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ANNUAL REPORT

CRIMINAL COURT OF MEMPHIS AND SHELBY COUNTY

201 Poplar – Suite 401
Memphis, Tennessee 38103

2009

William R. Key, Criminal Court Clerk

Thirtieth Judicial District

At

Memphis

CRIMINAL COURT JUDGES

Paula Skahan	Division I
W. Otis Higgs, Jr.	Division II
John P. Colton, Jr.	Division III
Carolyn Wade Blackett	Division IV
James M. Lammey, Jr.	Division V
John T. Fowlkes, Jr.	Division VI
Lee V. Coffee	Division VII
Chris Craft	Division VIII
W. Mark Ward	Division IX
James C. Beasley, Jr.	Division X

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WILLIAM R. KEY

Criminal Court Clerk
Thirtieth Judicial District at Memphis

William R. Key was re-elected to the position of the Criminal Court Clerk and assumed the office for a fourth term on September 1, 2006.

Keeper of the records for Criminal Court of Shelby County

Former coach and teacher at Hillcrest High School where he taught Economics, American History, and Psychology and also coached interscholastic sports

Former Administrative Assistant to Juvenile Court Judge Kenneth A. Turner
Responsible for administrative procedures and supervision of nine departments

Former Director of Student Financial Aid at Christian Brothers University

Former Director of Memphis and Shelby County Youth Guidance School (Tall Trees)

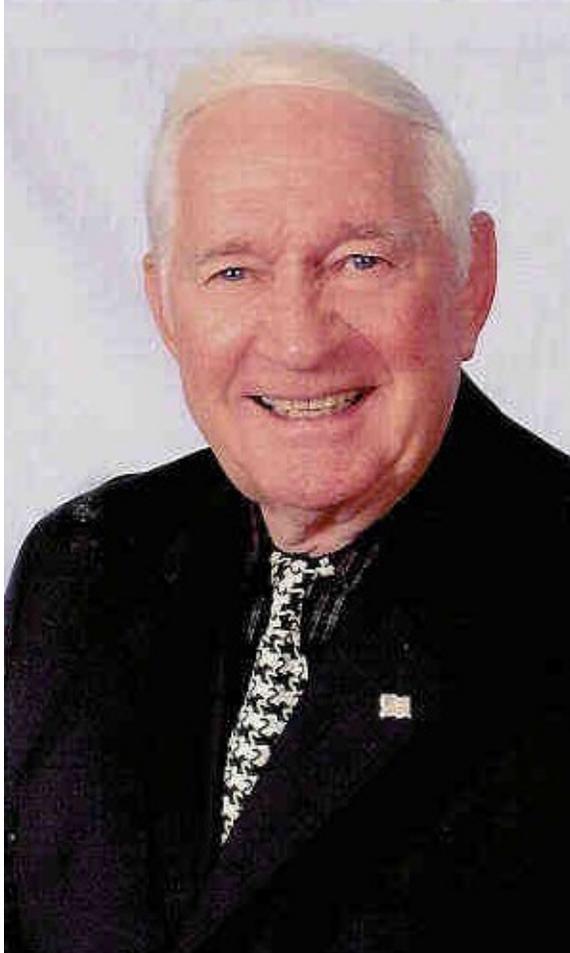
Former Memphis Police Officer

Bachelor of Science: Memphis State University
Masters in Administration: Memphis State University
Certified Public Administrator: U. T.

COMMUNITY ACTIVITIES

Christ the King Lutheran Church	Parenting Coalition
Memphis Youth Initiative	Variety Club of Memphis
Whitehaven Optimist Club Pres.	Crimestoppers Board
Memphis Youth Guidance Commission	C.O.A.T. Board
Tennessee Probation Officers Association	
S.E. Republican Party Pres/Treasurer	
Juvenile Drug and Delinquency Prevention Initiation	
Member Republican Shelby County Steering Comm.	

PHOTOGRAPH



As the keeper of the records, it is the mission of the Criminal Court Clerk to maintain unimpeachable integrity, be open to correction, willing to identify problems as they arise and speak the truth boldly.

ADMINISTRATIVE STAFF

Mr. Ray Turner

Chief Administrative Officer (CAO)

Mr. Turner has a Masters Degree and Bachelors Degree from University of Memphis. He retired with the rank of Captain from the Memphis Police Department where he was responsible for all communication functions. He was the chairman of the N.C.I.C. Advisory Policy Board and was chairman of the T.I.E.S. communication system for the State of Tennessee for a period of three years. The Chief Administrative Officer is responsible for the overall administration of the Clerk's office facilities and services. As the CAO, he directly supervises the Director of Operations, Director of Finance and Director of Administrative Services.

Mrs. Maerne Bernard

Director of Operations

Mrs. Bernard is a career employee with twenty-eight years experience in the Criminal Justice System. Her career began in the Criminal Court Clerk's office in 1982 as a Courtroom Clerk. Since that time she has developed an expertise in the operations of the Criminal Court System by serving in various areas and serves as liaison to the Criminal Court Judges. The Director of Operations is responsible for the Appeals Department, Courtroom Clerks, Data Input, Grand Jury Department, Mittimus Department, Warrant Department and Property and Evidence Department.

Mrs. Janis Dunavant

Director of Administrative Services

Mrs. Dunavant began her career with Shelby County some thirty years ago with the last eight years in the Criminal Court Clerk's office. Along with developing policies and procedures for the Clerk's office, the Director of Administrative Services is responsible for the Personnel and Payroll Section and Customer Service. These sections are supervised and coordinated in accordance with the policies and directives of the Clerk's office.

Mr. Frank Warren Young

Director of Finance

Mr. Young began his career in the Criminal Court Clerk's office in 1970 and in 1974 continued his career with the State of Tennessee as an Investigator for the District Attorney General's Office where he was employed over 20 years as an Assistant Chief Investigator. Mr. Young has a Bachelor's Degree from MSU in Police Administration, a Master's Degree from MSU in Public Administration and graduated from the FBI National Academy in 1982. He is a career employee with over 40 years experience with both Shelby County Government and the State of Tennessee. The Director of Finance is responsible for the supervision and coordination of the Accounting Department, Bond Department, and the Collection Department.

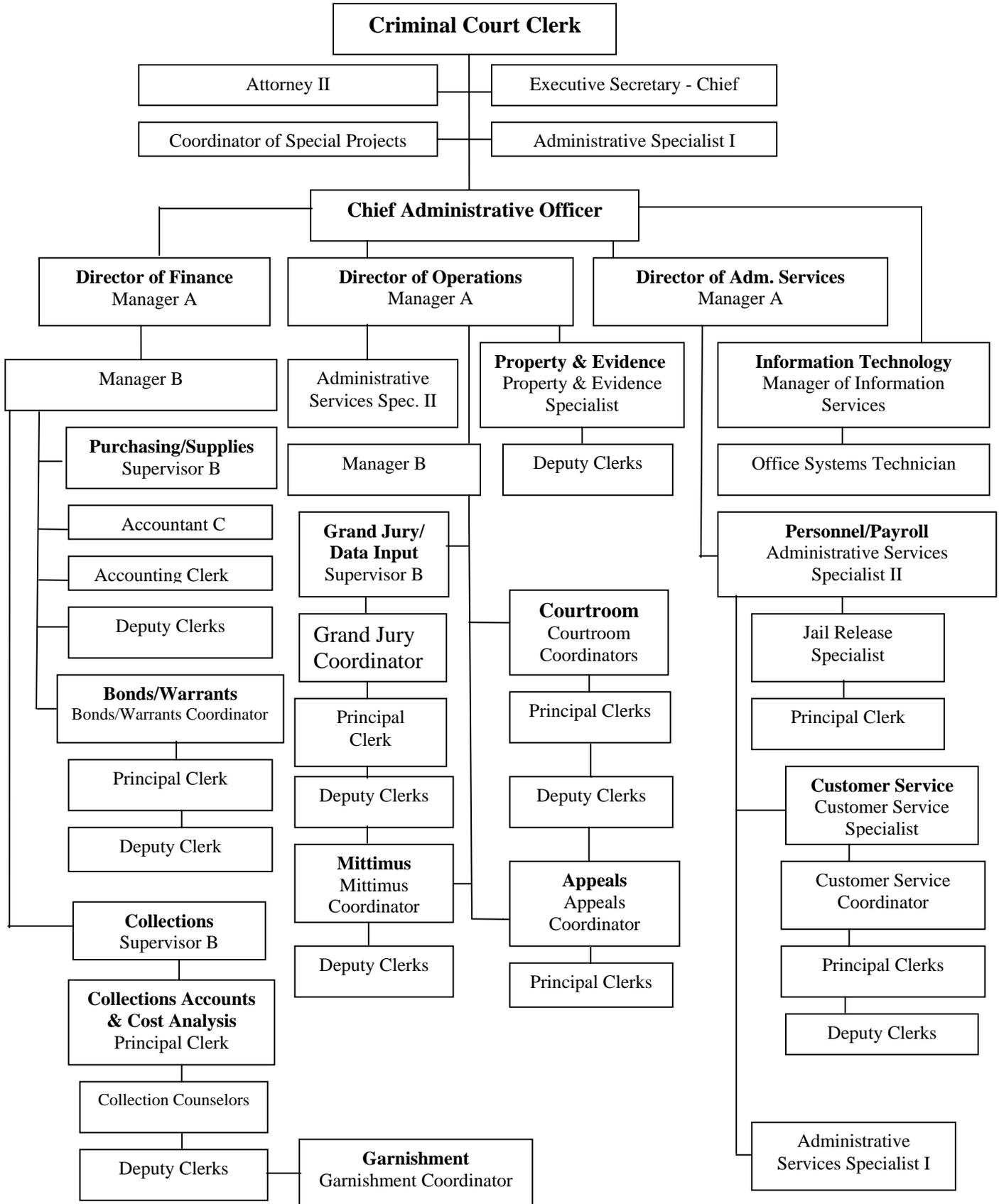
Ms. Sharon Phillips
Executive Secretary

Under the direction of the Criminal Court Clerk, the Executive Secretary performs various designated administrative, secretarial and confidential duties requiring a high degree of judgment and tact. The Executive Secretary also receives, transmits and informs division heads and other operating personnel of policies established, administrative decisions reached, and problems solved. The Executive Secretary takes initiative in planning work, solving office problems and expediting the flow of work in the Clerk's office. The Executive Secretary plans special activities and varied projects by interacting with all staff members to assure completion of successful plans.

Ms. Debra Guasco
Administrative Specialist

Mrs. Guasco began her career with Shelby County more than 20 years ago with the last eight years in the Criminal Court Clerk's Office. She has served in various areas and has obtained a good working knowledge of the office functions. As the Training Coordinator, she is responsible for training programs in all departments within the office. Responsibilities include developing and delivering effective programs for employees as requested by their supervisors. She determines training needs and develops effective educational activities that promote the attitudes, knowledge, and skills needed to ensure quality performance on the job. The training coordinator also has the responsibility of researching and compiling data to develop and maintain the Policy and Procedures Manual, Annual Report, Forms Book and Rules Of Court for the Clerk's office. Working with other official agencies, individuals and groups is essential for the Training Coordinator to promote public programs and develop extensive contacts with all levels of County government to gain acceptance of new revised administrative procedures.

ORGANIZATIONAL CHART



TENNESSEE COURTS

SUPREME COURT

The Tennessee Supreme Court is the state's highest court and court of last resort. The five Supreme Court justices hear appeals of decisions from other courts and interpret the laws and Constitutions of Tennessee and the United States. Justices, elected on a "yes-no" vote every eight years under the revised "Missouri Plan", known as the "Tennessee Plan" represent each of the state's three grand divisions. By constitutional mandate, the court meets in Knoxville, Nashville, and Jackson.

The Supreme Court has jurisdiction to review civil and criminal cases appealed from lower courts. Appeals are granted or denied at the discretion of the justices, except in capital punishment cases, where appeals are automatic.

The state Supreme Court's jurisdiction was expanded in 1992 by the Appellate Court Improvements Act. Under the act, the state's high court may assume jurisdiction over undecided cases in the Court of Appeals or Court of Criminal Appeals when there is special need for an expedited decision. The Supreme Court also has jurisdiction in cases involving state taxes, the right to hold public office or issues of constitutional law.

Attorneys present arguments before the Supreme Court. Unlike trials in lower courts, there are no witnesses, juries or testimonies. After justices have heard oral arguments and reviewed attorney's written materials, known as *briefs*, they issue written decisions, or *opinions*. Tennessee Supreme Court opinions can be appealed only to the federal courts which may or may not agree to consider an appeal.

INTERMEDIATE APPELLATE COURTS

The 12 member **COURT OF APPEALS** does just what its name suggests. The Court of Appeals hears appeals in civil – or non-criminal - cases from trial courts and certain state boards and commissions. All final decisions of the Court of Appeals may be appealed, by permission, to the Tennessee Supreme Court. The court of Appeals meets in Knoxville, Nashville, and Jackson sitting in panels of three judges.

Court of Appeals judges are selected under the Tennessee version of the “Missouri Plan”. When a vacancy occurs in the Court of Appeals, the 15-member Judicial Selection Commission recommends three candidates from the grand division of the state in which the vacancy exists. The governor appoints a new judge from the list of three candidates.

Court of Appeals judges run on a “yes-no” ballot every eight years. Voters decide to retain or reject the judges, who run unopposed through evaluation results published in newspapers across the state.

The **COURT OF CRIMINAL APPEALS** hears trial court appeals in felony and misdemeanor criminal cases as well as post-conviction petitions. The twelve Court of Criminal Appeals judges also are selected under Tennessee’s version of the “Missouri Plan”.

Panels of three judges sit monthly in Jackson, Knoxville, and Nashville to hear cases. As with the Court of Appeals, the Court of Criminal Appeals meets at other places and times as necessary.

All Court of Criminal Appeals decisions may be appealed to the state Supreme Court by permission, except in capital cases, which are automatically appealed.

Also like the Court of Appeals, the Court of Criminal Appeals does not conduct trials. Instead, the records of the original trials in lower courts are reviewed, with attorneys presenting oral and written arguments.

The Court of Criminal Appeals judges serve eight-year terms. Judges on the Court of Criminal Appeals may run for re-election without opposition. Incumbent judges are retained or rejected on a "yes-no" vote.

STATE TRIAL COURTS

Tennessee's 95 counties are divided into 31 judicial districts. Within each district are Circuit Courts and Chancery Courts as provided by the state Constitution. Some districts also have legislatively established Criminal Courts. Judges of these courts are elected to eight-year terms. The jurisdiction of Circuit, Chancery and Criminal Courts may be increased or diminished by the legislature.

Circuit, Chancery, and Criminal Court judges in each of the 31 judicial districts annually choose one judge from among them to be the presiding judge for the district. It is the duty of the presiding judge to provide orderly and efficient administration of justice within the district. Trial judges, who are elected to eight-year terms, are authorized by statute to exercise jurisdiction in any trial court in the state.

CIRCUIT COURTS are courts of general jurisdiction in Tennessee. Circuit judges hear civil and criminal cases and appeals of decisions from, Juvenile, Municipal and General Sessions Courts. The Jurisdiction of Circuit Courts often overlaps that of the Chancery Courts. Criminal cases are tried in Circuit Court except in districts with separate Criminal Courts established by the General Assembly.

CHANCERY COURTS are a good example of the court system's English heritage. The traditional equity courts are based on the English system in which the chancellor acted as the "King's conscience". Chancellors may, by law and tradition, modify the application of strict legal rules and adapt relief to the circumstances of individual cases. Chancery courts handle a variety of issues including lawsuits, contract disputes, application for injunctions and name changes.

CRIMINAL COURTS were established by the General Assembly to relieve Circuit Courts in areas where they are justified by heavy caseloads. Criminal Courts exist in 13 of the State's 31 judicial districts. In addition to having jurisdiction over criminal cases, the 29 Criminal Court judges hear misdemeanor appeals from lower courts. In districts without Criminal Courts, criminal cases are handled at the trial level by Circuit Court judges.

PROBATE COURTS in Shelby and Davidson counties were created by the legislature and given exclusive jurisdiction over probate of wills and administration of estates. The probate judges also handle conservatorships and guardianships.

COURTS OF LIMITED JURISDICTION

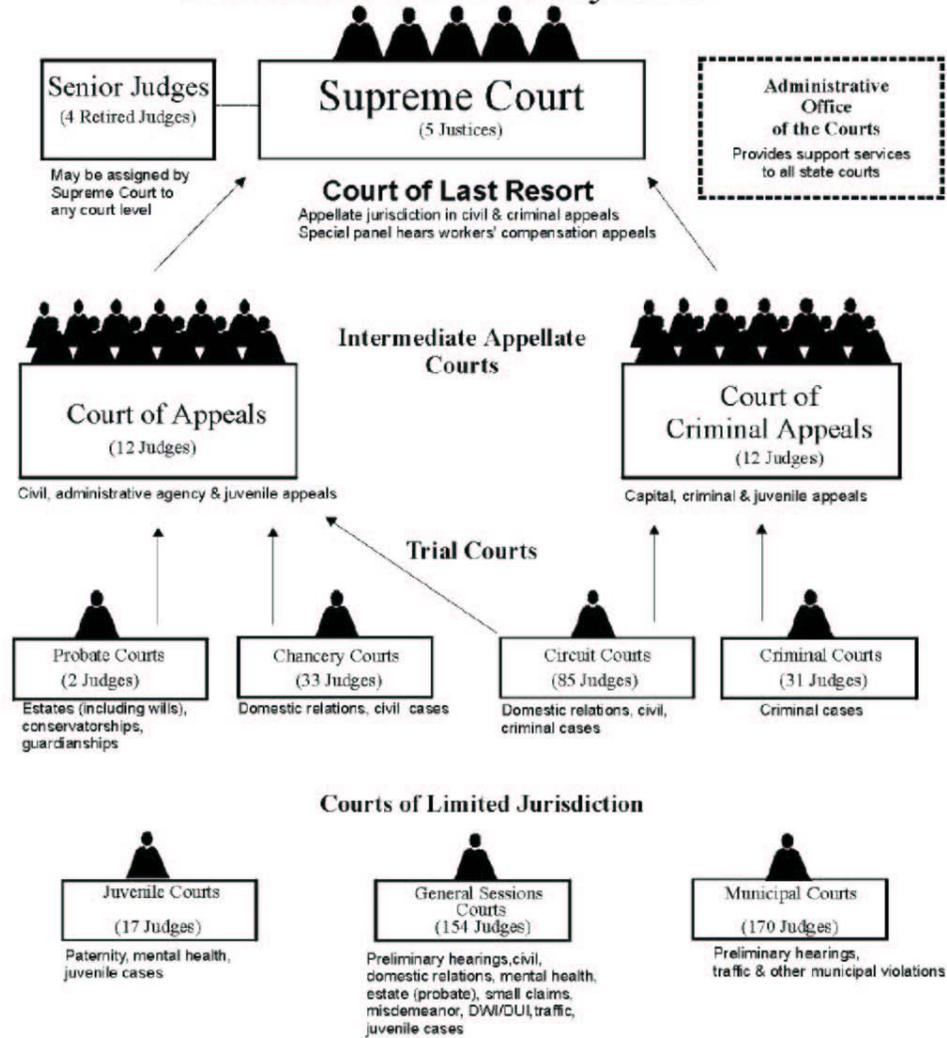
The **GENERAL SESSIONS COURT** jurisdiction varies from county to county based on state laws and private acts. The court that hears civil and criminal cases, including matters formerly handled by justices of peace, services every county. Civil jurisdiction is restricted to specific monetary limits and types of actions. Criminal jurisdiction is limited to preliminary hearings in felony cases and misdemeanor trials in which a defendant waives the right to a grand jury investigation and trial by jury in Circuit or Criminal Court. General Session's judges also serve as juvenile judges except in counties in which the legislature has established a separate Juvenile Court. General Session's judges are elected to eight-year terms.

JUVENILE COURT jurisdiction is vested in General Sessions Courts in all counties except those in which the law establishes special Juvenile Courts. Juvenile Courts have exclusive jurisdiction in proceedings involving minors alleged to be delinquent, unruly, dependent and neglected. Juvenile Courts also have concurrent jurisdiction with Circuit, Chancery and Probate Courts in some areas.

MUNICIPAL COURT, also known as **CITY COURT**, has jurisdiction in cases involving violation of city ordinances. Generally, a city judge has authority to assess fines up to \$50 and jail sentences up to 30 days. However, the jurisdiction varies widely from city to city. About 300 Tennessee cities have Municipal Courts.



Tennessee Judicial System



OPERATIONS

- The division of an organization that carries out the major planning and operating functions.



OPERATIONS DIVISION

Maerne Bernard, Director

Sandra Cross Peterson, Deputy Director

The Director of Operations, with the assistance of the deputy director, shall be responsible for the supervision and coordination of all departments of the Operation divisions in accordance with the policies and directives of the Clerk's office. The Operation Division provides the core functions of the Clerk's office and is divided into the following six sections.

APPEALS SECTION

Tim Lewis, Supervisor

The Appeals Section is responsible for the accurate transmission of the technical record in all cases appealed to higher courts. All court minute entries, filings, transcripts and exhibits entered as the case progresses through the courts must be viewed, examined and proofread to ensure compliance with the Tennessee Rules and Appellate Procedures. The Appeals Section also provides leadership and guidance to the courtroom clerks on technical questions regarding recording to the day's minute entries on jury trials and on special hearings.

COURTROOM CLERKS

Sandra Brown, Supervisor

Sandra Sandidge, Supervisor

The Courtroom Clerks Section performs one of the most important functions of the Clerk's office, the daily operation of the Criminal Courts. Each division of the court has two clerks assigned to it who prepare all legal documents and orders issued by the Court. The clerks also maintain a permanent record of all Court activity in the Court Minutes, maintain the docket of cases for each division, swear in jurors and witnesses, and maintain all case jackets.

DATA INPUT SECTION

The Data Input Section is responsible for entering all information on each case and defendant into the Justice Support System and also entering information on the bar code tracking system for each indicted case; new records must be entered into the database and defendant information updated or created. All petitions, motions and orders must be entered and cross checked.

GRAND JURY SECTION

The Grand Jury Section is responsible for processing all new indictments, creating bar code labels for indictment files and handling criminal arrests and bind overs from General Sessions Criminal Court. The Grand Jury section also keeps the records of defendant's time spent in jail for application toward jail credit if the defendant is convicted and if time is to be served.

MITTIMUS SECTION

The Mittimus Section is responsible for processing all judgments issued by the Court. All cases involving guilty verdict pleas are sent to this department for final processing.

PROPERTY AND EVIDENCE SECTION

Carl Townsend, Supervisor

The Property and Evidence Department is responsible for property received from the Memphis Police Department property room and all other sources of property used by the Criminal Courts for evidence. This allows an expedient process of presenting evidence in the criminal courts until time of court presentation and final disposition. Items stored by this department include drugs, weapons, monies, clothing, jewelry, small appliances, tools and electronic equipment. Video cameras and a sound movement activated alarm system are used to secure these items until needed in court.

OPERATIONS STATISTICAL INFORMATION



CRIMINAL FILINGS

2007	
FELONY TRUE BILLS OF INDICTMENT	16,224
MISDEMEANOR TRUE BILLS OF INDICTMENT	6,342
PETITIONS & MOTIONS ¹	3,027
NOT TRUE BILLS OF INDICTMENT	26
TOTAL BILLS OF INDICTMENT²	25,619

2008	
FELONY TRUE BILLS OF INDICTMENT	14,405
MISDEMEANOR TRUE BILLS OF INDICTMENT	6,612
PETITIONS & MOTIONS ¹	4,391
NOT TRUE BILLS OF INDICTMENT	33
TOTAL BILLS OF INDICTMENT²	25,441

2009	
FELONY TRUE BILLS OF INDICTMENT	16,796
MISDEMEANOR TRUE BILLS OF INDICTMENT	5,340
PETITIONS & MOTIONS ¹	3,204
NOT TRUE BILLS OF INDICTMENT	35
TOTAL BILLS OF INDICTMENT²	25,375

CRIMINAL INFORMATION CASES

-An alternative to indictment as a means of starting a criminal prosecution.

2007	2008	2009
1635	2241	2041

¹ Petitions & Motions were totaled as a separate category for the first time in 2001.

² The D.A.'s office reports the total number of indictments, not the total number of charges or defendants named in each indictment. An indictment can include several charges and several defendants.

COMMON TYPES OF MISDEMEANOR CASES

OFFENSES AGAINST PERSON

ASSAULT OFFENSES

- §39-13-101 Assault
- §39-13-103 Reckless Endangerment W/O
A Deadly Weapon
- §39-13-514 Patronizing Prostitution

SEXUAL OFFENSES

- §39-2-614 Indecent Exposure
- §39-13-511 Public Indecency
- §39-13-513 Prostitution

KIDNAPPING & FALSE IMPRISONMENT

- §39-13-302 False Imprisonment

OFFENSES AGAINST PROPERTY

THEFT

- §39-14-103 Theft of Property of \$500 or Less
- §39-14-104 Theft of Services of \$500 or Less
- §39-14-106 Unauthorized Use of Automobiles &
Other Vehicles – Joyriding
- §39-14-118 Illegal Possession of a Credit/Debit Card
- §39-14-121 Passing Bad Checks \$500 or Less
- §39-14-127 Deceptive Business Practices
- §39-14-134 Alteration of Item’s Permanent
Distinguishing Numbers – Sale or
Possession of Item
- §39-14-146 Theft of Merchandise \$500 or Less

ANIMALS

- §39-14-202 Cruelty to Animals
- §39-14-203 Cock and Animal Fighting

BURGLARY & RELATED OFFENSES

- §39-14-405 Criminal Trespass
- §39-14-406 Aggravated Criminal Trespass
- §39-14-408 Vandalism \$500 or Less
- §39-14-412 Mailbox Tampering/Gov. Prpty.
- §39-3-1301 Malicious Mischief

COMPUTER OFFENSES

- §39-14-602 Computer Crime \$500 or Less

OFFENSES AGAINST ADMINISTRATION OF THE GOVERNMENT

FALSE IMPERSONATION

- §39-16-301 Criminal Impersonation
- §39-16-303 Using a False Identification
- §39-16-605 Escape From Misdemeanor
Incarceration

OBSTRUCTION OF JUSTICE

- §39-16-602 Resisting Official Detention
- §39-16-603 Evading Arrest

INTERFERENCE WITH GOVERNMENT OPERATIONS

- §39-16-502 False Offense Reports

OFFENSES AGAINST PUBLIC HEALTH, SAFETY, AND WELFARE

DISORDERLY CONDUCT AND RIOTS

- §39-17-304 Inciting to Riot
- §39-17-305 Disorderly Conduct
- §39-17-307 Obstructing Highway or Passageway
- §39-17-308 Harassment
- §39-17-315 Stalking
- §39-6-301 Disturbing the Peace

DRUGS

- §39-17-418 Possession of a Controlled Substance
- §39-17-422 Inhaling/Possession Glue for Unlawful Purpose
- §39-17-423 Manufacturing Imitation Control Substances
- §39-17-425 Possession of a Drug Paraphernalia
- §39-6-417 Unlawful Possession Controlled Substance
- §39-6-456 Unlawful Poss. of Drug Paraphernalia

GAMBLING

- §39-17-502 Gambling

INTOXICATING LIQUORS

- §39-17-713 Storage of Liquor for Sale

WEAPONS

- §39-17-1302 Possession of Prohibit Weapon
- §39-17-1305 Possession of Firearm Where Alcoholic Bev. Are Sold/Servd.
- §39-17-1307 Storage of Liquor for Sale

MOVING TRAFFIC VIOLATIONS

- | | |
|---|--|
| §55-8-152 Speeding | §55-10-415 Driving While Impaired |
| §55-10-101 Leaving Scene of Accident Involving Injury | §55-10-502 Drag Racing |
| §55-10-102 Leaving Scene of Acc. Involving Prop. Damage | §55-10-301 No Driver's License |
| §55-10-104 Striking Unattended Vehicle | §55-50-331 Driving In Violation of License Restriction |
| §55-10-110 False Information in Accident Report | §55-50-351 Driving w/o License in Poss. |
| §55-10-205 Reckless Driving | §55-10-504 Driving/License Susp/Revoked, or Canceled |
| §55-10-401 Driving While Under the Influence of an Intoxicant/Drugs | |

GENERAL PROVISIONS

- | | |
|---|--|
| §40-11-110 Material Witness | §55-5-111 Poss. of Vehicle w/Alt. Serial Number |
| §40-21-103 Petition To Suspend Remainder of Sentence | §55-5-115 Improper Use of Auto Reg. |
| §40-21-106 Violation of Probation | §55-50-601 Fraud./Unlawful Use of Drivers License |
| §40-7-118 Failure to Appear on Misdemeanor Citation | §55-8-139 Soliciting a Ride/Business |
| §47-18-104 Deceptive Practice Trade/Commerce | §55-9-602 Violation Child Restraint Law |
| §50-7-709 Fraudulent Representation to Obtain Unemployment Compensation | §57-30-412 Minor Attempt to Buy Alcoholic Bev. |
| §53-10-104 Obtaining Legend Drug by Fraud | §57-5-301 Selling Beer/Alcoholic Bev. To Minor |
| §53-10-105 Possession Legend Drug W/O Prescription | §62-37-104 Engage in Home Improvement W/O Lic. |
| §55-4-101 Violation of Vehicle Registration Law | §71-6-117 Willful Abuse, Neglect, or Exploitation Prohibited |

TOTAL DISPOSITION OF MISDEMEANOR INDICTMENTS

2007

GENERAL PROVISIONS

COURT DIVISIONS	I	0	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTIONS AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	2	1	0	0	5	2	0	0	1	0	11
GUILTY PLEA	5	5	6	14	8	8	2	10	11	3	72
OTHER	1	1	1	1	1	1	0	0	0	0	6
TOTAL	8	7	7	15	14	11	2	10	12	3	89

GENERAL OFFENSES

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTIONS AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	0	0	0	0	0	0	0	0	0	0	0
GUILTY PLEA	0	1	0	1	0	0	0	0	0	0	2
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	1	0	1	0	0	0	0	0	0	2

OFFENSES AGAINST PERSON

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	1	1	0	1	0	2	0	1	0	6
CONVICTIONS AFTER TRIAL	0	2	1	0	2	0	0	1	4	1	11
DISMISS/NOLLE PROSEQUI	61	46	29	37	51	48	33	38	43	64	450
GUILTY PLEA	73	108	59	84	95	88	110	74	95	78	864
OTHER	9	10	21	12	9	8	10	8	11	7	105
TOTAL	143	167	111	133	158	144	155	121	154	150	1436

OFFENSES AGAINST PROPERTY

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	2	0	1	0	0	0	3
CONVICTIONS AFTER TRIAL	0	0	0	0	1	0	0	0	2	0	3
DISMISS/NOLLE PROSEQUI	37	43	18	12	26	30	24	23	23	30	266
GUILTY PLEA	81	109	85	128	100	96	78	70	90	102	939
OTHER	6	11	7	7	5	9	8	5	11	3	72
TOTAL	124	163	110	147	134	135	111	98	126	135	1283

TOTAL DISPOSITION OF MISDEMEANOR INDICTMENTS

2007

OFFENSES AGAINST THE FAMILY

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTIONS AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	1	3	0	0	0	0	0	0	0	0	4
GUILTY PLEA	0	1	1	0	1	0	1	1	2	0	7
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	1	4	1	0	1	0	1	1	2	0	11

OFFENSES AGAINST THE ADMINISTRATION OF THE GOVERNMENT

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	1	0	0	0	1
CONVICTIONS AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	10	7	7	11	9	8	7	11	11	4	85
GUILTY PLEA	21	39	21	19	38	32	27	18	35	26	276
OTHER	1	0	1	0	1	1	1	0	2	1	8
TOTAL	32	46	29	30	48	41	36	29	48	31	370

OFFENSES AGAINST THE PUBLIC HEALTH, SAFETY, AND WELFARE

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	1	0	0	0	0	0	1
CONVICTIONS AFTER TRIAL	0	0	2	0	0	0	0	2	2	0	6
DISMISS/NOLLE PROSEQUI	33	49	40	38	23	30	20	22	53	37	345
GUILTY PLEA	135	98	127	158	146	141	118	68	117	100	1208
OTHER	5	3	13	8	4	3	4	8	2	5	55
TOTAL	173	150	182	204	174	174	142	100	174	142	1,615

MOTOR TRAFFIC VIOLATIONS

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	1	1	2	0	1	1	0	1	7
CONVICTIONS AFTER TRIAL	2	0	1	0	2	0	4	4	2	1	16
DISMISS/NOLLE PROSEQUI	160	172	153	160	140	219	180	152	207	143	1686
GUILTY PLEA	207	200	194	236	226	252	220	222	246	195	2,198
OTHER	45	50	55	73	67	46	41	49	39	41	506
TOTAL	414	422	404	470	437	517	446	428	494	381	4,413

TOTAL DISPOSITION OF MISDEMEANOR INDICTMENTS

2008

GENERAL PROVISIONS

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTIONS AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	2	1	1	1	4	3	0	0	2	0	14
GUILTY PLEA	9	5	7	7	7	11	5	5	6	6	68
OTHER	0	0	0	0	1	3	0	0	0	0	4
TOTAL	11	6	8	8	12	17	5	5	8	6	86

GENERAL OFFENSES

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTIONS AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	0	0	0	0	0	0	0	0	0	0	0
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0

OFFENSES AGAINST PERSON

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	1	0	3	0	2	0	1	0	7
CONVICTIONS AFTER TRIAL	1	0	1	0	10	3	1	2	3	0	21
DISMISS/NOLLE PROSEQUI	35	40	39	33	34	36	41	42	52	27	379
GUILTY PLEA	59	55	60	95	68	6	93	72	84	70	662
OTHER	8	5	6	9	10	67	6	6	5	2	124
TOTAL	103	100	107	137	125	112	143	122	145	99	1193

OFFENSES AGAINST PROPERTY

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTIONS AFTER TRIAL	0	1	1	1	0	0	0	2	0	0	5
DISMISS/NOLLE PROSEQUI	16	6	2	7	2	13	9	7	10	9	81
GUILTY PLEA	28	29	38	41	28	59	51	26	51	36	387
OTHER	1	1	3	1	1	1	1	0	1	1	11
TOTAL	45	37	44	50	31	73	61	35	62	46	484

TOTAL DISPOSITION OF MISDEMEANOR INDICTMENTS

2008

OFFENSES AGAINST THE FAMILY

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTIONS AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	0	0	0	0	0	0	0	3	0	2	5
GUILTY PLEA	0	0	1	1	2	4	0	2	0	4	14
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	1	1	2	4	0	5	0	6	19

OFFENSES AGAINST THE ADMINISTRATION OF THE GOVERNMENT

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTIONS AFTER TRIAL	2	0	0	0	0	0	0	0	0	0	2
DISMISS/NOLLE PROSEQUI	7	2	10	4	9	10	10	12	18	9	91
GUILTY PLEA	33	14	19	12	34	20	32	15	19	12	210
OTHER	1	0	0	0	0	1	0	1	2	0	5
TOTAL	43	16	29	16	43	31	42	28	39	21	308

OFFENSES AGAINST THE PUBLIC HEALTH, SAFETY, AND WELFARE

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTIONS AFTER TRIAL	0	0	0	0	0	1	0	0	0	3	4
DISMISS/NOLLE PROSEQUI	15	34	27	27	18	41	39	35	42	16	294
GUILTY PLEA	105	126	90	123	102	123	97	74	85	53	978
OTHER	7	7	5	3	2	6	5	2	4	0	41
TOTAL	127	167	122	153	122	171	141	111	131	72	1317

MOVING TRAFFIC VIOLATIONS

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	1	1	0	0	0	0	2	0	0	1	5
CONVICTIONS AFTER TRIAL	1	0	0	1	0	0	0	0	4	2	8
DISMISS/NOLLE PROSEQUI	124	126	100	122	103	153	130	121	143	81	1203
GUILTY PLEA	62	62	68	68	66	89	67	65	72	54	673
OTHER	17	13	20	17	13	26	8	25	18	11	168
TOTAL	205	202	188	208	182	268	207	211	237	149	2057

TOTAL DISPOSITION OF MISDEMEANOR INDICTMENTS

2009

GENERAL PROVISIONS

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTIONS AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	1	0	1	0	1	4	0	1	0	1	9
GUILTY PLEA	2	3	7	2	2	6	3	1	5	6	37
OTHER	0	0	1	0	0	0	0	0	0	0	1
TOTAL	3	3	9	2	3	10	3	2	5	7	47

GENERAL OFFENSES

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTIONS AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	0	0	0	0	0	0	0	0	0	0	0
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0

OFFENSES AGAINST PERSON

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	2	0	0	0	0	0	2	0	4
CONVICTIONS AFTER TRIAL	0	0	0	0	0	1	0	2	1	2	6
DISMISS/NOLLE PROSEQUI	31	41	26	40	48	51	38	42	60	29	406
GUILTY PLEA	84	70	73	81	70	89	68	82	75	77	769
OTHER	9	3	10	12	5	9	5	4	7	10	74
TOTAL	124	114	111	133	123	150	111	130	145	118	1259

OFFENSES AGAINST PROPERTY

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTIONS AFTER TRIAL	0	1	1	0	0	1	1	1	1	0	6
DISMISS/NOLLE PROSEQUI	15	5	6	13	4	11	11	19	6	10	100
GUILTY PLEA	23	18	30	31	25	24	29	14	42	32	268
OTHER	3	0	1	1	1	5	4	1	2	0	18
TOTAL	41	24	38	45	30	41	45	35	51	42	392

TOTAL DISPOSITION OF MISDEMEANOR INDICTMENTS

2009

OFFENSES AGAINST THE FAMILY

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTIONS AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	0	0	0	0	0	0	0	0	0	0	0
GUILTY PLEA	0	1	0	0	0	3	0	0	1	0	5
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	1	0	0	0	3	0	0	1	0	5

OFFENSES AGAINST THE ADMINISTRATION OF THE GOVERNMENT

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTIONS AFTER TRIAL	0	1	0	0	0	0	0	1	1	0	3
DISMISS/NOLLE PROSEQUI	6	6	10	6	8	11	6	5	9	13	80
GUILTY PLEA	35	12	21	17	14	29	21	11	11	13	184
OTHER	1	0	2	0	0	0	0	0	2	0	5
TOTAL	42	19	33	23	22	40	27	17	23	26	272

OFFENSES AGAINST THE PUBLIC HEALTH, SAFETY, AND WELFARE

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	1	0	0	0	1
CONVICTIONS AFTER TRIAL	0	0	0	0	0	5	0	1	0	0	6
DISMISS/NOLLE PROSEQUI	13	45	28	26	36	42	20	41	58	45	354
GUILTY PLEA	82	72	93	87	89	113	78	76	88	58	836
OTHER	1	2	3	3	8	5	2	2	5	13	44
TOTAL	96	119	124	116	133	165	101	120	151	116	1241

MOVING TRAFFIC VIOLATIONS

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	5	0	1	2	0	4	2	0	0	0	14
CONVICTIONS AFTER TRIAL	0	0	0	2	0	1	0	0	0	0	3
DISMISS/NOLLE PROSEQUI	97	122	146	114	141	128	106	108	91	106	1159
GUILTY PLEA	62	66	67	72	99	76	55	56	59	63	675
OTHER	1	4	17	6	6	6	27	7	0	7	81
TOTAL	165	192	231	196	246	215	190	171	150	176	1932

COMMON TYPES OF FELONY CASES

GENERAL PROVISIONS

§55-10-414	Aggravated Child Endangerment	§66-11-138	Misapplication of Contract Payment
§55-5-112	Altering/Changing Engine or Serial #	§67-1-1440	Falsification of St. Revenue Tax
§55-5-116	Altering, Falsifying or Forging Evidence	§71-3-120	Fraud to Obtain Aid for Dependent Children
§55-50-321	Fraudulent Drivers License Application Of Title, Assignments or Plates		

GENERAL OFFENSES

PREPARATORY OFFENSES

§39-12-101	Criminal Attempt Felony
§39-12-102	Solicitation to Commit a Felony
§39-12-103	Criminal Conspiracy

OFFENSES AGAINST PERSON

ASSAULT OFFENSES

§39-13-102	Aggravated Assault
§39-13-103	Reckless Endangerment with a Deadly Weapon
§39-13-106	Vehicular Assault
§39-2-103	Asslt W/Intent to Commit Murder 1 st Degree
§39-2-115	Shooting/Missile Calculated to Produce Death Or Great Bodily Harm
§39-13-404	Carjacking

CRIMINAL HOMICIDE

§39-13-202	First Degree Murder
§39-13-210	Second Degree Murder
§39-13-211	Voluntary Manslaughter
§39-13-212	Criminal Negligent Homicide
§39-13-213	Vehicular Homicide
§39-13-215	Reckless Homicide
§39-2-202	MID/Murder in Perpetration of a Felony
§39-2-211	Murder Second Degree
§39-2-221	Involuntary Manslaughter
§39-13-504	Aggravated Sexual Battery

KIDNAPPING/FALSE IMPRISONMENT

§39-13-212	Kidnapping
§39-13-304	Aggravated Kidnapping
§39-13-305	Especially Agg. Kidnapping
§39-13-306	Custodial Interference

ROBBERY

§39-13-401	Robbery
§39-13-402	Aggravated Robbery
§39-13-403	Especially Aggravated Robbery
§39-13-212	Robbery/Robbery With a Deadly Weapon

SEXUAL OFFENSES

§39-13-502	Aggravated Rape
§39-13-503	Rape
§39-13-505	Sexual Battery
§39-13-506	Statutory Rape
§39-13-515	Promoting Prostitution
§39-13-516	Aggravated Prostitution
§39-13-522	Rape of a Child
§39-2-603	Aggravated Rape

COMMON TYPES OF FELONY CASES

OFFENSES AGAINST PROPERTY

§39-14-103 Theft of Property over \$500
§39-14-104 Theft of Services over \$500
§39-14-112 Extortion
§39-14-114 Forgery
§39-14-118 Fraudulent Use of a Credit/Debit Card O/\$500
§39-14-121 Passing Bad Checks Over \$500
§39-14-133 False or Fraudulent Insurance Claims O/\$500
§39-14-146 Theft of Merchandise Over \$500
§39-14-602 Computer Crime Over \$500
§39-3-301 Passing Bad Checks Over \$100
§39-3-503 False Credit Card Application
§39-3-512 Fraudulent Use of a Credit Card
§39-3-804 Uttering Forged Papers
§39-3-901 Obtaining Money by False Pretense
§39-3-904 Fraudulent Breach of Trust
§39-3-1103 Grand Larceny, Petit Larceny, Auto Larceny
§39-3-1112 Receiving & Concealing Stolen Property O/\$200
§39-3-1113 Receiving & Concealing Stolen Prop. \$200 or Less
§39-3-1118 Failure to Return Rented Property
§39-3-1121 Embezzlement

ARSON – EXPLOSIVES

§39-14-301 Arson
§39-14-302 Aggravated Arson
§39-14-303 Setting Fire to Personal Property

BURGLARY & RELATED OFFENSES

§39-14-402 Burglary
§39-14-403 Aggravated Burglary
§39-14-404 Esp. Agg. Burglary
§39-14-408 Vandalism
§39-14-411 Destruction or Interference with Utility Lines, Fixtures, Appliances, or Railroad Property
§39-3-401 Burglary 1st Degree
§39-3-403 Burglary 2nd Degree
§39-3-404 Burglary 3rd Degree
§39-3-406 Breaking Into, Entering, & Burglar. an Auto

OFFENSES AGAINST THE FAMILY

§39-15-302 Incest
§39-15-401 Child Abuse & Neglect If Child is 6 or Less
§39-15-402 Aggravated Child Abuse

COMMON TYPES OF FELONY CASES

OFFENSES AGAINST ADMINISTRATION OF THE GOVERNMENT

BRIBERY

§39-16-102 Bribery of a Public Servant

CONTRABAND IN PENAL INSTITUTIONS

§39-16-201 Introduction or Possession of Weapons
Explosives, Intoxicants, or Drugs Into a
Penal Institution Where Prisoners are
Quartered

FALSE PERSONATION OBSTRUCTION OF JUSTICE

§39-16-302 Impersonation of Licensed Professional

MISCONDUCT INVOLVING PUBLIC OFFICIALS AND EMPLOYEES

§39-16-402 Official Misconduct

§39-16-403 Official Oppression

INTERFERENCE WITH GOV. OPS.

§39-16-502 False Bomb Report

§39-16-503 Tampering With or Fabricating
Evidence

§39-16-507 Coercion of Witness

§39-15-402 Retaliation for Past Action

§39-16-608 Escape While Being Held for a
Felony

§39-16-609 Failure to Appear in a Felony
Case

PERJURY

§39-16-703 Aggravated Perjury

OFFENSES AGAINST PUBLIC HEALTH, SAFETY, & WELFARE

DRUGS

§39-17-417 Possession of Controlled Substance With
Intent to Manufacture, Sell, or Deliver

§39-17-425 Manufacturing/Delivering Drug
Paraphernalia

§53-11-402 Obtaining a Controlled Substance by Fraud

§39-13-1713 Possession of a Sawed Off Shotgun

WEAPONS

§39-17-1302 Possession of Prohibited
Weapon

§39-17-1306 Carrying Weapons
During Judicial Proceedings

§39-17-1309 Carrying Weapons on School
Property

MISCELLANEOUS

§55-10-101 Leaving the Scene of an
Accident Involving Death

MOVING TRAFFIC VIOLATIONS

§55-10-616 Driving While Habitual Motor Vehicle Offender

TOTAL DISPOSITION OF FELONY INDICTMENTS

2007

GENERAL PROVISIONS

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTION AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	1	1	0	0	0	0	0	0	1	0	3
GUILTY PLEA	2	2	0	2	0	1	1	0	0	2	10
OTHER	0	1	0	0	0	0	0	0	0	0	1
TOTAL	3	4	0	2	0	1	1	0	1	2	14

GENERAL OFFENSES

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTION AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	0	0	0	1	0	0	0	0	0	0	1
GUILTY PLEA	0	1	0	0	0	0	0	0	0	0	1
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	1	0	1	0	0	0	0	0	0	2

OFFENSES AGAINST PERSONS

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	3	3	2	2	1	2	5	4	7	3	32
CONVICTION AFTER TRIAL	9	25	7	20	16	18	16	21	20	19	171
DISMISS/NOLLE PROSEQUI	100	160	91	108	81	110	90	132	135	95	1,102
GUILTY PLEA	167	177	186	216	201	206	301	244	222	294	2,214
OTHER	6	6	10	8	28	16	11	4	4	8	101
TOTAL	285	371	296	354	327	352	423	405	388	419	3,620

OFFENSES AGAINST PROPERTY

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	1	0	0	0	0	4	0	1	3	0	9
CONVICTION AFTER TRIAL	5	0	1	0	1	0	1	1	2	6	17
DISMISS/NOLLE PROSEQUI	118	264	101	130	111	121	94	90	105	136	1,270
GUILTY PLEA	245	285	200	321	289	380	244	331	337	316	2,948
OTHER	22	50	18	13	9	21	27	13	15	13	201
TOTAL	391	599	320	464	410	526	366	436	462	471	4,445

TOTAL DISPOSITION OF FELONY INDICTMENTS

2007

OFFENSES AGAINST THE FAMILY

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTION AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	1	6	3	1	1	4	4	1	5	1	27
GUILTY PLEA	1	6	0	3	1	2	0	1	7	1	22
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	2	12	3	4	2	6	4	2	12	2	49

OFFENSES AGAINST ADMINISTRATION OF THE GOVERNMENT

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	4	0	0	1	0	0	0	1	0	0	6
CONVICTION AFTER TRIAL	0	1	0	0	0	0	1	0	0	0	2
DISMISS/NOLLE PROSEQUI	50	25	33	36	26	38	41	24	36	32	341
GUILTY PLEA	32	31	28	31	35	49	47	36	46	38	373
OTHER	5	5	3	3	5	1	1	3	3	2	31
TOTAL	91	62	64	71	66	88	90	64	85	72	753

OFFENSES AGAINST PUBLIC HEALTH, SAFETY, & WELFARE

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	1	9	0	0	0	0	0	0	1	0	11
CONVICTION AFTER TRIAL	4	0	0	0	0	0	0	11	1	0	16
DISMISS/NOLLE PROSEQUI	551	439	416	618	410	614	484	368	580	350	4,830
GUILTY PLEA	244	236	196	263	240	298	278	217	293	231	2,496
OTHER	18	17	31	9	4	13	25	16	9	13	155
TOTAL	818	701	643	890	654	925	787	612	884	594	7,508

MOVING TRAFFIC VIOLATIONS

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTION AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	7	8	7	12	3	5	2	3	7	12	66
GUILTY PLEA	38	44	35	18	39	33	37	20	40	28	332
OTHER	4	1	6	3	2	1	1	0	1	1	20
TOTAL	49	53	48	33	44	39	40	23	48	41	418

TOTAL DISPOSITION OF FELONY INDICTMENTS

2008

GENERAL PROVISIONS

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTION AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	4	13	2	7	5	9	4	3	5	4	56
GUILTY PLEA	8	8	7	12	12	4	10	8	5	2	76
OTHER	1	0	0	1	0	2	0	0	1	2	7
TOTAL	13	21	9	20	17	15	14	11	11	8	139

GENERAL OFFENSES

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTION AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	0	0	0	1	0	0	0	0	0	0	1
GUILTY PLEA	0	1	0	0	0	0	0	0	0	0	1
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	1	0	1	1	3						

OFFENSES AGAINST PERSONS

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	12	1	9	4	7	11	5	5	0	5	59
CONVICTION AFTER TRIAL	8	5	22	9	23	20	16	25	19	24	171
DISMISS/NOLLE PROSEQUI	57	115	124	112	69	98	102	95	92	123	987
GUILTY PLEA	138	172	160	227	180	196	231	396	150	190	2,040
OTHER	4	7	9	14	3	10	1	6	13	3	70
TOTAL	219	300	324	366	282	335	355	527	274	345	3,327

OFFENSES AGAINST PROPERTY

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	1	1	1	0	0	0	3
CONVICTION AFTER TRIAL	0	0	0	0	1	1	1	3	0	1	7
DISMISS/NOLLE PROSEQUI	47	87	60	76	63	77	57	86	79	94	726
GUILTY PLEA	160	114	158	212	211	174	174	210	173	212	1,798
OTHER	9	3	1	7	4	6	5	2	8	4	49
TOTAL	216	204	219	295	280	259	238	301	260	311	2,583

TOTAL DISPOSITION OF FELONY INDICTMENTS

2008

OFFENSES AGAINST THE FAMILY

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	2	0	0	0	0	2
CONVICTION AFTER TRIAL	0	1	2	0	0	0	0	0	2	2	7
DISMISS/NOLLE PROSEQUI	0	0	4	1	3	0	1	4	0	3	16
GUILTY PLEA	0	1	3	3	4	0	1	2	0	1	15
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	2	9	4	7	2	2	6	2	6	40

OFFENSES AGAINST ADMINISTRATION OF THE GOVERNMENT

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTION AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	19	32	32	33	18	40	19	13	47	33	286
GUILTY PLEA	33	14	39	21	33	33	51	31	43	22	320
OTHER	1	1	3	1	2	6	0	1	2	0	17
TOTAL	53	47	74	55	53	79	70	45	92	55	623

OFFENSES AGAINST PUBLIC HEALTH, SAFETY, AND WELFARE

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	1	1
CONVICTION AFTER TRIAL	0	3	4	2	0	1	0	0	0	2	12
DISMISS/NOLLE PROSEQUI	360	508	579	518	419	385	537	494	505	430	4735
GUILTY PLEA	251	238	310	225	306	247	280	258	255	238	2,608
OTHER	7	5	7	11	18	27	19	11	8	2	115
TOTAL	618	754	900	756	743	660	836	763	768	673	7,471

MOVING TRAFFIC VIOLATIONS

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTION AFTER TRIAL	0	0	0	1	0	0	1	0	0	0	2
DISMISS/NOLLE PROSEQUI	8	0	5	0	2	2	14	4	0	4	39
GUILTY PLEA	29	26	31	28	33	22	21	26	32	18	266
OTHER	3	1	3	1	0	0	3	0	0	1	12
TOTAL	40	27	39	30	35	24	39	30	32	23	319

TOTAL DISPOSITION OF FELONY INDICTMENTS

2009

GENERAL PROVISIONS

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTION AFTER TRIAL	0	0	0	0	0	2	0	0	0	0	2
DISMISS/NOLLE PROSEQUI	3	62	2	7	2	6	4	1	2	7	96
GUILTY PLEA	7	12	5	6	5	4	7	2	4	7	59
OTHER	0	0	1	0	1	1	0	0	1	0	4
TOTAL	10	74	8	13	8	13	11	3	7	14	161

GENERAL OFFENSES

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTION AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	0	0	0	0	0	1	0	0	0	0	1
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	1	0	0	0	0	1

OFFENSES AGAINST PERSONS

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	5	0	2	5	10	2	1	2	4	6	37
CONVICTION AFTER TRIAL	8	20	17	3	14	19	14	40	21	18	174
DISMISS/NOLLE PROSEQUI	113	138	74	130	89	113	111	125	171	200	1264
GUILTY PLEA	178	163	172	184	188	222	202	238	139	290	1,976
OTHER	8	9	11	6	2	1	6	19	8	8	78
TOTAL	312	330	276	328	303	357	334	424	343	522	3,529

OFFENSES AGAINST PROPERTY

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	1	1	0	0	0	0	2
CONVICTION AFTER TRIAL	0	0	0	0	0	0	0	0	1	1	2
DISMISS/NOLLE PROSEQUI	49	71	63	78	78	97	81	69	71	64	721
GUILTY PLEA	159	161	185	196	170	213	168	227	162	197	1,838
OTHER	8	2	13	11	19	11	5	8	2	7	86
TOTAL	216	234	261	285	268	322	254	304	236	269	2,649

TOTAL DISPOSITION OF FELONY INDICTMENTS

2009

OFFENSES AGAINST THE FAMILY

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTION AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	0	1	4	1	1	1	12	1	1	1	23
GUILTY PLEA	1	3	3	2	4	4	3	0	2	2	24
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	1	4	7	3	5	5	15	1	3	3	47

OFFENSES AGAINST ADMINISTRATION OF THE GOVERNMENT

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTION AFTER TRIAL	0	0	0	1	0	0	0	0	0	0	1
DISMISS/NOLLE PROSEQUI	23	27	31	36	36	28	28	36	30	22	297
GUILTY PLEA	24	18	23	15	30	24	40	36	14	14	238
OTHER	1	3	9	2	3	1	1	1	1	2	24
TOTAL	48	48	63	54	69	53	69	73	45	38	560

OFFENSES AGAINST PUBLIC HEALTH, SAFETY, AND WELFARE

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	2	0	0	0	0	2
CONVICTION AFTER TRIAL	4	0	0	0	9	4	0	0	0	1	18
DISMISS/NOLLE PROSEQUI	506	362	567	439	440	569	380	400	465	390	4518
GUILTY PLEA	231	199	332	203	259	329	184	193	251	196	2,377
OTHER	17	8	14	21	19	2	12	16	4	9	122
TOTAL	758	569	913	663	727	906	576	609	720	596	7,037

MOVING TRAFFIC VIOLATIONS

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTION AFTER TRIAL	0	0	0	0	0	0	0	0	1	0	1
DISMISS/NOLLE PROSEQUI	3	3	3	4	4	16	7	6	1	2	49
GUILTY PLEA	28	19	31	26	28	25	25	17	25	24	248
OTHER	0	0	1	1	1	1	0	1	3	0	8
TOTAL	31	22	35	31	33	42	32	24	30	26	306

COMMON TYPES OF UNINDICTED PETITIONS/MOTIONS

- Petition For Writ of Habeas Corpus
 - Petition For Post Conviction Relief
 - Petition To Declare Defendant a Habitual Offender Under the Motor Vehicle Habitual Offenders Act
 - Petition For Out of State Witness
 - Petition For Hearing on Governor's Warrant
 - Petition For Restoration of Driving Privileges
 - Petition For Writ of Error Coram Nobis
 - Petition of the Clerk To Destroy Drugs and Weapons
 - Petition of the Clerk To Dispose of Abandoned, Stolen, or Recovered Property
 - Petition To Turn Over Monies Unclaimed To the Shelby County Government for County Funds Pursuant To T.C.A 5-8-101
 - Petition for Abatement (Forfeiture and Permanent Injunction of Nuisance, Writ of Temporary Injunction and for Order Relieving Bond
 - Petition To Show Cause Why the State of Tennessee has not Reimbursed Medical Provider
 - Petition For Disinterment Of Confiscated Firearms
 - Petition To Destroy Weapons
-
- Motion To Dismiss Prosecution
 - Motion To Set Bail/Bond
 - Motion For Fast and Speedy Trial
 - Motion For Bail/Bond Reduction
 - Motion For Speedy Indictment
 - Motion To Revoke Bond
 - Motion To Return Property
 - Motion To Stay Execution
 - Motion To Alter Condition of Bail
 - Motion To Sever Defendants

PETITION/MOTION DISPOSITIONS

2007

TYPE OF CASES: PETITION FOR WRIT OF HABEAS CORPUS; PETITION FOR OUT OF STATE WITNESS; PETITION TO REVOKE WEEKEND SENTENCE; MOTION TO DISMISS PROSECUTION; MOTION FOR BAIL/BOND REDUCTION; MOTION TO SET BAIL/BOND; MOTION FOR FAST AND SPEEDY TRIAL; MOTION FOR SPEEDY INDICTMENT, ETC.

(TCA 29-21-106) SCATS CODE #21939 CR-PRO-R47 SCATS CODE #10873/10871

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
PETITION GRANTED	432	452	299	425	398	384	238	381	415	346	3770
DISMISS/NOLLE PROSEQUI	284	257	230	216	252	297	279	211	310	293	2629
GUILTY PLEA	0	0	0	0	0	0	0	0	0	1	1
OTHER	9	3	3	1	2	12	0	2	1	17	50
TOTAL	725	712	532	642	652	693	517	594	726	657	6450

TYPE OF CASE: PETITION FOR POST CONVICTION RELIEF

(TCA 49-30-102) SCATS CODE #10337

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
PETITION GRANTED	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	16	12	14	18	10	23	18	5	27	35	178
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	16	12	14	18	10	23	18	5	27	35	178

TYPE OF CASE: PETITION TO DECLARE HABITUAL MOTOR VEHICLE OFFENDER

(TCA 55-10-606) SCATS CODE #10379

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
PETITION GRANTED	2	5	5	9	9	4	4	9	2	3	52
DISMISS/NOLLE PROSEQUI	1	0	0	2	1	5	3	1	4	1	18
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	3	5	5	11	10	9	7	10	6	4	70

PETITION/MOTION DISPOSITIONS

2008

TYPE OF CASES: PETITION FOR WRIT OF HABEAS CORPUS; PETITION FOR OUT OF STATE WITNESS; PETITION TO REVOKE WEEKEND SENTENCE; MOTION TO DISMISS PROSECUTION; MOTION FOR BAIL/BOND REDUCTION; MOTION TO SET BAIL/BOND; MOTION FOR FAST AND SPEEDY TRIAL; MOTION FOR SPEEDY INDICTMENT, ETC.
 (TCA 29-21-106) SCATS CODE #21939 CR-PRO-R47 SCATS CODE #10873/10871

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
PETITION GRANTED	360	425	321	416	379	517	223	388	344	337	3710
DISMISS/NOLLE PROSEQUI	279	344	258	231	199	258	212	255	204	272	2512
GUILTY PLEA	7	6	2	1	1	1	1	2	0	0	21
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	646	775	581	648	579	776	436	645	548	609	6243

TYPE OF CASE: PETITION FOR POST CONVICTION RELIEF
 (TCA 49-30-102) SCATS CODE #10337

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
PETITION GRANTED	0	0	0	4	0	0	0	3	0	1	8
DISMISS/NOLLE PROSEQUI	8	14	20	9	17	23	8	8	7	28	142
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	8	14	20	13	17	23	8	11	7	29	150

TYPE OF CASE: PETITION TO DECLARE HABITUAL MOTOR VEHICLE OFFENDER
 (TCA 55-10-606) SCATS CODE #10379

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
PETITION GRANTED	5	4	8	5	2	1	1	6	4	4	40
DISMISS/NOLLE PROSEQUI	0	5	0	1	1	2	0	2	0	0	11
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	5	9	8	6	3	3	1	8	4	4	51

PETITION/MOTION DISPOSITIONS

2009

TYPE OF CASES: PETITION FOR WRIT OF HABEAS CORPUS; PETITION FOR OUT OF STATE WITNESS; PETITION TO REVOKE WEEKEND SENTENCE; MOTION TO DISMISS PROSECUTION; MOTION FOR BAIL/BOND REDUCTION; MOTION TO SET BAIL/BOND; MOTION FOR FAST AND SPEEDY TRIAL; MOTION FOR SPEEDY INDICTMENT, ETC.
 (TCA 29-21-106) SCATS CODE #21939 CR-PRO-R47 SCATS CODE #10873/10871

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
PETITION GRANTED	310	439	446	333	499	534	206	319	377	239	3702
DISMISS/NOLLE PROSEQUI	281	356	210	209	187	388	224	236	264	238	2593
GUILTY PLEA	8	6	2	0	3	1	2	1	0	1	24
OTHER	0	2	0	0	2	0	1	0	6	4	15
TOTAL	599	803	658	542	691	923	433	556	647	482	6334

TYPE OF CASE: PETITION FOR POST CONVICTION RELIEF
 (TCA 49-30-102) SCATS CODE #10337

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
PETITION GRANTED	2	0	0	0	0	0	0	4	0	0	6
DISMISS/NOLLE PROSEQUI	19	17	19	39	14	34	16	8	41	8	215
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	21	17	19	39	14	34	16	12	41	8	221

TYPE OF CASE: PETITION TO DECLARE HABITUAL MOTOR VEHICLE OFFENDER
 (TCA 55-10-606) SCATS CODE #10379

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
PETITION GRANTED	5	5	6	5	1	7	4	6	7	3	49
DISMISS/NOLLE PROSEQUI	0	0	1	1	1	0	5	3	2	5	18
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	5	5	7	6	2	7	9	9	9	8	67

2007

**TOTAL NUMBER OF CASES WHERE NOTICES OF APPEAL
WERE FILED WITH THE CRIMINAL COURT OF APPEALS**

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
FELONIES	7	6	6	7	13	5	8	12	9	13	86
MISDEMEANORS	0	0	1	0	0	0	0	0	1	1	3
POST CONVICTION RELIEF	2	7	4	3	3	6	4	5	6	4	44
WRIT OF HABEAS CORPUS	0	0	1	0	0	0	1	0	1	2	5
TOTAL	9	13	12	10	16	11	13	17	17	20	138

**TOTAL NUMBER OF CASES TRANSMITTED TO
THE CRIMINAL COURT OF APPEALS**

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
FELONIES	7	7	6	8	8	4	11	18	13	10	92
MISDEMEANORS	1	0	0	0	0	2	1	0	1	2	7
POST CONVICTION RELIEF	6	8	4	2	4	10	6	6	1	3	50
WRIT OF HABEAS CORPUS	2	1	2	2	0	0	1	0	2	3	13
TOTAL	16	16	12	12	12	16	19	24	17	18	162

**TOTAL NUMBER OF OPINIONS (CASES) FROM
THE CRIMINAL COURT OF APPEALS**

AFFIRMED	13	8	7	7	8	5	6	22	8	12	96
AFFIRMED & MODIFIED	1	0	0	0	0	0	0	0	0	0	1
REVERSED & REMANDED	0	0	3	1	4	0	2	0	0	2	12
AFFIRMED IN PART/ REVERSED & REMANDED	0	0	0	1	1	0	0	1	0	1	4
AFFIRMED IN PART/ REVERSED & DISMISSED	0	0	1	0	0	0	0	1	0	0	2
VACATED & REMANDED	0	0	0	0	0	0	0	0	0	0	0
REMANDED	0	0	0	0	0	0	0	0	0	0	0
APPEAL DISMISSED	1	0	1	1	1	1	0	1	0	0	6
MODIFIED & REMANDED	0	0	0	0	0	0	0	0	0	0	0
MODIFIED	0	0	0	0	0	0	0	0	0	0	0
REVERSED IN PART	0	0	1	0	0	0	0	0	0	0	1
TOTAL	15	8	13	10	14	6	8	25	8	15	122

2008

**TOTAL NUMBER OF CASES WHERE NOTICES OF APPEAL
WERE FILED WITH THE CRIMINAL COURT OF APPEALS**

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
FELONIES	9	6	9	5	10	5	8	16	7	19	94
MISDEMEANORS	0	0	1	1	1	1	0	2	1	0	7
POST CONVICTION RELIEF	4	3	4	4	6	9	4	5	4	6	49
WRIT OF HABEAS CORPUS	2	2	2	2	0	0	1	2	0	1	12
TOTAL	15	11	16	12	17	15	13	25	12	26	162

**TOTAL NUMBER OF CASES TRANSMITTED TO
THE CRIMINAL COURT OF APPEALS**

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
FELONIES	9	10	7	6	10	5	7	15	11	20	100
MISDEMEANORS	1	0	1	0	3	1	1	0	1	0	8
POST CONVICTION RELIEF	7	4	7	10	9	10	7	4	10	6	74
WRIT OF HABEAS CORPUS	1	2	2	2	1	0	1	1	1	0	11
TOTAL	18	16	17	18	23	16	16	20	23	26	193

**TOTAL NUMBER OF OPINIONS (CASES) FROM
THE CRIMINAL COURT OF APPEALS**

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
AFFIRMED	12	12	9	9	12	9	16	12	8	10	109
AFFIRMED & MODIFIED	0	2	1	0	2	1	1	2	2	1	12
REVERSED & REMANDED	0	2	1	1	2	2	2	1	0	1	12
AFFIRMED IN PART/ REVERSED & REMANDED	1	0	2	0	1	1	2	0	2	0	9
AFFIRMED IN PART/ REVERSED & DISMISSED	0	1	0	0	1	1	0	0	0	1	4
VACATED & REMANDED	0	1	0	0	0	0	0	0	0	0	1
REMANDED	0	0	0	0	0	0	0	0	0	0	0
APPEAL DISMISSED	2	1	1	1	2	2	1	0	5	0	15
MODIFIED & REMANDED	0	0	0	0	0	0	0	0	0	0	0
MODIFIED	1	1	1	0	0	0	0	0	0	0	3
REVERSED IN PART	0	0	0	0	0	0	0	0	0	0	0
TOTAL	16	20	15	11	20	16	22	15	17	13	165

2009

**TOTAL NUMBER OF CASES WHERE NOTICES OF APPEAL
WERE FILED WITH THE CRIMINAL COURT OF APPEALS**

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
FELONIES	8	13	9	7	9	17	9	11	14	9	106
MSDEMEANORS	0	0	0	1	0	0	0	0	1	0	2
POST CONVICTION RELIEF	10	6	9	6	8	11	6	8	10	5	79
WRIT OF HABEAS CORPUS	0	3	1	1	1	0	1	1	1	1	10
TOTAL	18	22	19	15	18	28	16	20	26	15	197

**TOTAL NUMBER OF CASES TRANSMITTED TO
THE CRIMINAL COURT OF APPEALS**

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
FELONIES	8	8	5	5	11	8	8	18	10	11	92
MSDEMEANORS	0	0	2	1	0	1	1	0	1	0	6
POST CONVICTION RELIEF	9	3	7	8	5	13	5	4	7	6	67
WRIT OF HABEAS CORPUS	1	3	1	1	2	2	0	1	3	1	15
TOTAL	18	14	15	15	18	24	14	23	21	18	180

**TOTAL NUMBER OF OPINIONS (CASES) FROM
THE CRIMINAL COURT OF APPEALS**

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
AFFIRMED	5	11	10	12	10	14	8	16	21	13	120
AFFIRMED & MODIFIED	1	0	0	0	0	0	1	1	0	1	4
REVERSED & REMANDED	1	0	2	1	1	1	1	1	0	2	10
AFFIRMED IN PART/ REVERSED & REMANDED	0	1	0	0	1	0	1	0	1	0	4
AFFIRMED IN PART/ REVERSED & DISMISSED	0	0	0	0	0	0	0	0	0	0	0
VACATED & REMANDED	0	0	0	0	0	0	0	0	0	0	0
REMANDED	0	0	0	0	0	0	0	0	0	0	0
APPEAL DISMISSED	2	1	2	1	2	1	2	0	0	1	12
MODIFIED & REMANDED	0	0	0	0	0	0	0	0	0	0	0
MODIFIED	0	0	0	0	0	0	0	0	0	0	0
REVERSED IN PART	0	0	0	0	0	0	0	0	0	0	0
TOTAL	9	13	14	14	14	16	13	18	22	17	150

2007

**END OF YEAR DISPOSITION CASELOAD
STATISTICAL REPORT**

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
TYPE OF DISPOSITION											
Acquittal - Felony	9	12	2	3	1	6	5	6	11	3	58
Acquittal - Misdemeanor	0	1	2	1	6	0	5	1	1	1	18
Conviction After Trial - Felony	18	26	8	20	17	18	18	33	23	25	206
Conviction After Trial - Misd.	2	2	4	0	5	0	4	7	10	2	36
Dismiss/Nolle Prosequi - Felony	828	903	651	906	632	892	715	618	869	626	7,640
Dismiss/Nolle Prosequi - Misd.	304	321	247	258	254	337	264	246	338	278	2,847
Guilty Plea as Charged - Felony	729	782	645	854	805	969	908	849	945	910	8,396
Guilty Plea as Charged - Misd.	522	561	493	640	614	617	556	463	596	504	5,566
Other - Felony	55	79	68	52	48	52	65	36	32	37	524
Other - Misdemeanor	67	75	98	101	91	68	64	70	65	57	756
Petitions/Motions Disposed	744	729	551	671	672	725	542	609	759	696	6,698
TOTAL CASES DISPOSED	3,278	3,491	2,769	3,506	3,145	3,684	3,146	2,938	3,649	3,139	32,745

TOTALS BY TYPE

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
Total Felony Trial Cases	27	38	10	23	18	24	23	39	34	28	264
Total Misdemeanor Trial Cases	2	3	6	1	11	0	9	8	11	3	54
Total Trial Cases	29	41	16	24	29	24	32	47	45	31	318
Total Acquittals	9	13	4	4	7	5	10	7	12	4	75
Total Convictions After Trials	20	28	12	20	22	18	22	40	33	27	242
Total Dism./N.P.	1132	1224	898	1164	886	1229	979	864	1207	904	10,487
Total G.P. as Charged	1251	1343	1138	1494	1419	1586	1464	1302	1541	1414	13,952
Total Other Cases	122	154	166	319	139	120	129	106	97	94	1,446
Total Felonies Disposed	1639	1802	1374	1835	1503	1937	1711	1542	1880	1601	16,824
Total Misdemeanor Disposed	895	960	844	1000	970	1022	893	787	1010	842	9,223
Total Pet./Motions Disposed	744	729	551	671	672	725	542	609	759	696	6,698
TOTAL CASES DISPOSED	3278	3491	2769	3506	3145	3684	3146	2938	3649	3139	32,745

2008

**END OF YEAR DISPOSITION CASELOAD
STATISTICAL REPORT**

DIVISION OF COURT TYPE OF DISPOSITION	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
Acquittal - Felony	12	1	9	4	9	13	7	5	0	7	67
Acquittal - Misdemeanor	1	1	1	0	3	0	4	0	1	1	12
Conviction After Trial - Felony	8	9	28	11	24	24	18	28	21	29	200
Conviction After Trial - Misd.	4	1	2	2	10	4	1	4	7	5	40
Dismiss/Nolle Prosequi - Felony	495	755	806	748	577	611	734	699	729	691	6,845
Dismiss/Nolle Prosequi - Misd.	199	209	179	194	170	256	229	220	267	144	2,067
Guilty Plea as Charged - Felony	620	573	708	728	779	676	768	931	658	684	7,125
Guilty Plea as Charged - Misd.	296	291	283	347	307	312	345	259	317	235	2,992
Other - Felony	25	17	23	35	27	51	28	20	32	12	270
Other - Misdemeanor	34	26	34	30	27	104	20	34	30	14	353
Petitions/Motions Disposed	659	798	609	667	599	802	445	664	559	642	6,444
TOTAL CASES DISPOSED	2,353	2,681	2,682	2,766	2,532	2,853	2,599	2,864	2,621	2,464	26,415

TOTALS BY TYPE

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
Total Felony Trial Cases	20	10	37	15	33	37	25	33	21	36	267
Total Misdemeanor Trial Cases	5	2	3	2	13	4	5	4	8	6	52
Total Trial Cases	25	12	40	17	46	41	30	37	29	42	319
Total Acquittals	13	2	10	4	12	13	11	5	1	8	79
Total Convictions After Trials	12	10	30	13	34	28	19	32	28	34	240
Total Dismiss/NP	694	964	985	942	747	867	953	919	996	835	8,912
Total GP. as Charged	916	864	991	1075	1086	988	1113	1190	975	919	10,117
Total Other Cases	59	43	57	65	54	155	48	54	62	26	623
Total Felonies Disposed	1160	1355	1574	1526	1416	1375	1555	1683	1440	1423	14,507
Total Misdemeanor Disposed	534	528	499	573	517	676	599	517	622	399	5,464
Total Pet/Motions Disposed	659	798	609	667	599	802	445	664	559	642	6,444
TOTAL CASES DISPOSED	2353	2681	2682	2766	2532	2853	2599	2864	2621	2464	26,415

2009

**END OF YEAR DISPOSITION CASELOAD
STATISTICAL REPORT**

DIVISION OF COURT TYPE OF DISPOSITION	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
Acquittal - Felony	5	0	2	5	11	5	1	2	4	6	41
Acquittal - Misdemeanor	5	0	3	2	0	4	3	0	2	0	19
Conviction After Trial - Felony	12	20	17	4	23	25	14	40	23	20	198
Conviction After Trial - Misd.	0	2	1	2	0	8	1	5	3	2	24
Dismiss/Nolle Prosequi - Felony	697	664	816	695	650	831	623	638	739	686	7,039
Dismiss/Nolle Prosequi - Misd.	163	219	217	199	238	247	181	216	224	204	2,108
Guilty Plea as Charged - Felony	628	575	751	632	684	821	629	713	597	730	6,760
Guilty Plea as Charged - Misd.	288	242	291	290	299	340	254	240	281	249	2,774
Other - Felony	34	22	49	41	45	17	24	45	41	26	344
Other - Misdemeanor	15	9	34	22	20	25	38	14	16	30	223
Petitions/Motions Disposed	625	825	684	587	707	964	458	577	697	498	6,622
TOTAL CASES DISPOSED	2,472	2,578	2,865	2,479	2,677	3,287	2,226	2,490	2,627	2,451	26,152

TOTALS BY TYPE

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
Total Felony Trial Cases	17	20	19	9	34	30	15	42	27	26	239
Total Misdemeanor Trial Cases	5	2	4	4	0	12	4	5	5	2	48
Total Trial Cases	22	22	23	13	34	42	19	47	32	28	287
Total Acquittals	10	0	5	7	11	9	4	2	6	6	60
Total Convictions After Trials	12	22	18	6	23	33	15	45	26	22	222
Total Dismiss/NP	880	883	1033	894	888	1078	804	854	963	880	9,147
Total GP. as Charged	916	817	1042	922	983	1161	883	953	878	979	9,534
Total Other Cases	49	31	83	63	65	42	62	59	57	56	567
Total Felonies Disposed	1376	1281	1635	1377	1413	1699	1291	1488	1404	1488	14,382
Total Misdemeanor Disposed	471	472	546	515	557	624	477	475	526	485	5,148
Total Pet/Motions Disposed	625	825	684	587	707	964	458	577	697	498	6,622
TOTAL CASES DISPOSED	2472	2578	2865	2479	2677	3287	2226	2490	2627	2451	26,152

DISPOSITION BY CASE TYPE

2007

ASSAULT	2,670
BURGLARY/THEFT	5,541
DRUGS	8,377
DUI/OTHER MOTOR VEHICLE OFFENSES	4,831
HOMICIDE	332
KIDNAPPING	169
ROBBERY	1,290
SEXUAL OFFENSES	608
FRAUD/CREDIT CARD/PASSING BAD CHECKS	304
OTHER	8,623
TOTAL	32,745

2008

ASSAULT	2,352
BURGLARY/THEFT	5,443
DRUGS	8,654
DUI/OTHER MOTOR VEHICLE OFFENSES	3,952
HOMICIDE	349
KIDNAPPING	144
ROBBERY	1,165
SEXUAL OFFENSES	506
OTHER	3,850
TOTAL	26,415

2009

ASSAULT	2,506
BURGLARY/THEFT	5,216
DRUGS	7,383
DUI/OTHER MOTOR VEHICLE OFFENSES	3,405
HOMICIDE	441
KIDNAPPING	199
ROBBERY	1,136
SEXUAL OFFENSES	500
OTHER	3,285
TOTAL	24,071

PROBATION INFORMATION

The different divisions of court use the following probation companies. All are private companies with the exception of State Probation and Shelby County.

2007

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
PROBATION SERVICE											
CORRECTIONAL ALTERNATIVES	93	65	65	40	42	67	41		58	75	546
JUSTICE NETWORK	39	65	33	74	40	82	52	38	61	46	530
PROBATION MGMT. GROUP	30	26	24	36	43	403	13	3	13	54	645
NATIONAL PROB. OF AMERICA	2	12	1	1	6	20	5	4	3	0	54
PROBATION SERVICES	11	1	87	5	4	0	4	4	3	16	135
PROBATION WORKS	9	15	18	22	17	116	7	15	22	18	259
STATE OF TENNESSEE	200	503	234	370	342	53	223	483	348	232	2988
TENNESSEE CORRECTIONS	0	1	12	0	2	1	13	0	4	0	33
TOTAL CASES	384	688	474	548	496	742	358	547	512	441	5190

2008

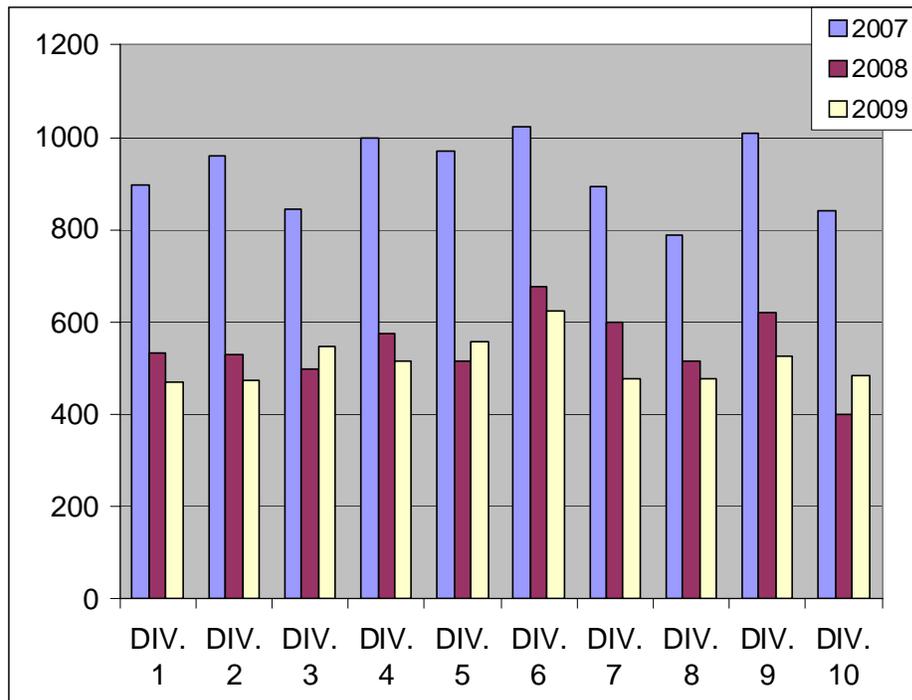
DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
PROBATION SERVICE											
CORRECTIONAL ALTERNATIVES	76	8	75	96	112	11	46	2	90	60	576
JUSTICE NETWORK	21	46	23	43	33	94	60	37	38	12	407
PROBATION MGMT. GROUP	17	14	28	31	12	94	6	13	34	31	280
NATIONAL PROB. OF AMERICA	1	13	8	1	1	21	3	5	5	1	59
PROBATION SERVICES	8	0	21	0	3	0	2	2	3	5	44
PROBATION WORKS	4	16	14	27	24	54	11	18	24	14	206
STATE OF TENNESSEE	174	360	346	326	399	30	203	438	400	180	2856
TENNESSEE CORRECTIONS	3	1	0	0	1	0	0	1	1	0	7
TOTAL CASES	304	458	515	524	585	304	331	516	595	303	4435

2009

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
PROBATION SERVICE											
CORRECTIONAL ALTERNATIVES	15	13	196	18	35	0	24	5	75	44	425
CORRECTIONAL COUNSELING	1	0	0	0	0	0	0	0	0	0	1
JUSTICE NETWORK	15	30	31	40	32	55	30	24	40	26	323
PROBATION MGMT. GROUP	9	5	43	10	9	92	17	17	17	47	266
NATIONAL PROB. OF AMERICA	0	8	2	2	5	9	2	1	5	4	38
PROBATION SERVICES	3	1	14	0	5	6	2	0	3	7	41
PROBATION WORKS	7	9	23	27	12	43	8	14	17	9	169
STATE OF TENNESSEE	137	260	375	323	303	117	223	333	412	254	2737
TENNESSEE CORRECTIONS	2	1	2	0	4	5	0	2	0	1	17
TOTAL CASES	189	327	686	420	405	327	306	396	569	392	4017

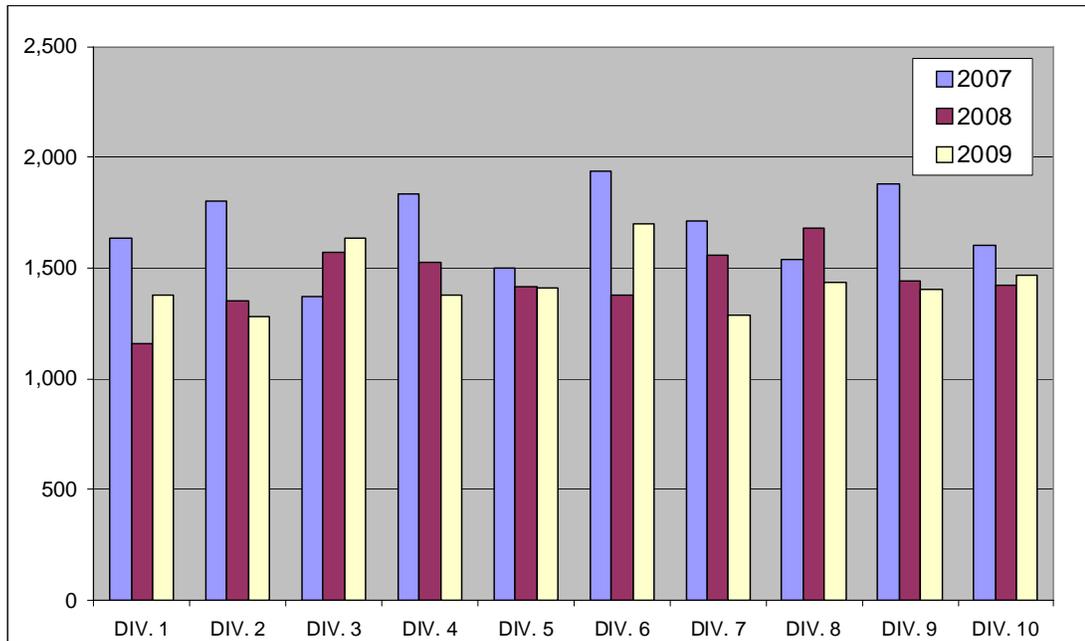
2007-2009 MISDEMEANOR CASES DISPOSED BY DIVISION

	2007	2008	2009
DIV. 1	895	534	471
DIV. 2	960	528	472
DIV. 3	844	499	546
DIV. 4	1000	573	515
DIV. 5	970	517	557
DIV. 6	1022	676	624
DIV. 7	893	599	477
DIV. 8	787	517	475
DIV. 9	1010	622	526
DIV. 10	842	399	485
Total Cases Disposed	9223	5464	5148



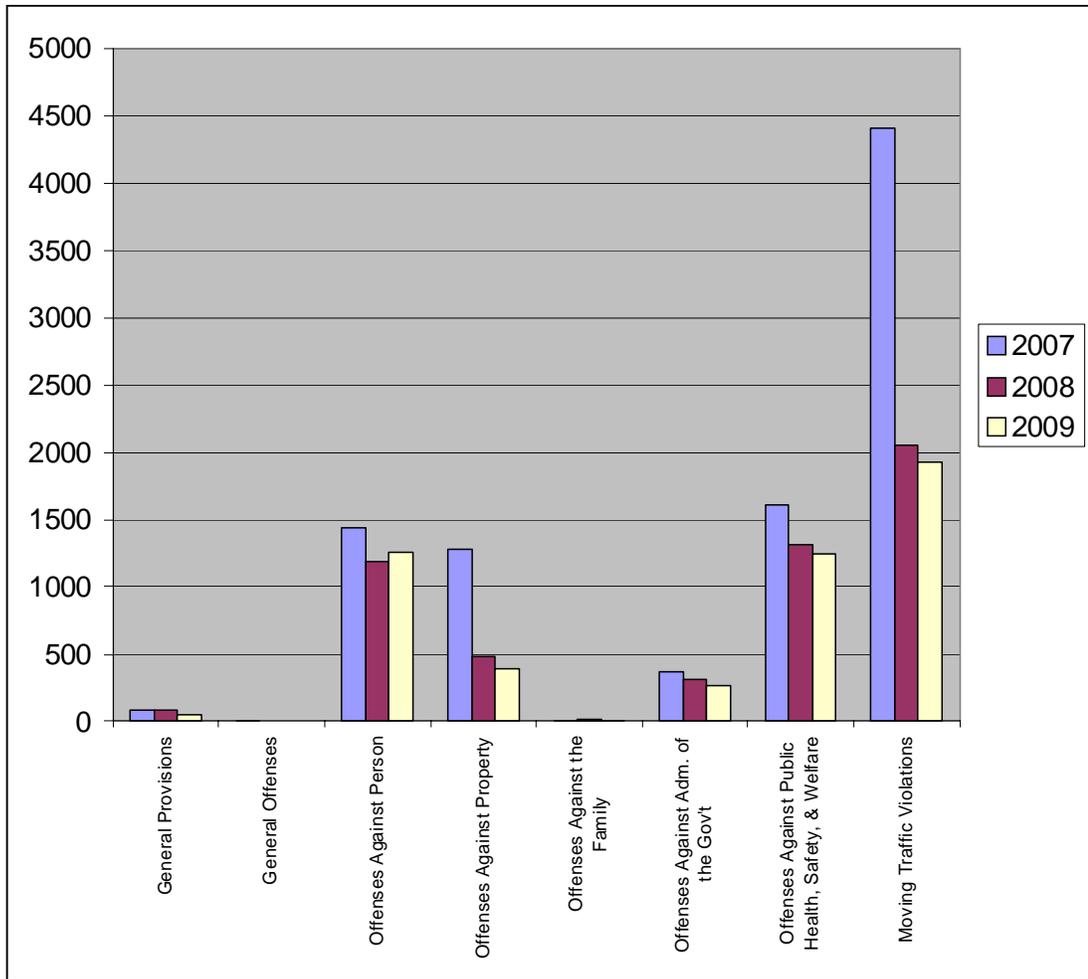
2007-2009 FELONY CASES DISPOSED BY DIVISION

	2007	2008	2009
DIV. 1	1,639	1,160	1,376
DIV. 2	1,802	1,355	1,281
DIV. 3	1,374	1,574	1,635
DIV. 4	1,835	1,526	1,377
DIV. 5	1,503	1,416	1,413
DIV. 6	1,937	1,375	1,699
DIV. 7	1,711	1,555	1,291
DIV. 8	1,542	1,683	1,438
DIV. 9	1,880	1,440	1,404
DIV. 10	1,601	1,423	1,468
Total Cases Disposed	16,824	14,507	14,382



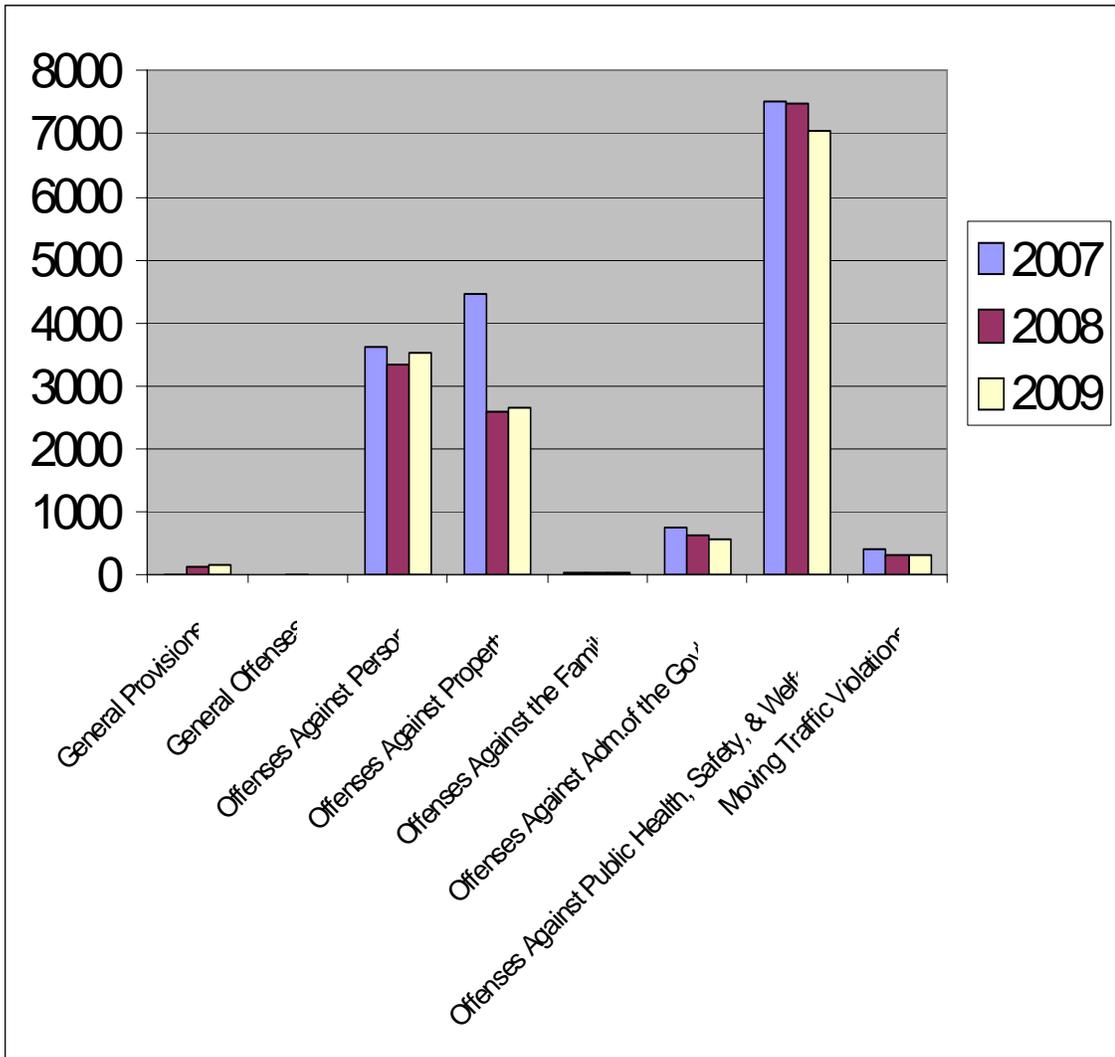
2007-2009 MISDEMEANOR CASES DISPOSED BY TYPE

	2007	2008	2009
General Provisions	89	86	47
General Offenses	2	0	0
Offenses Against Person	1436	1193	1259
Offenses Against Property	1283	484	392
Offenses Against the Family	11	19	5
Offenses Against Adm. of the Gov't	370	308	272
Offenses Against Public Health, Safety, & Welfare	1615	1317	1241
Moving Traffic Violations	4413	2057	1932
Total Cases Disposed	9,219	5,464	5,148



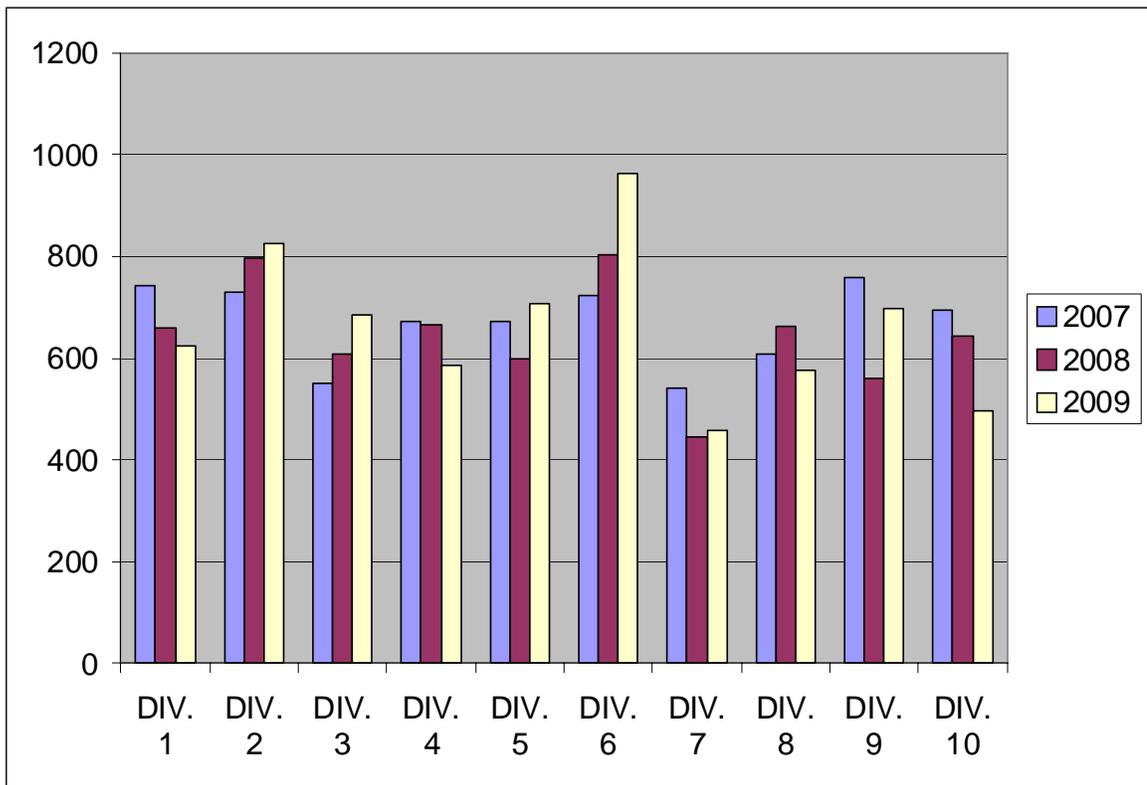
2007-2009 FELONY CASES DISPOSED BY TYPE

	2007	2008	2009
General Provisions	14	139	161
General Offenses	2	3	1
Offenses Against Person	3,620	3,327	3,529
Offenses Against Property	4,445	2,583	2,649
Offenses Against the Family	49	40	47
Offenses Against Adm. of the Gov't	753	623	560
Offenses Against Public Health, Safety, & Welfare	7,508	7,471	7,037
Moving Traffic Violations	418	319	306
Total Cases Disposed	16,809	14,505	14,290



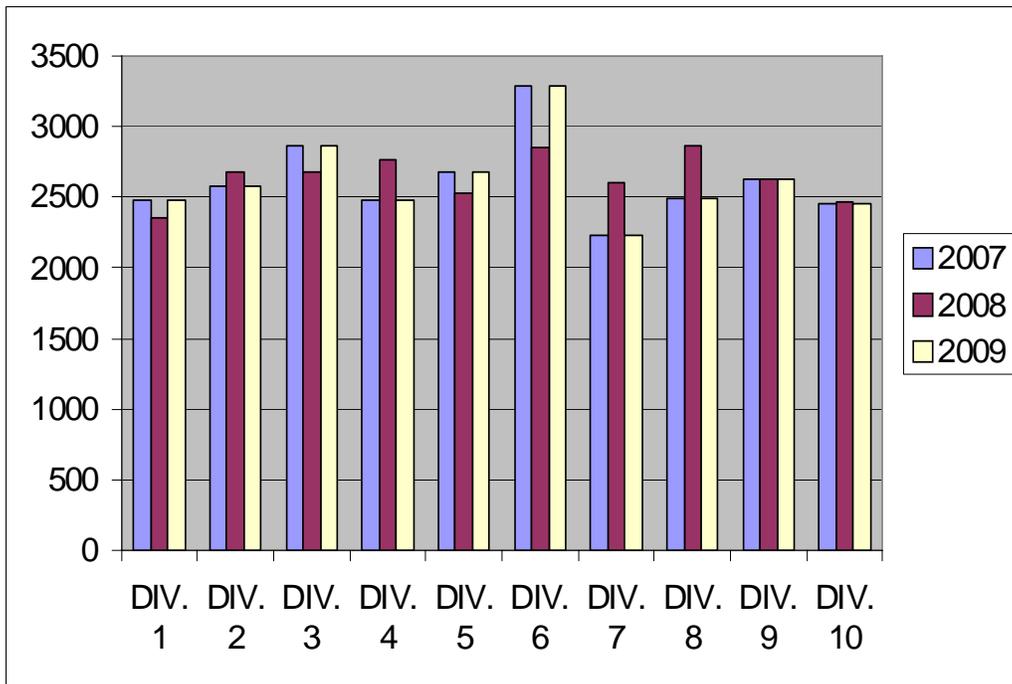
2007-2009 UNINDICTED PETITIONS/MOTIONS DISPOSED BY DIVISION

	2007	2008	2009
DIV. 1	744	659	625
DIV. 2	729	798	825
DIV. 3	551	609	684
DIV. 4	671	667	587
DIV. 5	672	599	707
DIV. 6	725	802	964
DIV. 7	542	445	458
DIV. 8	609	664	577
DIV. 9	759	559	697
DIV. 10	696	642	498
Total Cases Disposed	6,698	6,444	6,622



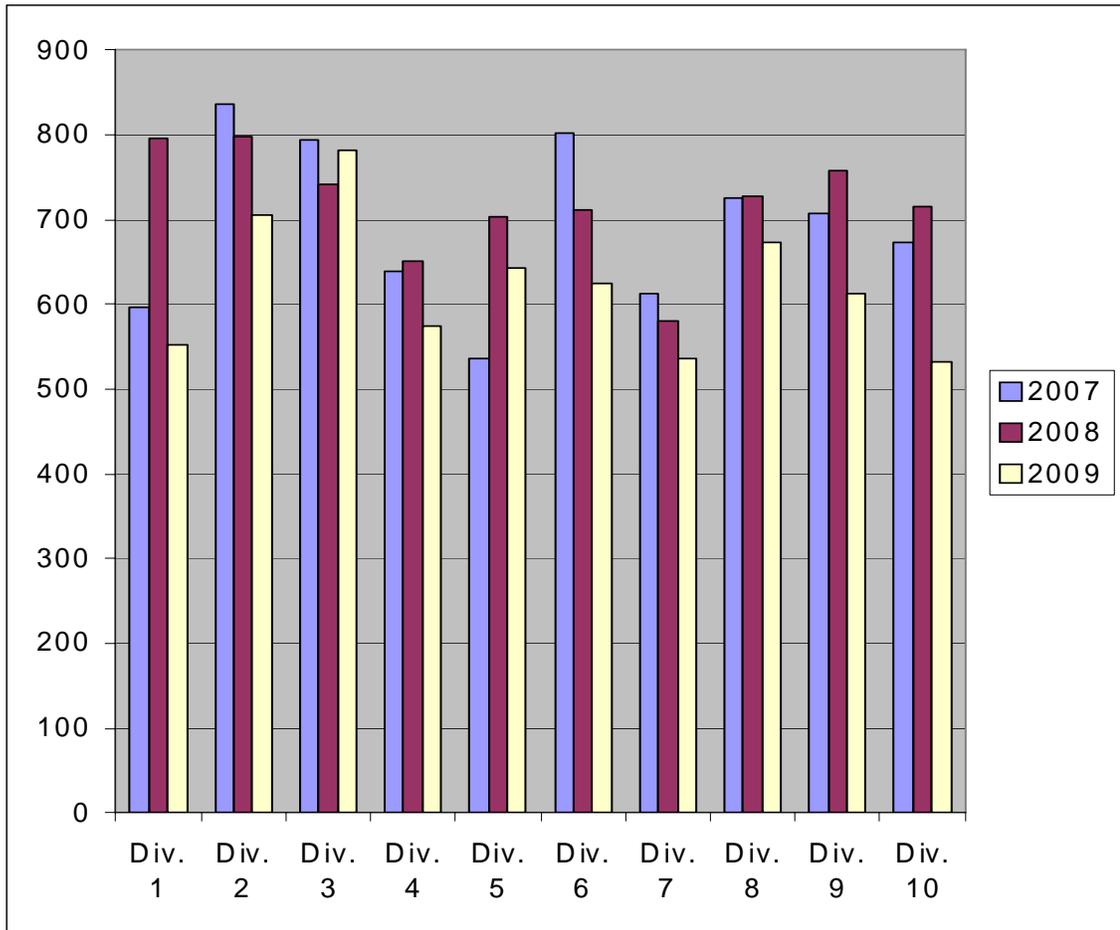
TOTAL CASES DISPOSED BY DIVISION (2007-2009)

	2007	2008	2009
DIV. 1	3278	2353	2472
DIV. 2	3491	2681	2578
DIV. 3	2769	2682	2865
DIV. 4	3506	2766	2479
DIV. 5	3145	2532	2677
DIV. 6	3684	2853	3287
DIV. 7	3146	2599	2226
DIV. 8	2938	2864	2490
DIV. 9	3649	2621	2627
DIV. 10	3139	2464	2451
Total Cases Disposed	32,745	26,415	26,152



WARRANTS ISSUED BY DIVISION (2007 – 2009)

	2007	2008	2009
Div. 1	597	797	552
Div. 2	837	798	705
Div. 3	795	742	781
Div. 4	639	651	575
Div. 5	537	703	643
Div. 6	801	711	624
Div. 7	613	580	537
Div. 8	726	727	674
Div. 9	707	757	613
Div. 10	673	716	533
Total	6925	7182	6237



ADMINISTRATIVE SERVICES



ADMINISTRATIVE SERVICES DIVISION

Janis Dunavant, Director

The *Director of Administrative Services*, with the assistance of a Deputy Director and Supervisors, shall be responsible for two separate sections: Personnel/Payroll and Customer Service. These sections are supervised and coordinated in accordance with the policies and directives of the Clerk's office.

PERSONNEL AND PAYROLL SECTION

Patti Morton, Supervisor

The *Personnel and Payroll Section*, under the direction of a supervisor, shall be responsible for processing all new hires, terminations and changes in employee records. This department is also responsible for updating personnel records such as annual leave, sick leave, insurance changes, insurance open enrollment, and the distribution of it. Personnel records are now maintained on the new NOVATIME Human Resources Computerized Tracking System, which utilizes hand readers rather than time clocks, eliminating the need for time cards. This system has the capability to gather and track employee information and run numerous detailed reports; i.e., demographics, attendance, job history, pay, etc. This section is also responsible for monitoring employee work hours, updating time clock errors, and generating employee Exception Reports and Transaction Reports. Payroll, which is organized on a semi-monthly basis, includes calculating and documenting employees' time on the payroll time sheet and submitting this information to the county finance office for processing. This section is also responsible for supervising the clerical pool of temporary employees.

CUSTOMER SERVICE SECTION

The *Customer Service Section*, under the direction of a supervisor, shall be responsible for maintaining closed court records and providing services for various state and county offices, the public, and attorneys. Additional responsibilities include conducting criminal record checks, documenting criminal history records, and forwarding the information to requesting parties. They provide a public service of researching reference books and criminal case files for computer purged criminal records. Secondary responsibilities of the Customer Service Department include preparing certified copies of criminal case dispositions, preparing driver's license certifications, calculating, collecting and recording court fees and /or fines, posting, filing and routing motions, petitions, and copying legal documents for requesting parties. The supervisor is also responsible for the daily operation of the cashier.

ADMINISTRATIVE SERVICES STATISTICS



**PERSONNEL BUDGET – STAFFING SUMMARY
(BUDGETED POSITIONS AVAILABLE)**

FISCAL YEAR	SALARIES	EMPLOYEES	COMMENTS
2005-06	\$3,186,380.09	96	Over the past several years, prudent use of available resources and utilization of new technology have enabled the Criminal Court Clerk's Office to increase services while decreasing staffing levels. All reductions in staff were achieved by attrition.
2006-07	\$3,263,300.21	95	Our staffing compliment continues to decrease in relation to our increased use of newly available technology. Salary costs increased by just over 2% despite a 3% general increase for all county employees.
2007-08	\$3,381,918.02	88	Through a cooperative effort to decrease costs, the Criminal Court Clerk's staff was reduced by seven (7) positions. The increase in salary dollars is a result of a county wide increase in pay for all county employees within the <i>clerk</i> classification. No other staff received pay increases.
2008-09	\$3,307,496.11	87	Through attrition the Criminal Court Clerk's office was able to reduce staff and salary dollars while continuing to serve the citizens of Shelby County with the same courtesy and efficiency for which our staff is known.

CRIMINAL COURT CLERK'S OFFICE

STAFF COMPLIMENT (FILLED POSITIONS)

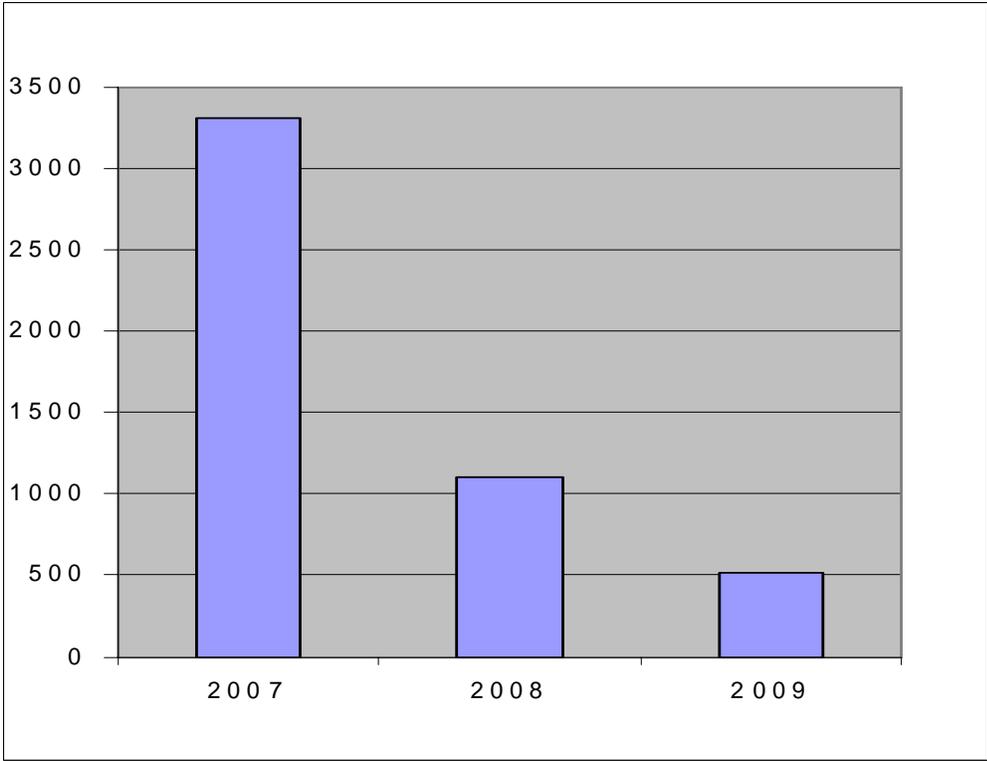
	MALE				FEMALE				TOTAL
	W	B	H	A	W	B	H	A	
Officials/Administration	6	1	0	0	3	4	0	0	14
Professionals	2	0	0	0	0	0	0	0	2
Technicians	0	1	0	0	0	0	0	0	1
Administrative Support	9	5	1	0	16	39	0	1	70
TOTAL	17	6	1	0	19	43	0	1	87
PERCENTAGE	20.0%	7.0%	1.0%	0.0%	22.0%	49.0%	0.0%	1.0%	100.0%

% MALE	28.0%
% FEMALE	72.0%
% BLACK	58.0%
% WHITE	40.0%
% HISPANIC	1.1%
% ASIAN	1.1%

W - White
 B - Black
 H - Hispanic
 A - Asian

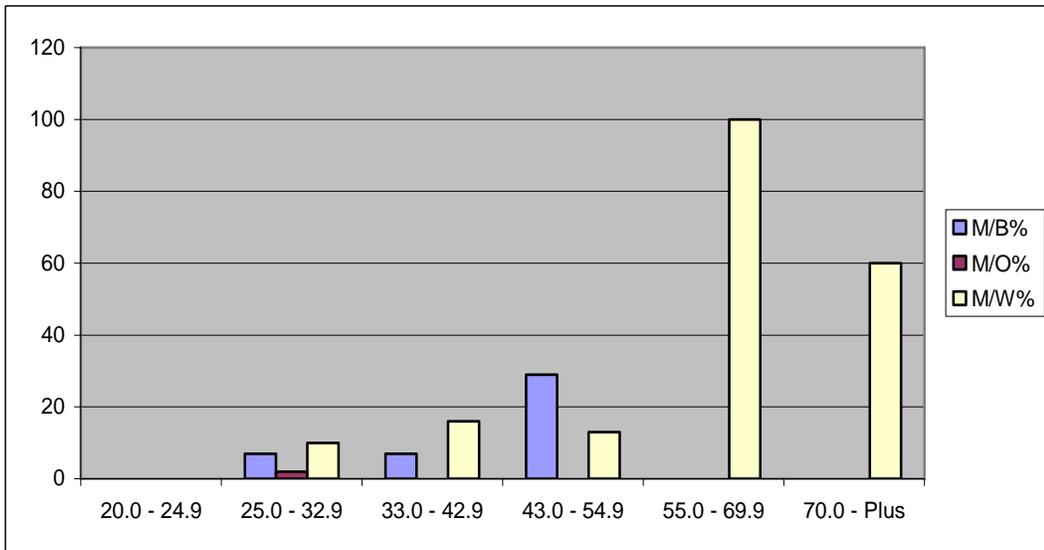
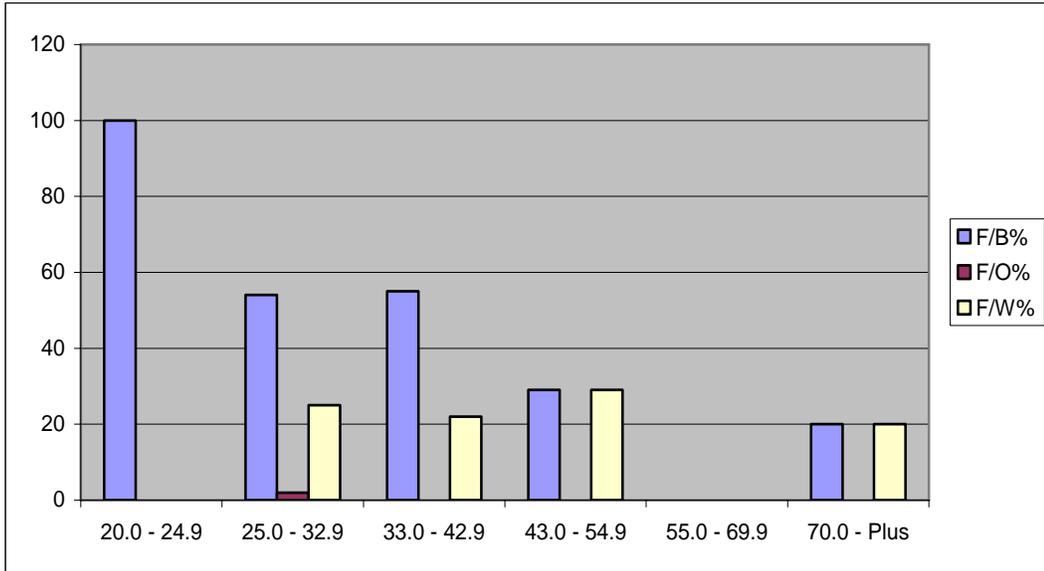
RECORD CHECK FEES PER MONTH

	2007	2008	2009
JANUARY	258	88	8
FEBRUARY	242	103	12
MARCH	230	128	26
APRIL	315	141	95
MAY	220	118	218
JUNE	182	82	102
JULY	225	96	31
AUGUST	422	72	17
SEPTEMBER	286	67	3
OCTOBER	391	71	4
NOVEMBER	251	78	1
DECEMBER	287	64	3
TOTAL	3309	1108	520



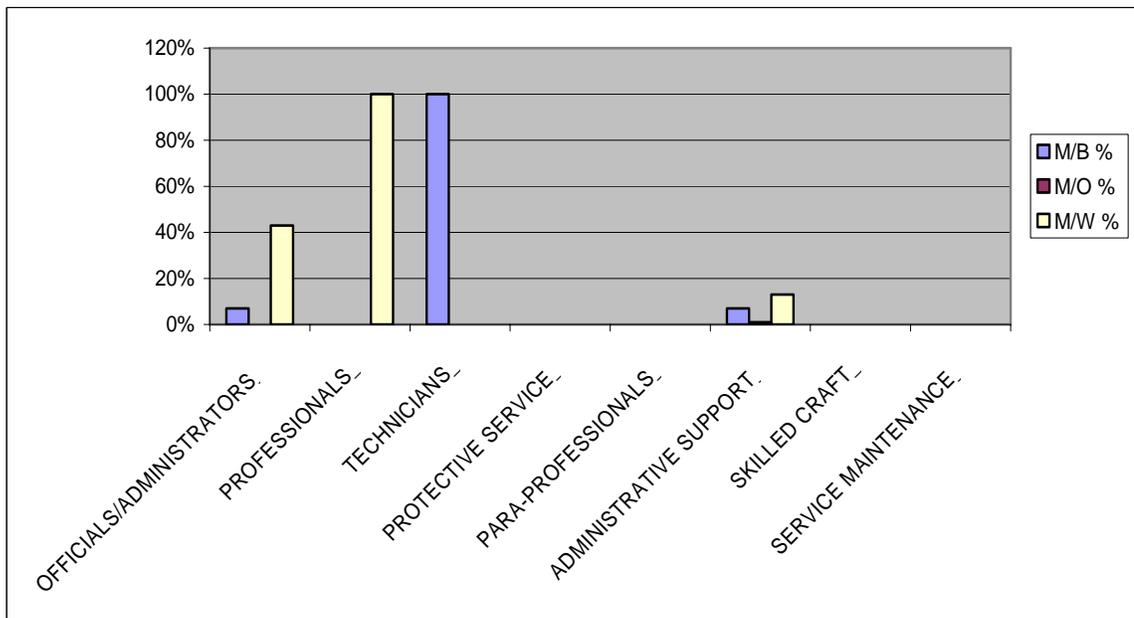
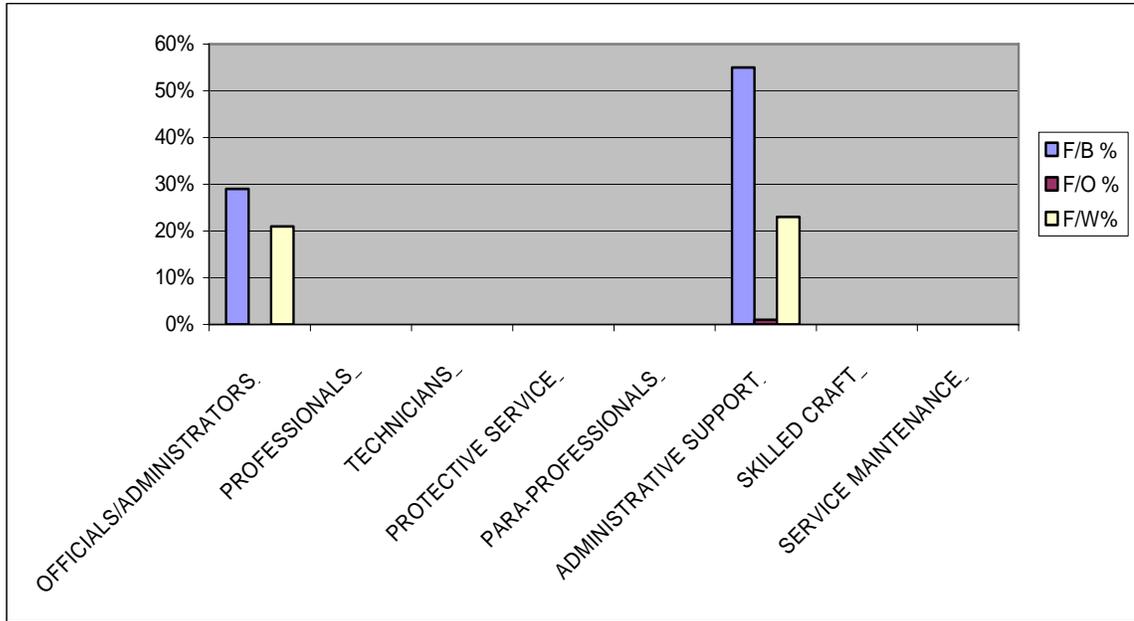
EMPLOYEE UTILIZATION ANALYSIS

ANNUAL SALARY RANGE (IN THOUSANDS)	FEMALE			MALE		
	F/B%	F/O%	F/W%	M/B%	M/O%	M/W%
20.0 - 24.9	100					
25.0 - 32.9	54	2	25	7	2	10
33.0 - 42.9	55		22	7		16
43.0 - 54.9	29		29	29		13
55.0 - 69.9	0					100
70.0 - Plus	20		20			60



EMPLOYEE UTILIZATION ANALYSIS

OCCUPATIONAL CATEGORY	FEMALE			MALE		
	F/B %	F/O %	F/W%	M/B %	M/O %	M/W %
OFFICIALS/ADMINISTRATORS_	29%		21%	7%		43%
PROFESSIONALS_						100%
TECHNICIANS_				100%		
PROTECTIVE SERVICE_						
PARA-PROFESSIONALS_						
ADMINISTRATIVE SUPPORT_	55%	1%	23%	7%	1%	13%
SKILLED CRAFT_						
SERVICE MAINTENANCE_						

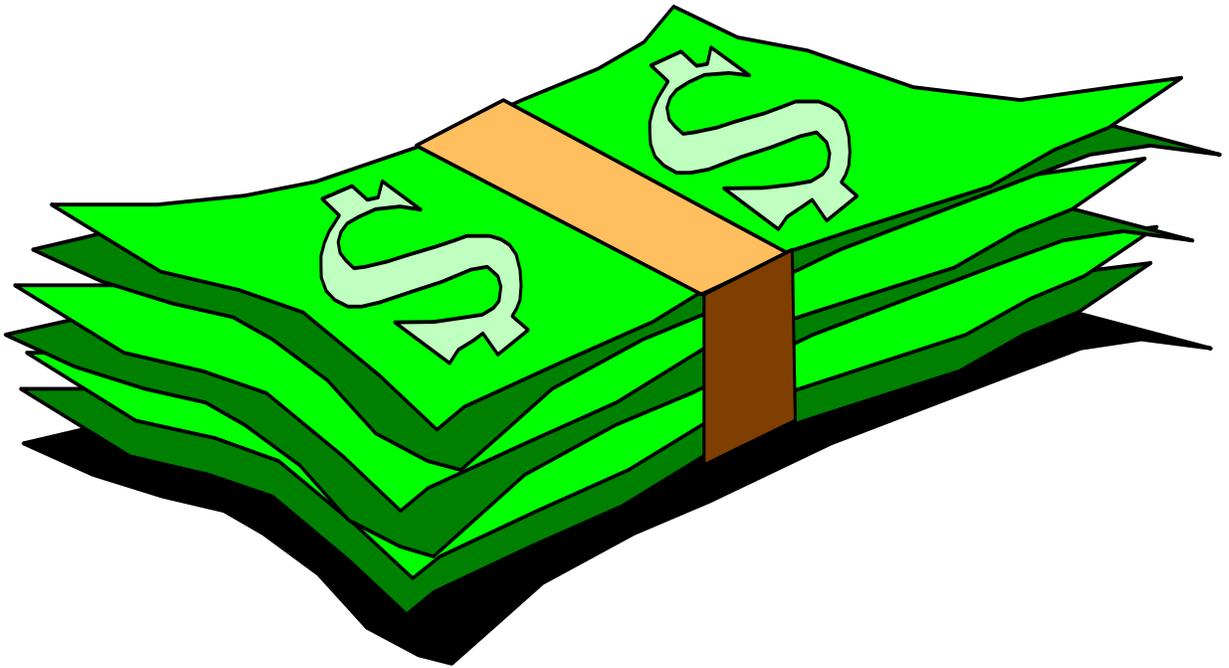


MISCELLANEOUS CASES

TOTAL FILED

	2007	2008	2009
UNINDICTED MOTION CASES			
Motion To Dismiss Prosecution	285	254	304
Motion To Set Bail/Bond	8	6	7
Motion For Bail/Bond Reduction	94	79	77
Motion For Speedy Indictment & Fast and Speedy Trial	503	380	360
Miscellaneous Motions	64	115	76
TOTAL UNINDICTED MOTIONS FILED	954	834	824
UNINDICTED PETITION CASES			
Petition For Writ of Habeas Corpus	13	73	68
Petition For Post Conviction Relief	21	150	246
Petition For Out of State Witness	16	13	14
Petition Declare Def. Habitual Offender Under Motor Veh. Habitual Off. Act	59	51	67
Petition For Hearing On Governor's Warrant	5	6	6
Petition For Reduction or Suspension of Sentence	694	834	863
Petition For Restoration of Driving Privileges	1	132	122
Petition For Writ of Error Coram Nobis	0	28	16
Petition To Suspend Remainder of Sentence	211	807	847
Petition To Revoke Suspended Sentence	871	2918	3,238
Petition To Revoke Suspended Weekend Sentence	29	55	35
Miscellaneous Petitions	153	543	159
TOTAL UNINDICTED PETITIONS FILED	2073	5610	5681

FINANCE DIVISION



Warren Young, Director

The *Director of Finance* with the assistance of a Deputy Director and Supervisors shall be responsible for the supervision and coordination of departments and sections of the Finance Division in accordance with the Tennessee Codes Annotated and General Accounting Principals. The Finance Division consists of those sections that perform the essential fiscal functions of the Criminal Court Clerk's office. These functions include, but are not limited to, the collection of fines and court costs assessed by the ten divisions of Criminal Court, and the necessary tasks growing out of the functions. The office bills the State of Tennessee and Shelby County for each case that is disposed of, collects fines and costs from defendants as the agent of the billed government entity, and disburses monies collected to the variations agencies of the state and county. The four sections of the Division of Finance are as follows:

ACCOUNTING SECTION

Bill Stewart, Supervisor

The *Bookkeeping and Accounting Section*, under the direction of a supervisor, is responsible for overseeing the management and documentation of all monies received into the office. This section keeps ledgers on all funds received and disbursed, including petty cash. All accounts, ledgers, vouchers and receipts are monitored and actual expenditures are tracked for budget purposes. Monthly financial statement of operations comparing actual budget and same period last year are prepared.

PURCHASING SECTION

Doris Swauncy, Supervisor

The *Purchasing Section* is responsible for preparing requisitions for purchase orders. The section prepares and forwards goods and services that have been received to specific sections in house. All check requests for goods and services obtained by invoice are prepared, signed, and forwarded to the Shelby County Finance Department. When goods and services are received for a purchase order, the receiving report is completed and forwarded to the Finance Department for payment.

BONDS/WARRANTS SECTION

David Hill, Supervisor

The ***Bond Section***, under the direction of a supervisor, acts in a fiduciary capacity in monitoring and regulating the activities, operations and duties of all bonding companies in Shelby County.

The ***Warrants Section*** is responsible for the issuance of warrants, scire facias, petitions and motions related to bonds and bond surrenders. All status changes, bond forfeitures, bond relocations, dismissals, and setting or reinstatement of bonds are handled by the Warrants Department.

COLLECTION SECTION

Billy Mulligan, Supervisor

The ***Collections Section***, under the direction of a supervisor, provides service to the public, processes new accounts and is responsible for handling receipts for all monies received by the Collection Section. This section consists of the following units:

- The ***Collections Unit***, which maintains delinquent accounts, processes new accounts and provides service to the public.
- The ***Garnishment Unit*** issues garnishments against defendants who are employed and whose accounts are sixty days delinquent.
- The ***Bankruptcy Unit*** maintains files and collects money from those defendants who have filed for bankruptcy.
- ***Cost Analysis Unit*** is responsible for preparing cost bills for the State of Tennessee and for Shelby County in all felony and misdemeanor cases that are disposed of in the ten divisions of Criminal Court. This function includes state, county, and over-the-counter billing. Cost bills are prepared using information from court documents including, but not limited to, judgments, orders directing mental evaluations, orders for witness fees, and orders for emergency hospitalization and transferring prisoners.

FINANCE DIVISION

STATISTICAL INFORMATION



Fiscal Year 2008

	BUDGET AS APPROVED	ACTUAL	VARIANCE
REVENUE:			
Elected Official's Fines and Fees	4,750,000	5,482,675	732,675
Other Revenue	80,000	80,607	607
Total Revenue	4,830,000	5,563,282	733,282
EXPENDITURES:			
Salaries and Labor	3,453,732	3,453,732	-
Other Compensation	18,284	18,283	1
Fringe Benefits	1,046,164	995,430	50,734
Supplies	117,187	107,944	9,243
Services	27,060	19,997	7,063
Professional/Contract Services	2,900	1,336	1,564
Rent, Utilities, and Maintenance	48,526	37,324	11,202
Petro/ Vehicle/ Maintenance	131,710	130,287	1,423
Asset Acquisitions	-	-	-
Total Expenditures	4,845,563	4,764,333	81,230
Net Operations-Excess of Rev. over Exp.	15,563	798,949	814,512

Fiscal Year 2009

	BUDGET AS APPROVED	ACTUAL	VARIANCE
REVENUE:			
Elected Official's Fines and Fees	4,825,000	4,412,980	412,020
Other Revenue	81,000	21,135	59,865
Total Revenue	4,906,000	4,434,115	471,885
EXPENDITURES:			
Salaries and Labor	3,402,753	3,357,694	45,059
Other Compensation	12,000	4,393	7,607
Fringe Benefits	1,100,851	981,643	119,208
Supplies	108,568	74,561	34,007
Services	36,060	25,594	10,466
Professional/Contract Services	2,300	1,035	1,265
Rent, Utilities, and Maintenance	45,970	29,830	16,140
Interdepartmental Expenditures	127,850	107,865	19,985
Asset Acquisitions	-	-	-
Total Expenditures	4,836,352	4,582,615	253,737
Net Operations-Excess of Rev. over Exp.	69,648	148,500	78,852

FINES

Upon disposition, court costs and fines are levied by the court, as dictated by the conviction and the corresponding T.C.A. requirements.

		FY2007	FY2008	FY2009
Drug Fines	Bartlett Police Department	7,087	5,595	3,381
	City Of Bartlett	7,500	6,071	3,560
	Collierville Police Department	5,491	4,544	8,093
	Town of Collierville	5,649	4,717	8,093
	Germantown Police Department	391	76	0
	City Of Germantown	625	286	0
	Memphis Police Department	56,052	61,597	90,291
	City of Memphis	82,625	79,223	81,323
	Millington Police Department	1,377	4,125	1,221
	City of Millington	1,827	4,425	1,262
	Shelby County Sheriff's Department	12,132	37,165	79,879
	Shelby County Government	24,673	42,197	81,936
	Tennessee Highway Patrol	4,495	8,251	770
	City of Lakeland	155	0	0
Total Drug Fines		210,079	258,272	359,809
Other Felony Fines		128,985	103,388	245,192
DUI and Other Misdemeanor Fines		437,071	429,808	284,689
Other Driving Offense Fines		108,525	94,685	88,713
TOTAL FINES RECEIVED		879,660	886,153	618,594

EXCESS FEES

The Criminal Court Clerk's Office collects fees for various services rendered as reflected in the following categories. This revenue is submitted to the Shelby County Government General Fund for use in the County's operating budget.

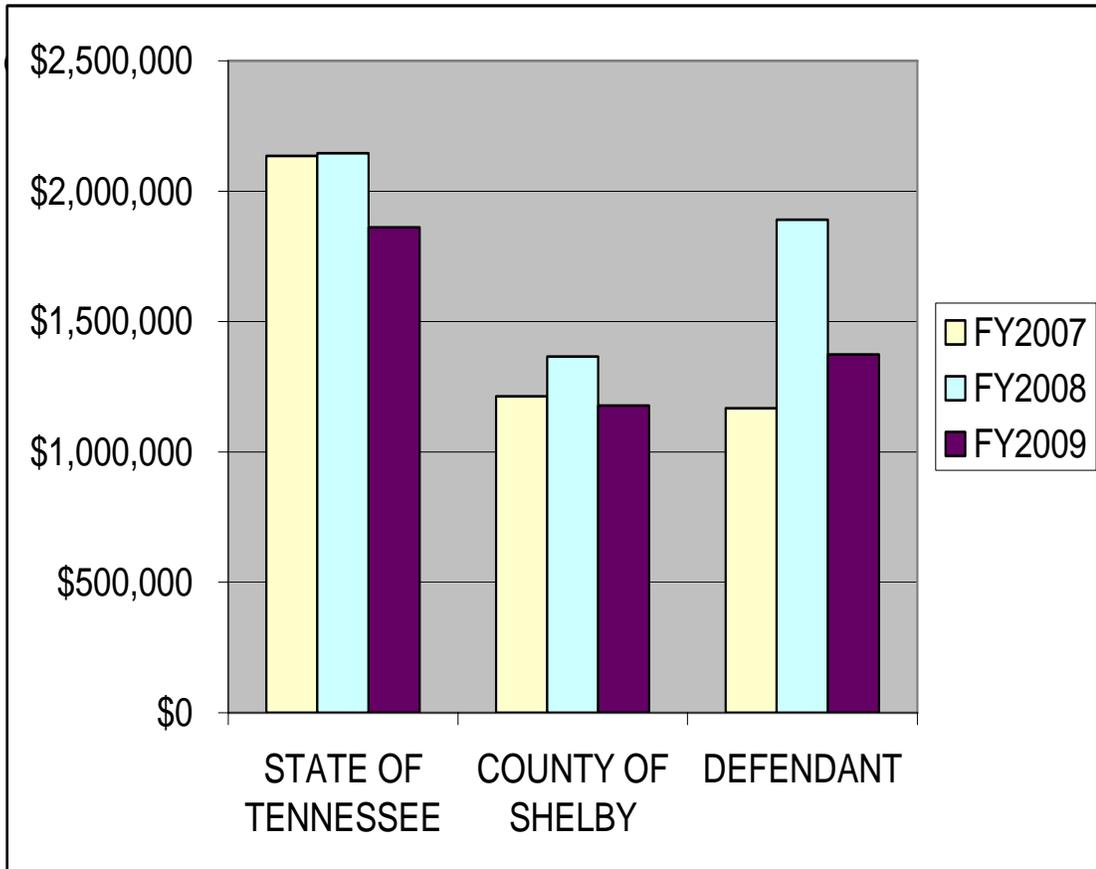
The largest amount of excess revenue collected is through commissions. The Clerk retains a commission for collecting the cost due to other agencies. Agencies include the Memphis Police Department, Shelby County Sheriff's Department, General Sessions Court Clerk and other local/municipal government agencies.

		2007	2008	2009	
Commissions	Miscellaneous	201,481	209,958	189,194	
	State. of Tennessee	76,282	48,794	74,486	
	Shelby County	197,696	152,815	115,692	
	Dept. of Safety	8,831	10,337	8,998	
	Total Commissions	484,290	421,904	388,370	
Interest Earned		87,422	70,100	21,134	
Fees	Clerk's Collection Fee	272,016	331,033	754,746	
	Clerk's Fees From Pd. Cases	265,665	504,677	314,147	
	Continuance Fee	386,000	508,351	358,456	
	Credit Card Fees	3,319	3,737	4,104	
	Escrow Collection Fee	79,978	51,822	34,200	
	Expungement Fee	20,100	21,800	25,525	
	Garnishment Fee	9,347	9,811	4,113	
	Driver's License Reinst. Fee	21,540	16,040	6,400	
	Bond Service Fee	8,063	6,405	6,614	
	Fax Fee	75	69	0	
	Driver's License Cert. Fee	4,792	4,635	3,764	
	Court Room Security Fees	9,100	14,972	12,503	
	Subpoena Fees	5,201	7,736	6,381	
	Victim Assistance Fees	792	42,750	38,725	
	Return Check Fees	1,446	135	23	
	Capias Forfeiture Fees	13,373	13,529	10,480	
	Delinquent Payment Fees	110	13	0	
	Record Check Fees	3,309	2,314	429	
	Bond Petitions	44,379	30,600	27,450	
	Petitions	168,778	294,184	195,682	
	Copies	2,722	2,349	2,248	
	Bartlett Arrest Fees	3,947	5,551	4,938	
	Collierville Arrest Fees	1,068	1,770	1,355	
	Germantown Arrest Fees	357	404	350	
	Memphis Arrest Fees	15,460	22,744	17,753	
	Millington Arrest Fees	1,044	1,776	1,153	
	Tenn. Hwy. Patrol Arrest Fees	173	160	286	
	Felony Appeals Fees	33,253	20,203	11,729	
	Total Fees		1,386,399	1,919,870	1,843,554

ESCROW COLLECTIONS

2007 – 2009

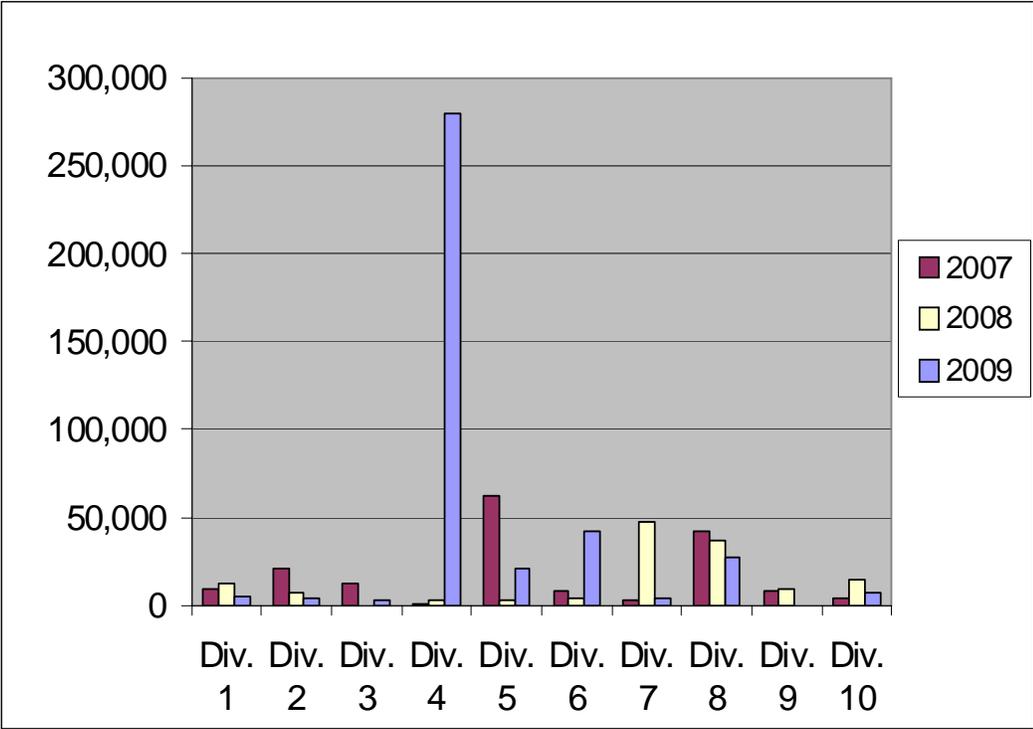
RECEIVED FROM:	STATE OF TENNESSEE	COUNTY OF SHELBY	DEFENDANT
FY2007	\$2,135,476	\$1,212,916	\$1,167,885
FY2008	\$2,146,008	\$1,365,928	\$1,890,132
FY2009	\$1,861,119	\$1,178,307	\$1,373,553



FINAL JUDGMENTS PAID BY BONDING COMPANIES

2007 - 2009

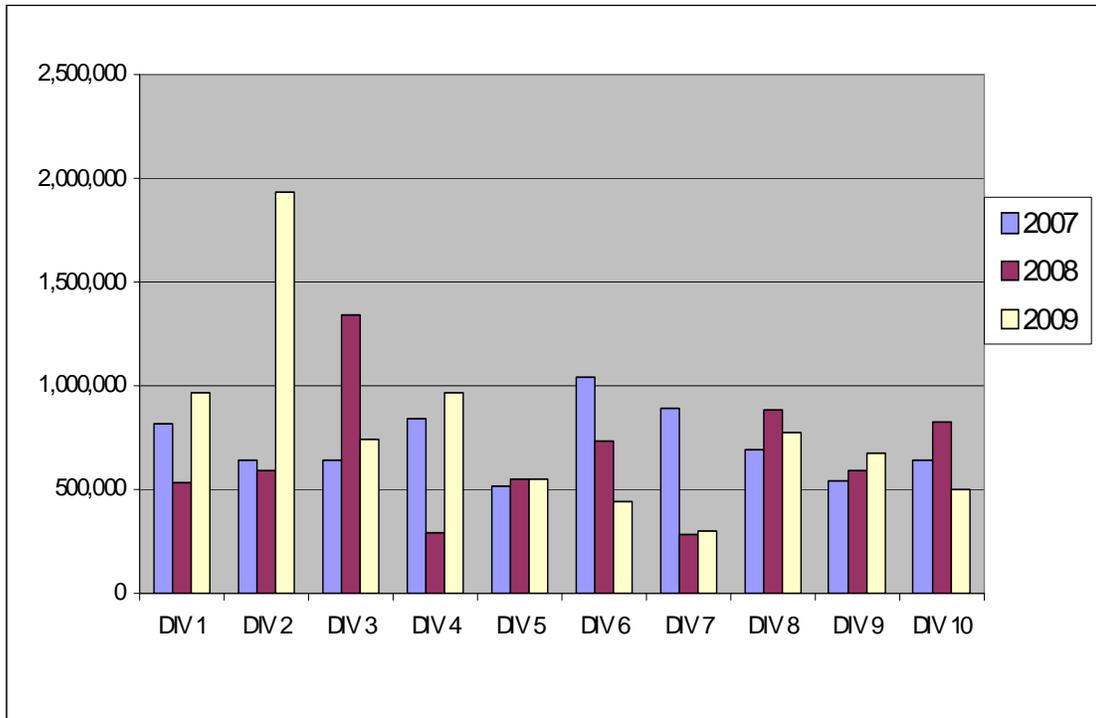
	2007	2008	2009
Div. 1	9,100	12,750	4,750
Div. 2	20,600	6,650	4,250
Div. 3	12,250	0	3,000
Div. 4	1,250	2,750	279,500
Div. 5	62,300	3,000	21,000
Div. 6	8,500	4,100	42,650
Div. 7	2,350	47,750	3,850
Div. 8	42,000	36,850	27,000
Div. 9	8,250	9,500	0
Div. 10	4,200	14,100	7,000
Total	170,800	137,450	393,000



BOND EXONERATIONS BY DIVISION

2007 – 2009

	2007	2008	2009
DIV 1	815,500	531,500	966,500
DIV 2	639,500	591,600	1,933,500
DIV 3	636,600	1,340,250	734,750
DIV 4	838,000	292,000	962,750
DIV 5	515,250	544,250	548,500
DIV 6	1,038,500	731,000	442,000
DIV 7	885,000	282,500	295,500
DIV 8	692,500	883,000	769,500
DIV 9	537,100	587,500	670,000
DIV 10	635,750	818,000	495,500
TOTALS	7,233,700	6,601,600	7,818,500



MISCELLANEOUS DATA

- *HOW MANY INMATES ARE INCARCERATED IN ADULT INSTITUTIONS IN TENNESSEE?*

On September 9, 2009, there were 18,481 males and 1,172 females assigned to TDOC facilities, for a total of 19,653 inmates, incarcerated in Tennessee's adult institutions.

- *HOW MANY OFFENDERS ARE ON PROBATION IN TENNESSEE?*

On June 30, 2009, there were 49,718 probationers under supervision of Probation/Parole Officers.

- *HOW MANY OFFENDERS IN TENNESSEE ARE IN COMMUNITY CORRECTIONS PROGRAMS?*

On June 30, 2009, the Community Corrections offender population was 6,910.

- *HOW MANY OFFENDERS ARE ON PAROLE IN TENNESSEE?*

On June 30, 2009, the parole caseload was 11,039.

- *WHAT PERCENT OF THE TENNESSEE PRISON POPULATION IS INCARCERATED ON A HOMICIDE OR ATTEMPTED HOMICIDE CHARGE?*

As of September 9, 2009, the percent of the Tennessee prison population incarcerated for the crime of homicide was 24.51%. This figure includes charges of Murder 1, Murder 2, Accessory to Murder, and other homicides.

- *WHAT PERCENT OF THE TENNESSEE PRISON POPULATION ARE SEX OFFENDERS?*

As of September 9, 2009, the percent of the Tennessee prison population incarcerated for a sex offense was 14.53%. This figure includes charges of Rape, Aggravated Rape, Aggravated Sexual Battery, and other sexual offenses.

- *WHAT PERCENT OF THE TENNESSEE PRISON POPULATION ARE DRUG OFFENDERS?*

As of September 9, 2009, the percent of the Tennessee prison population incarcerated for drug offenses was 16.42%.

- *HOW MUCH DOES IT COST PER DAY TO HOUSE A TDOC INMATE?*

In Fiscal Year 2008/2009, the average cost-per-day to house a TDOC inmate was \$64.36. The cost to house a death row inmate was \$93.33.

- *HOW MANY INMATES ARE ON DEATH ROW IN TENNESSEE?*

On December 2, 2009, there were 87 males and 2 females on death row in Tennessee totaling 89 inmates.

HOW MANY INMATES UNDER 18 YEARS OF AGE ARE IN ADULT INSTITUTIONS?

On September 9, 2009, there were 21 juvenile offenders incarcerated in Tennessee adult prisons.

- *WHAT METHOD OF EXECUTION IS USED IN TENNESSEE?*

Lethal injection is now the primary method of execution in Tennessee. Legislation was passed in March of 2000 specifying lethal injection for all inmates sentenced to death except for death row inmates who committed their crime prior to January 1, 1999. The method of execution for those inmates shall be lethal injection unless electrocution is specifically requested.

- *WHEN WAS THE LAST EXECUTION IN TENNESSEE?*

The last execution in Tennessee was on December 2, 2009. Cecil Johnson was put to death by lethal injection for three counts of First Degree Murder.

- *HOW MANY INMATES ARE SERVING LIFE SENTENCES?*

As of September 9, 2009, there were 1,784 offenders serving life sentences (i.e., life, life minimum and habitual) and 276 are serving life sentences without parole.

GLOSSARY OF TERMS

A

ACQUIT – To find a defendant not guilty in a criminal trial.

ACQUITTED – Released; absolved; purged of an accusation; judicially discharged from accusation; released from debt, etc. Includes both civil and criminal cases.

AD HOC – For this, for this special purpose, an attorney ad hoc, or a guardian or curator ad hoc, is one appointed for a special purpose, generally to represent the client of infant in the particular action in which the appointment is made.

AD TESTIFICANDUM – To testify. Type of writ of habeas corpus used to bring prisoner to court to testify.

ADJUDICATION – A judgment or decree.

AFFIDAVIT – A written or printed declaration or statement under oath.

AFFIRM – The ruling of an appellate court that the judgment of a lower court is correct and should stand.

APPEAL – The review of a case by a higher court.

APPEARANCE BOND – Bond required to insure presence of defendant in criminal case.

APPELLEE – The party against whom an appeal is filed.

ARBITRATION – The hearing and settlement of a dispute between opposing parties by a third party whose decision the parties have agreed to accept.

ARRAIGNMENT – A court hearing in a criminal case where a defendant is advised of the charges and asked to plead guilty or not guilty. Most arraignments in Tennessee are held in General Sessions Court.

AS PROSEQUENDAM – To prosecute.

B

BAIL BOND – An agreement by a third party to pay a certain sum of money if the defendant fails to appear in court.

BENCH TRIAL – Trial held before judge sitting without a jury; jury waived trial.

BENCH WARRANT – Process issued by the court or “from the bench” for the attachment or arrest of a person.

BINDING OVER (BIND OVER) – The act by which a court or magistrate requires a person to enter into a recognizance or furnish bail to appear for trial, to keep the peace, to attend as a witness, etc. Also describes act of lower court in transferring case to higher court or to grand jury after a finding of probable cause to believe that defendant committed crime.

BONDSMAN – A surety; one who has entered into a bond as surety; e.g. bail bondsman.

BRIEF – A legal document, prepared by and attorney, which presents the law and facts supporting his or her client.

C

CASELOAD – The number of cases a judge handles.

CENTIORARI – A procedure for removing a case from a lower court to a higher court for review.

CHANGE OF VENUE – Moving a case from one court, or location, to another.

CIVIL LAW – All law that is not criminal law.

CLASS – There are five classifications of felonies and three classifications of misdemeanors. With the exception of murder in the first degree, all felonies in the Revised Criminal Code, in the old Title 39 and in titles other than Title 39 are classified. Each felony has an A, B, C, D, or E classification. “A” is the most serious and “E” is the least serious. Each misdemeanor has an A, B, or C classification with “A” being most serious and “C” being least serious. Murder in the first degree carries three possible penalties: life (with the possibility of parole), life without parole, and death.

CODE – A collection of laws promulgated by legislative authority.

COMMON LAW – A system of jurisprudence based on precedent rather than statutory laws.

COMMUTATION – Change of punishment from a greater to a lesser degree or ending a sentence that has been partially served.

CORPUS DELICTI – The body or material substance upon which crime has been committed; e.g., the corpse of a murdered person or the charred remains of burned house.

CORAM NOBIS – In our presence, before us. The office of “writ of coram nobis” is to bring attention of court to, and obtain relief from errors of fact, such as a valid defense existing in facts of case, but which, without negligence on defendant’s part, was not made, either through duress or fraud or excusable mistake, where facts did not appear on face of record, and were such as, if known in season, would have prevented rendition of the judgment questioned. The essence of coram nobis is that it is addressed to the very court, which renders the judgment in which injustice is alleged to have been done. In contrast to appeals or review directed to another court; the words “coram nobis”, meaning “our court”, as compared to the common-law writ of coram vobis, meaning “your court”, clearly point this up.

D

DE NOVO – “Anew.” A trial de novo is a completely new trial.

DECLARATORY JUDGMENT – A judgment declaring the rights of the parties on a question of law.

DECREE – Decision or order of the court. A final decree completes the suit; an interlocutory decree is provisional or preliminary.

DEFAULT JUDGMENT – Under Rules of Civil Procedure, when a party against whom a judgment for affirmative relief is sought has failed to plead (i.e., answer) or otherwise defend, he is in default and a judgment by default may be entered either by the clerk or the court.

DEFENDANT – A person charged with a crime or a person against whom a civil action is brought.

DEPOSITION – Sworn testimony taken outside the courtroom according to the rules of the court.

DISCOVERY – A pretrial proceeding where a party to an action may be informed of the facts known by other parties or witnesses.

DOCKET - Book containing entries of all proceedings in a court.

DOUBLE JEOPARDY – Prohibition against more than one prosecution for the same crime.

DUE PROCESS – Constitutional guarantee that an accused person receives a fair and impartial trial.

E

EN BANC – “On the bench.” All judges of a court sitting together to hear a case.

ERROR CORAM NOBIS – Error committed in the proceedings “before us”; i.e. error assigned as a ground for reviewing, modifying, or vacating a judgment in the same court in which it was rendered. A writ to bring before the court that pronounced judgment errors in matters of fact which had not been put in issue or passed on and were material to validity and regularity of legal proceeding itself.

ET AL – “And others”.

EVIDENCE - Any species of proof, or probative matter, legally presented at the trial of an issuer, by the act or the parties and through the medium of witnesses, records, documents, exhibits, concrete objects, etc. for the purpose of inducing belief in the minds of the court or jury as to their contention. Testimony, writings, material objects, or other things presented to the senses that are offered to prove the existence or nonexistence of a fact.

EXCULPATORY – Clearing or tending to clear from alleged fault or guilty; excusing.

EXHIBIT – An item of physical/tangible evidence, which is to be or has been offered to the court of inspection.

EX OFFICIO JUSTICES – Judges who serve in a particular capacity by reason of their office as a judge who serves on a commission or board because the law requires a particular judge to serve thereon and not because he is selected for such post. May also refer to one who exercises judicial functions by reason of his office.

EX PARTE – A proceeding brought for the benefit of one party only without notice to or challenge by an adverse party.

EX PARTE HEARING – Hearings in which the court or tribunal hears only one side of the controversy.

EXONERATION – The removal of a burden, charge, responsibility, or duty.

EXPUNGEMENT OF THE RECORD – Process by which record of criminal case is destroyed or sealed after expiration of time.

F

FELONY – A serious criminal offense for which the minimum sentence is one year.

FIDELITY AND GUARANTY INSURANCE – A contract of fidelity or guaranty insurance is one whereby the insurer, for a valuable consideration, agrees, subject to certain conditions, to indemnify the insured against loss consequent upon the dishonesty or default of a designated person. Guaranty insurance, used in its broad sense, also includes credit insurance, and the title insurance, as well as the numerous forms of surety bonds.

FIERI FACIAS – Lat. Means that you “cause (it) to be done.” A writ of execution commanding the sheriff to levy and make the amount of a judgment from the goods and chattels of the judgment debtor.

FINDING OR FACT – Determinations from the evidence of a case, either by court or an administrative agency, concerning facts averred by one party and denied by another. A determination of a fact by the court, and founded on evidence in case.

FINE – A pecuniary punishment imposed by lawful tribunal upon person convicted of crime or misdemeanor. A monetary penalty. It may include a forfeiture or penalty recoverable in a civil action, and in criminal convictions, may be in addition to imprisonment.

FISCAL – In general, having to do with financial matters; *i.e.* money taxes, public or private revenues, etc. Belonging to the fisc, or public treasury. Relating to accounts or the management of revenue. Of or pertaining to the public finances of a government or private finance of business.

FORENSIC – Belonging to courts of justice.

FORENSIC MEDICINE – That science which teaches the application of every branch of medical knowledge to the purposes of the law; hence its limits are, on the one hand, the requirements of the law, and, on the other, the whole range of medicine. Anatomy, physiology, medicine, surgery, chemistry, physics, and botany lend their aid as necessity arises; and in some cases all these branches of science are required to enable a court of law to arrive at a proper conclusion on a contested question affecting life or property.

FORFEITURE OF BOND – A failure to perform the condition upon which obligor was to be excused from the penalty in the bond. With respect to a bail bond, occurs when the accused fails to appear for trial.

FORMAN or FOREPERSON – The presiding member of a grand or petit jury, who speaks or answers for the jury.

G

GO HENCE – To depart from the court; with the further implication that a suitor who is directed to “go hence” is dismissed from further attendance upon the court in respect to the suit or proceeding which brought him there.

GRAND JURY - A panel of citizens sworn to inquire into crimes and if appropriate, bring indictments against the suspects.

GUILTY PLEA - Formal admission in court as to guilty which defendant may make if he or she does so intelligently and voluntarily; i.e. accused can only make such plea after he or she has been fully advised of rights and court has determined that accused understands such rights and in making plea voluntarily.

H

HABEAS CORPUS – “You have the body.” A writ of habeas corpus requires that a person be brought before a judge. It is usually used to direct an official to produce a prisoner so the court may determine if liberty has been denied without due process.

HABEAS CORPUS AD PROSEQUENDUM – A writ, which issues when it is necessary to remove a prisoner in order to prosecute in the proper jurisdiction wherein the fact, was committed.

HABEAS CORPUS AD TESTIFICANDUM – At common law, the writ, meaning, “you have the body to testify”, used to bring up a prisoner detained in a jail or prison to give evidence before the court.

HABITUAL CRIMINAL – A legal category created by statute in many states by which severe penalties ranging up to life imprisonment can be imposed on criminals convicted of any crime the third or fourth time. In general, habitual offender statutes impose greater sentences on offender for repeated crimes, with life imprisonment being imposed upon commission of several felonies.

HAHISH – Drug that is formed of resin scraped from the flowering top of the cannabis plant, as distinguished from marijuana that consists of the chopped leaves and stems of the cannabis plant.

HALLUCINOGENIC DRUG – Drugs that induce hallucinations, such as mescaline, LSD, and the like.

HEARSAY – A statement, other than one made by the declarant while testifying at the trial or hearing offered in evidence to prove the truth of the matter asserted. “Hearsay evidence” is evidence of a statement that was made other than by a witness while testifying at the hearing and that is offered to prove the truth of the matter stated.

HOMICIDE – The killing of one human being by the act, procurement, or omission of another. The act of a human being in taking away the life of another human being. A person is guilty of criminal homicide if he purposely, knowingly, recklessly or negligently causes the death of another human being. Criminal homicide is murder, manslaughter or negligent homicide.

HOSTILE WITNESS – A witness who manifests so much hostility or prejudice under examination in chief that the party who has called him, or his representative, is allowed to cross-examine him, i.e., to treat him as though he had been called by the opposite party. When a party calls a hostile witness, an adverse party, or a witness identified with an adverse party, interrogation may be by leading questions. Fed. Evid. R.611.

HUNG JURY – A jury so irreconcilably divided in opinion that they cannot agree upon any verdict.

I

INDICTMENT – Written accusation of a grand jury charging a crime.

INFAMOUS – Shameful or disgraceful. Possessing notorious reputation. Famous or well known in a derogatory sense.

INJUNCTION – Court orders prohibiting specific actions from being carried out.

INSTANTER – Immediately; directly; without delay; at once.

INTERROGATORIES – Written questions that must be answered under oath.

INTOXICATION – Term comprehends situation where, by reason of drinking intoxicants, and individual does not have the normal use of his physical or mental faculties, thus rendering him incapable of acting in the manner in which an ordinarily prudent and cautious man, in full possession of his faculties, using reasonable care, would act under like conditions.

J

JUDGMENT – Final determination by a court.

JUDGMENT DOCUMENT – Document that explains the sentence an offender receives from a trial court.

JURIS – Lat. Of right; of law.

JURISPRUDENCE – The science of law.

JURY – A certain number of men and women selected according to law, and sworn (jurati) to inquire of certain matters of fact, and declare the truth upon evidence to be laid before them. A jury is a body of persons temporarily selected from the citizens of a particular district, and invested with power to present or indict a person for a public offense, or to try a question of fact.

JURY COMMISSIONER – An officer charged with the duty of selecting the names to be put into the jury wheel, or of drawing the panel of jurors for a particular term of court. Local official responsible for collecting lists of qualified prospective jurors for submission to court.

JURY INSTRUCTIONS – A direction given by the judge to the jury concerning the law of the case; a statement made by the judge to the jury informing them of the law applicable to the case in general or some aspect of it; an exposition of the rules or principles of law applicable to the case or some branch or phase of it, which the jury are bound to accept and apply.

L

LIMITED JURISDICTION – Courts limited in the types of criminal and civil cases they may hear.

LITIGANT – Person or group engaged in a lawsuit.

M

MALICIOUS – Characterized by, or involving, malice; having, or done with, wicked or mischievous intentions or motives; wrongful and done intentionally without just cause or excuse.

MANDAMUS – Lat. We command. This is the name of a writ which issues from a court of superior jurisdiction, and is directed to a private or municipal corporation, or any of its officers, or to an executive, administrative or judicial officer, or to an inferior court, commanding the performance of a particular act therein specified, and belonging to his or their public, official, or ministerial duty, or directing the restoration of the complainant to rights or privileges of which he has been illegally deprived.

MANDATE – A command, order, or direction, written or oral, which court is authorized to give and person is bound to obey.

MISDEMEANOR – Criminal offense that is less than a felony and punishable by less than a year in jail.

MITIGATING CIRCUMSTANCES – Do not justify or excuse an offense, but may be considered as reasons for reducing the degree of blame.

MITTIMUS – Lat. “we send.” The name of a percept in writing, issuing from a court or magistrate, directed to the sheriff or other officer, commanding him to convey to the prison the person named therein, and to the jailer, commanding him to receive and safely keep such person until he shall be delivered by due course of law.

MOOT – Unsettled or undecided.

MOTION – Oral or written request made to a court or judge for purpose of obtaining a rule or order directing some act to be done in favor of the applicant.

N

NEGLIGENCE – The absence of ordinary care.

NOLLE PROSEQUI – Lat. A formal entry upon the record by the prosecuting officer in a criminal action, by which he declares that he “will no further prosecute” the case, either as to some of the defendants, or altogether. Commonly called “nol Pros”.

NOLO CONTENDERE – Latin phrase meaning, “I will not contest it”; a plea in a criminal case that has a similar legal effect as pleading guilty. A defendant may plead nolo contendere only with the consent of the court.

NOTICE OF APPEAL – A document giving notice of an intention to appeal filed with the appellate court and served on the opposing party.

NULLA BONA – Lat. No goods. The name of the return made by the sheriff to a writ of execution, when he has not found any goods of the defendant within his jurisdiction on which he could levy.

NUNC PRO TUNC – Lat. Now for then. A phrase applied to acts allowed to be done after the time when they should be done, with a retroactive effect, i.e., with the same effect as if regularly done. Nunc pro tunc entry is an entry made now of something actually previously done to have effect of former date.

O

OPINION-PER CURIAM – Phrase used to distinguish an opinion of the whole court from an opinion written by only one judge.

OPUS – Lat. Work; labor; the product of work or labor.

ORDER – A mandate; precept; command or direction authority given; rule or regulation.

P

PAROLE – The conditional and revocable release of an inmate by the Board of Paroles to parole supervision.

PER SE – Lat. By himself or itself; in itself; taken alone; inherently; in isolation; unconnected with other matters.

PEREMPTORY CHALLENGE – The right to challenge a juror without assigning a reason for the challenge. In most jurisdictions each party of an action, both civil and criminal, has a specified number of such challenges.

PERJURY – In criminal law, the willful assertion as to a matter of fact, opinion, belief, or knowledge, made by a witness in a judicial proceeding as part of his evidence upon or in any form allowed by law to be substituted for an oath, or in an affidavit, or otherwise, such assertion being material to the issue or point of inquiry and known to such witness to be false.

PETIT – Fr. Small; minor; inconsiderable. Used in several compounds, and sometimes written “petty”.

PLAINTIFF – A person who brings an action; the party who complains or sues in a civil action and is so named on the record. A person who seeks remedial relief for an injury to rights; it designates a complainant.

POST-CONVICTION REMEDIES – Almost every state has one or more post-conviction procedures that permit prisoners to challenge at least some constitutional violations.

POST-MORTEM – After death; pertaining to matters occurring after death. A term generally applied to an autopsy or examination of a dead body, to ascertain the cause of death or to the inquisition for that purpose by the coroner.

POSTHUMOUS – That which is done after the death of a person.

POWER OF ATTORNEY – Document authorizing another to act as one’s agent or attorney in fact (not an attorney at law).

PRE-TRIAL DIVERSION – A system of recent origin by which certain defendants in criminal cases are referred to community agencies prior to trial while their criminal complaints or indictments are held in abeyance. The defendant may be given job training, counseling, and education. If he responds successfully within a specified period, the charges against him are commonly dismissed.

PRESUMPTION – A presumption is a rule of law, statutory or juridical, by which finding of a basic fact gives rise to existence of presumed fact, until presumption is rebutted.

PRIMA FACIE – Lat. At first sight; on the first appearance on the face of it; so far as can be judged from the first disclosure; presumably; a fact presumed to be true unless disproved by some evidence to the contrary.

PROBABLE CAUSE – Reasonable cause; having more evidence for than against.

PROBATE – The legal process of establishing the validity of a will and settling an estate.

PROBATION – A sentence of confinement that is suspended upon a term of probation supervision. It may include community services or restitution or both. Probation must automatically be considered if the defendant is eligible.

PRO BONO – Legal services provided without attorney fees.

PRO SE – Legal representation of oneself.

PRO TEM – “Temporary”.

Q

QUASH – To overthrow; to abate; to vacate; to annul; to make void; *e.g.* to quash and indictment.

QUORUM – A majority of the entire body. The number of members in a deliberative body who must be present before business may be transacted.

R

RECOGNIZANCE – An obligation entered into before a court or magistrate duly authorized for that purpose whereby the recognizer acknowledges that he will do some act required by law which is specified therein.

REMAND – To send back.

RESCIND – To abrogate, annul, avoid, or cancel a contract.

S

SENTENCE, CONCURRENT - Two or more sentences that run at the same time.

SENTENCE, CONSECUTIVE – Two or more sentences that run one after another (running wild).

SENTENCE, DETERMINATE – A sentence that states exactly the time to be served or money to be paid.

SEQUESTER A JURY – To place members of a jury into 24-hour day seclusion until a verdict is reached (locked up jury).

SETTLEMENT CONFERENCE – A meeting between parties of a lawsuit, their attorneys and a judge to attempt a resolution of the dispute without a trial.

STATUTE – A law created by the Legislature.

STAY – Halting a judicial proceeding by order of the court.

SUBPOENA – A written legal notice requiring a person to appear in court and give testimony or produce documentary evidence.

SUBPOENA DUCES TECUM – “Under penalty you shall take it with you”. A process by which the court commands a witness to produce specific documents or records in a trial.

T

TANGIBLE EVIDENCE – Evidence that consists of something which can be seen or touched, e.g. gun in homicide trial. In contrast to testimonial evidence, tangible in real evidence.

TORT – An injury or wrong committed with or without force to the person or property of another giving rise to a claim for damages.

TOXICOLOGY – The science of poisons; that department of medical science which treats poisons, their effect, their recognition, their antidotes, and generally or the diagnosis and therapeutics of poisoning.

TRUE BILL – The endorsement made by a grand jury upon a bill of indictment when they find it sustained by the evidence laid before them, and is satisfied of the truth of the truth of the accusation.

V

VENUE – The specific county, city or geographical area in which a court has jurisdiction.

VERBATIM – Being in or following the exact words: word for word.

VERSUS – Lat. Against. In the title of a cause, the name of the plaintiff is put first, followed by the word “versus,” then the defendant’s name. The word is commonly abbreviated “vs.” or “v”.

VOIR DIRE – (pronounced “vwar-deer”) – “To speak the truth.” The process of preliminary examination of prospective jurors regarding their qualifications.

W

WRIT – A written court order directing a person to perform or refrain from performing a specific act.

WRIT OF MANDAMUS – An order issued by a court of superior jurisdiction commanding performance of a particular act by an inferior court or public official.