,295	37,227	11	3,090	883	27
5	3.5*	85,969	24,563	29	2,143	612	29
6	10	335,749	33,575	19	17,617	1762	3
7	2	68,250	34,125	18	2,669	1335	13
8	3	107,937	35,979	12	3,110	1037	26
9	3	103,815	34,605	15	2,127	709	28
10	5	160,279	32,056	22	6,034	1207	19
11	9	285,536	31,726	24	14,008	1556	7
12	3.5*	115,823	33,092	21	4,352	1386	11
13	4	149,981	37,495	10	4,780	1195	20
14	2.5*	40,339	16,136	31	1,501	600	30
15	3	112,941	37,647	7	4,145	1382	12
16	3	129,037	43,012	2	7,653	2551	1
17	3	84,828	28,276	26	3,712	1237	16
18	3	103,281	34,427	16	3,693	1231	17
19	3.5*	141,992	40,569	3	5,790	1654	4
20	13	510,784	39,291	5	19,261	1482	10
21	3	113,634	37,878	6	3,656	1219	18
22	3	129,791	43,264	1	7,396	2465	2
23	3.5*	94,493	26,998	27	3,982	1138	22
24	3	103,031	34,344	17	3,257	1086	23
25	4	132,417	33,104	20	4,661	1165	21
26	3	112,645	37,548	9	4,806	1602	6
27	2	63,689	31,845	23	2,139	1070	24
28	2	79,130	39,565	4	3,075	1538	9
29	2	41,983	20,992	30	2,498	1249	15
30	22	826,330	37,560	8	34,040	1547	8
31	1.5*	37,838	25,225	28	871	581	31
TOTALS	137	4,877,185			194,760		
AVERAGES		35,600			1,422		

*These districts share a chancellor with another district

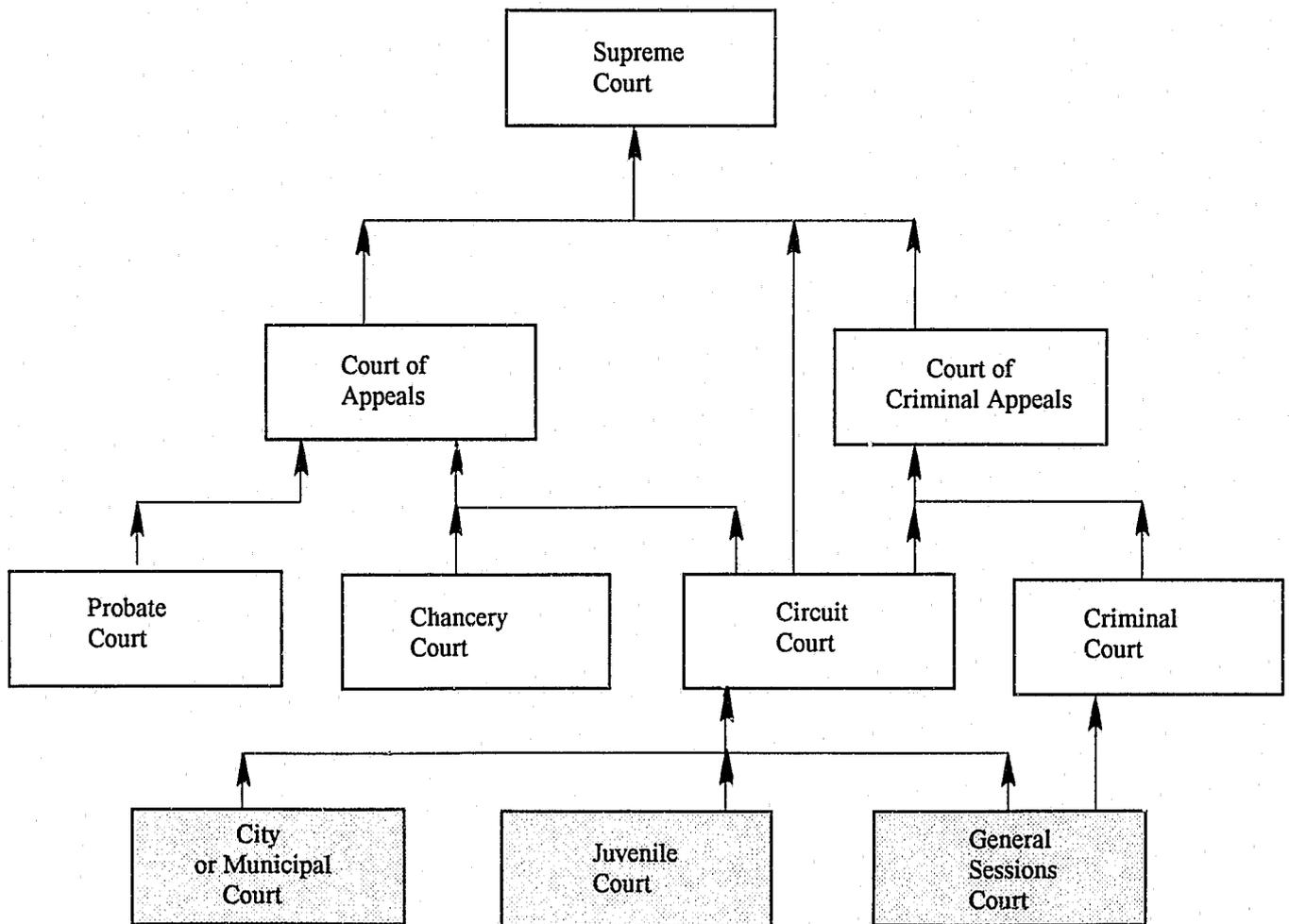
Courts of Limited Jurisdiction

OVERVIEW

GENERAL SESSIONS JUDGES

BY JUDICIAL DISTRICT

COURTS OF LIMITED JURISDICTION



COURTS OF LIMITED JURISDICTION

Organization and Selection

The general sessions court is a court of limited jurisdiction established by the legislature in every county of the State. Judges of the general sessions courts must be at least thirty years of age, residents of the state for five years and of the county for one year, and licensed to practice law in the State. Incumbent general sessions judges who are not licensed to practice law in the State may continue in office until they are defeated or retire. The judges are elected to eight year terms. When a vacancy occurs in the general sessions court, the county legislative body appoints a person to serve until the next regular August biennial election, at which time any qualified candidate may seek the office for the remainder of the current term.

The general sessions judge designates the times and places at which court will be held in each county. General sessions courts must be held as often as necessary to dispose of the matters before them.

Jurisdiction

Jurisdiction of the general sessions courts varies from county to county. Pursuant to numerous private acts of the legislature, the courts may be vested with jurisdiction of a variety of types of cases. Pursuant to the general statute, the general sessions courts are vested with civil and criminal jurisdiction formerly vested in the justice of the peace. Civil jurisdiction of the courts is limited by the general statute to specific monetary limits and types of actions. Criminal jurisdiction of the courts is limited to preliminary hearings in felony cases and trial of misdemeanor cases in which the defendant waives the right to a grand jury investigation and trial by jury in circuit or criminal court. The courts are vested with jurisdiction of juvenile cases in all counties except those in which the legislature has established a separate juvenile court.

Clerks

The circuit court clerk serves as the clerk for the general sessions court in each county except those in which the office of general sessions court clerk has been established.

Juvenile Court

Juvenile court jurisdiction is vested in the general sessions courts in all the counties of this state except in those counties and municipalities in which special juvenile courts are provided by law. Among the proceedings in which these courts have exclusive original jurisdiction are proceedings in which a child is alleged to be delinquent, unruly, or dependent and neglected. The juvenile court also has concurrent jurisdiction with the circuit, chancery, and probate court in some areas.

In 1984 the Supreme Court promulgated the Tennessee Rules of Juvenile Procedure. These rules were to provide speedy and inexpensive procedures for the hearing of juvenile cases that assure fairness and equity and that protect the rights and interests of all parties. The rules were designed to promote uniformity in practice and procedure and to provide guidance to judges, referees, attorneys, youth services and probation officers, and others participating in the juvenile courts.

Municipal Court

A city or municipal court has jurisdiction over cases involving the violation of city ordinances. Generally, a city judge has the authority to assess fines up to \$50 and sentences of imprisonment up to 30 days. However, this jurisdiction varies widely from city to city. The number of such courts is estimated at over 300 throughout the State.

**GENERAL SESSIONS JUDGES
BY JUDICIAL DISTRICTS**

Dist. 1	Richard Lane Gray O. H. Wilson David Shults Stewart L. Cannon, Jr John L. Kiener	Dist. 10	Carrell Van Deacon, Jr. Andrew F. Bennett, Jr. Frank D. Hammons, Sr.
Dist. 2	J. Klyne Lauderback Steven Hal Jones Duane S. Snodgrass	Dist. 11	William Cox, Jr. S. Richard Holcomb Clarence Shattuck, Jr. Horace L. Smith John B. Taylor Kevin B. Wilson Walter Williams
Dist. 3	James D. Carter Thomas R. Frierson, II Bill W. McMurray Kindall T. Lawson		
Dist. 4	Marcus R. Mooneyhan Joe Wolfenbarger Max Moore Chuck Sexton	Dist. 12	David Swafford David Marlowe A.P. Condra, Jr. Charles Hollis Barker Clifford Layne Nelson Layne Ben Hill
Dist. 5	William Brewer Hugh E. Delozier William Denton		
Dist. 6	Gail Harris Geoff Emery Bobby Ray McGee John Rosson, Jr. Brenda J. Waggoner	Dist. 13	Diana Monroe James A. Bean Vester Parsley, Jr. Bill Griffith Steve Daniels
Dist. 7	Jennings B. Meredith Robert A. McNees, II Bob Sain	Dist. 14	Timothy Ray Brock James Conley Randall Morrison
Dist. 8	Rocky H. Young David Ray William Campbell James Cotton, Jr. Darryl Edmondson	Dist. 15	Robert Lee Johnson James Chitwood Jackie Preston Kenny Linville Haywood Barry Robert P. Hamilton
Dist. 9	Stone Hennessee John O. Gibson Thomas A. Austin Joseph Van Hook		

Dist. 16 John Melton, III
James Buckner
David Loughry

Dist. 17 Nowlin Taylor
Donald Holman
Donald J. Ray
Steve Bowden

Dist. 18 Jane Wheatcraft
Barry Brown

Dist. 19 Carol Catalano
Wayne Shelton
Burton Glover

Dist. 20 John Brown
William Faimon
Gale B. Robinson
William Higgins
Michael Mondelli
Penny Harrington
Leon Ruben
Philip Sadler
Donald Washburn

Dist. 21 Bill Townsend
Samuel Smith
Clovis Parnell
Jane C. Franks

Dist. 22 Robert E. Lee, Jr.
Lee England
George Lovell
Jimmy Matthews
Edward Workman
George Gray

Dist. 23 Durwood Moore
Phillip Maxey
Billy D. Cobb
Sidney Vinson
Dan Bradley
Wayne Sanders
William Hamilton

Dist. 24 Hansel J. McCadams
Larry Logan
John Derington
Ricky L. Wood
Carl Max Seaton

Dist. 25 Weber McCraw
Steven Hornsby
Bob Gray
Billy Wayne Williams
William Peeler

Dist. 26 Roy B. Morgan, Jr.
Walter Harris
J. B. Johnson
Howard Bailey
Walter Drake

Dist. 27 Raymond Morris
Thomas L. Moore, Jr.

Dist. 28 Randy Camp
George Ellis
John Bond
James Greene

Dist. 29 Steve Stafford
James R. Watkins
Edward Hammett

**GENERAL SESSIONS JUDGES
BY JUDICIAL DISTRICTS**

Dist. 30

John A. Donald
Tim J. Dwyer
Charles B. Gallagher, III
John Getz
William B. Hackett
Craig Hall
William Ray Ingram
C. Anthony Johnson
Horace Pierotti
Larry E. Potter
Ann L. Pugh
Louis Montesi, Jr.
Russell B. Sugarmon
Sam Thompson
James White

Dist. 31

Barry H. Medley
Gary W. Dodson

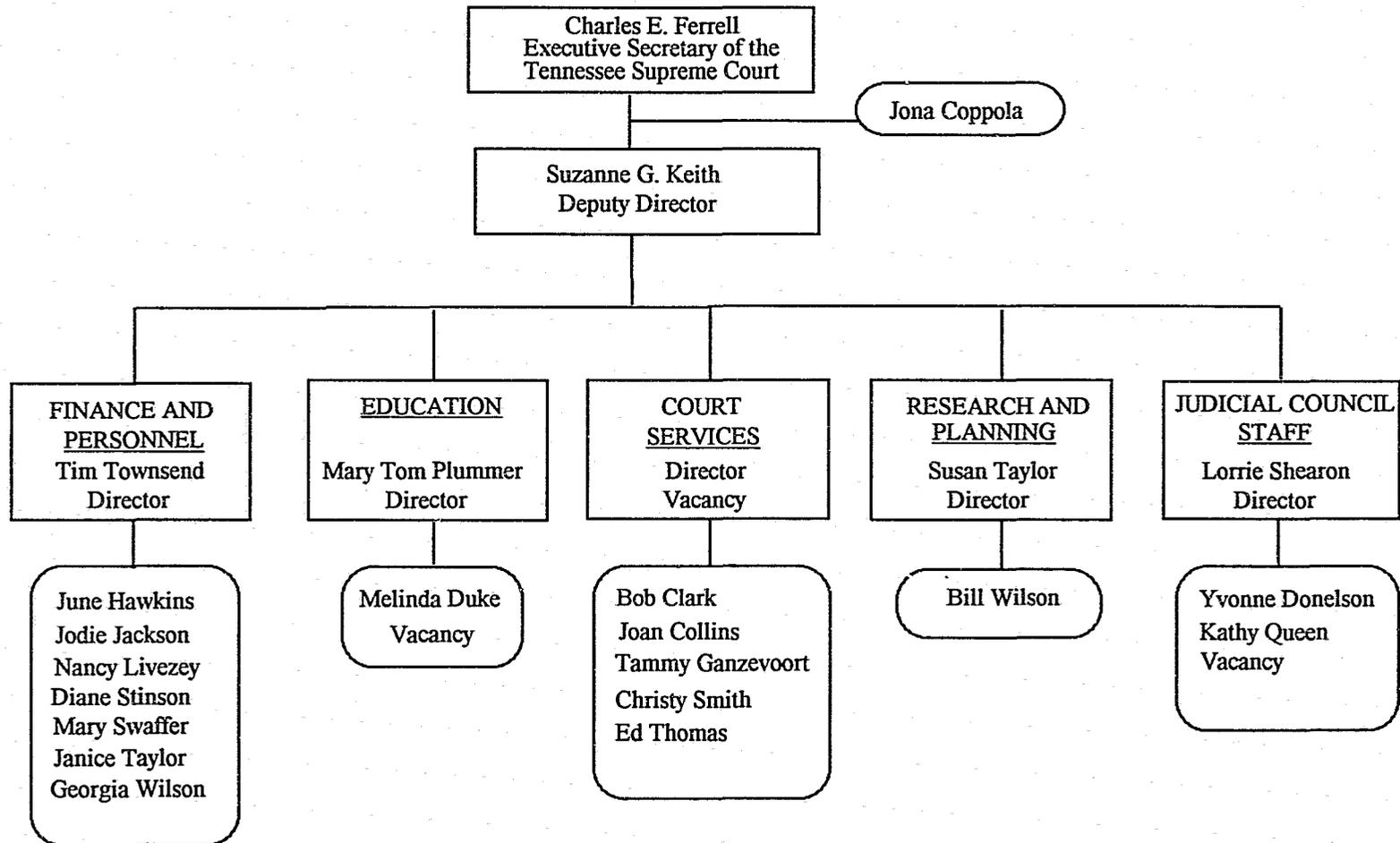
Administration



Charles E. Ferrell
Executive Secretary of the Tennessee Supreme Court

Executive Secretary's Office of the Tennessee Supreme Court

Organizational Chart



THE EXECUTIVE SECRETARY'S OFFICE OF THE TENNESSEE SUPREME COURT

In 1991, the National Center for State Courts examined the functions and responsibilities of the Office of the Executive Secretary to the Tennessee Supreme Court. The National Center published a report of their findings in February of 1992. This report made recommendations concerning the roles and duties of the Office of the Executive Secretary. Based on the recommendations of the report, the Supreme Court has planned many new and exciting changes, some of which are in effect now in the Executive Secretary's Office. The narrative below reflects the current Office of the Executive Secretary.

As authorized by statute and court rule, the Supreme Court appoints an Executive Secretary to assist the Chief Justice in exercising administrative authority within the judicial branch of government. The duties and responsibilities of the Executive Secretary's Office are grouped into five divisions: Finance and Personnel, Research and Planning, Court Services, Judicial Education and Judicial Council. The new title of the Executive Secretary's Office will be the Administrative Office of the Courts. The title change will take place during the 1993 legislative session.

Finance and Personnel Division

The Finance and Personnel Division provides basic organizational support for the judicial branch. This division is responsible for developing the budgets of the various components of the judicial system and accounting for the receipt and expenditure of funds required to operate the judicial system. This division handles some \$40 million a year in budget appropriations. See Fiscal Overview Chart. It also handles the payment of bills and records the accounts receivable under the different cost codes for which the division provides budgeting and accounting services. This division also handles the personnel records, benefits (including insurance), and payroll matters for the judicial system's approximately 500 employees, as well as education and conference-related travel claims for judges and travel claims for court reporters. All fiscal service and indigent counsel claims are provided by this unit of the Executive Secretary's Office. The personnel section includes policy implementation and monitoring of such matters as hiring, evaluating, promoting and dismissal of personnel, as well as discipline and grievance policies.

Research and Planning Division

The Research and Planning Division is a new section of the Executive Secretary's Office. This division is responsible for publishing the Annual Report of the Tennessee Courts. The planning function of this unit encompasses both short and long range planning for the judicial branch. The director and research assistant of Research and Planning are currently serving as support staff for the Commission on the Future of the Tennessee Judicial System. This Commission is responsible for developing and implementing a strategic plan for the Tennessee Judicial System. The plan will take approximately 16-18 months to formulate. Legislative review is another responsibility of the division. One or more members of the staff serves as a court legislature liaison and focuses on monitoring and evaluating proposed court related legislation during the legislative sessions. The research section is responsible for assisting the Supreme Court on special projects and assisting the trial courts in areas of court management and administration.

Court Services Division

The Court Services Division is another new division of the Executive Secretary's Office. This division is responsible for working with individual jurisdictions on policy and procedure implementation stemming from new legislation, new court ordered policies, and statistical data gathering. Issues of policy and administration are handled at the state level by this division. Judicial and court reporter assignments are also handled by the court services division. This unit serves as a liaison between the Executive Secretary's Office and the trial courts. The division is responsible for developing a data processing capability to track judicial library acquisitions and maintain each judge's law library. This division is also responsible for providing office furniture and equipment to the trial judges.

Judicial Education Division

The Judicial Education Division is responsible for training judges and providing training sessions for the clerks of court and their staffs. This division plans eight to ten training seminars a year and plans and coordinates orientation programs and faculty development workshops every 2-3 years. The education staff also arranges out-of-state Continuing Legal Education programs. This division also maintains records of education and training courses attended by each judge.

Judicial Council Staff

The Judicial Council is responsible for maintaining caseload statistics on the workload of the courts. The staff compiles caseload data from the individual courts across the state, primarily through paper forms. This information is entered into the automated system which compiles the data and prints statistical reports. The staff analyzes the caseload statistics and publishes a set of aggregate statistics for the state court system. The staff also collect data on awards in damages and torts cases and annually publishes a report on that information. The staff performs other administrative duties to support the work of the Council.

FISCAL YEAR OVERVIEW

The state court system appropriation for fiscal year 1992-93 was approximately \$40 million. As depicted by the chart below, the court system appropriation constituted less than one half of a percent of the total State budget.

The primary funding source for the court system is the General Fund which consists mostly of revenue derived from the sales, franchise, excise and gross receipts taxes. Appropriated funds for the court system amount to approximately 97% of the court system budget. The remaining 3% of funding is derived from fees collected by the Supreme Court Clerks' offices.

