

ANNUAL REPORT
2011

CRIMINAL COURT OF MEMPHIS AND SHELBY COUNTY

201 Poplar – Suite 401
Memphis, Tennessee 38103

Kevin P. Key, Criminal Court Clerk

Thirtieth Judicial District
At
Memphis

CRIMINAL COURT JUDGES

Paula Skahan	Division I
W. Otis Higgs, Jr.	Division II
J. Robert “Bobby” Carter, 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 B. Craft	Division VIII
W. Mark Ward	Division IX
James C. Beasley, Jr.	Division X



SHELBY COUNTY MAYOR
Mark H. Luttrell Jr.

SHELBY COUNTY BOARD OF COMMISSIONERS

Commissioner Sidney Chism, Chairman

Commissioner Mike Carpenter

Commissioner James Harvey, Sr.

Commissioner Mike Ritz

Commissioner Justin Ford

Commissioner Heidi Shafer

Commissioner Chris Thomas

Commissioner Walter Bailey, Jr.

Commissioner Wyatt Bunker

Commissioner Henri E. Brooks

Commissioner Terry Roland

Commissioner Melvin Burgess

Commissioner Steven Mulroy

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KEVIN P. KEY

Criminal Court Clerk Thirtieth Judicial District at Memphis

Kevin Key was elected as Criminal Court Clerk for Shelby County in September 2010.

The Criminal Court Clerk's office is responsible for maintaining the Court records, administration of the ten (10) Criminal Court divisions, and collecting fines & fees. As directed by the Tennessee Code Annotated, revenue is generated by fees for service.

Mr. Key has been with Shelby County Government since 1980. He spent sixteen (16) years at *The Memphis & Shelby County Juvenile Court* overseeing delinquent & foster care programs. In 1996, he moved to the *Circuit Court Clerk's Office*, administering all technology and courtroom activity.

He has been a court technology innovator and has developed cost-saving partnerships with the other Shelby County Courts. He serves on several state and county committees, and has lead several court related seminars throughout the country.

Mr. Key earned a B.A. degree in Psychology from The University of Memphis, has been married to wife Kim since 1980, has four (4) children, and an active member at Collierville First Baptist Church. He is the son of the former Criminal Court Clerk, The Honorable William R. "Bill" Key.

Memberships

Shelby County I.T. Steering Committee

Shelby County I.T. Consolidation Transition Sub-committee, Chairman

Shelby County I.T. Integrated Criminal Justice Sub-committee

Shelby County Unified Personnel Policy Committee

Tennessee State Court Clerk's Association

Tennessee Administrative Office (AOC) of the Courts W. Tn. E-Filing Committee

County Officials Association of Tennessee (COAT)

International Association of Clerks, Recorders, Election Officials and Treasurers

An Open Letter from The Clerk

In 2011, we began implementing plans that moved The Criminal Court Clerk's Office into the modern age. Our financial goals were met. We addressed some much needed physical upgrades to the facilities, improved technology in the courtrooms, and continued building partnerships with other government agencies.



We proudly report that the annual financial budget of \$4.8 million was efficiently managed. This office reported income that exceeded estimates, expenses were less than projected, and the office collected \$5.1 million in fines and court costs. This led to significant contributions to several Shelby County Agencies as well as the County's municipal law enforcement agencies. Office expenses were reduced by over \$275,000 and favorable internal and external annual audits were reported in *The Commercial Appeal* as "Solid".

Around 1992, this office experienced its last physical renovation. Much of the furnishings have held up well over the past twenty years. However, we began refurbishing such things as chairs, flooring, walls, and upgraded an outdated security system by adding modern monitoring tools.

Another improvement involved the courtrooms electronic equipment. We forged partnerships with The Tennessee Administrative Office of the Courts, the Shelby County District Attorney General, our ten (10) Judges, and Shelby County Administration. As a result of the partnerships, new video projectors, document imaging devices, built-in electronic workstations, and a Private Attorney Network (PAN) were installed in all the courtrooms. These improvements allow all court litigants the same access to records, and gives all the same electronic capabilities. This assures equal access to justice, thus assuring equal representation for our citizens.

The improvements mentioned above were done without any additional funding from Shelby County taxpayers. We are looking forward to an even better upcoming year. Building on our partnerships leads to more efficiency and cost savings. We will continue an incremental reorganization and improve our performance through technological enhancements, as we do "more with less" during these lean times.

Warmest regards,

Handwritten signature of Kevin Key

THE CLERK OF THE CRIMINAL COURT

The Tennessee Constitution places the judicial power of the state in one Supreme Court and in such criminal and other inferior courts as the legislature creates. The Clerk of the Criminal Court is elected for a four-year term at the regular August election occurring every four years, coinciding with the governor's election, and takes office on September 1, following the election.

The Criminal Court Clerk must take and subscribe to the following oath:

I do solemnly swear to support the constitutions of Tennessee and the United States. I do solemnly swear that I will execute the duties of this office without prejudice, partiality, or favor, to the best of my skill and ability; that I have neither given nor will give to any person any gratuity, gift, or fee or reward in consideration of his or her support for this office and I have neither sold nor offered to sell, nor will sell, my interest in this office.

The minimum compensation of the Criminal Court Clerk is set by Tennessee Code Annotated (T.C.A.) § 8-24-102 and is based on county population.

Under the "budget system" or "salary system" (used in Shelby County), all fees, commissions and charges collected by the Criminal Court Clerk's office (other than revenue reported to and submitted to the state) are turned over to the County Trustee on a monthly basis. Under this system, the Shelby County Commissioners must appropriate funds for the Clerk's salary, his deputies and assistants' salaries, and other office expenses regardless of the fees remitted by the office.

In the operation of the Tennessee Court System, the Criminal Court Clerk serves a vital role. The Clerk (or his deputies) must attend each session of court with all the papers for the cases on the docket. The Clerk must administer the oaths to parties and witnesses who testify in a case.

The Clerk keeps the minutes of the court in a well-bound book or may keep this information in electronic format, so long as certain safekeeping rules are followed. Storage and retention of documents are important considerations for the Criminal Court Clerk because of the voluminous amount of paperwork handled. If a case is appealed from the Criminal Court, the Clerk compiles the record needed for the appeal.

The Clerk also maintains the rule and execution dockets in which all court judgments or decrees are entered and in which all receipts and disbursements in a case are entered. Indexes for all books and dockets are maintained by the Clerk and are kept by the office.

The Criminal Court Clerk collects state and county litigation taxes, county expense fees, funds for the impaired driver's trust fund, criminal injuries compensation tax, clerk's fees, witness fees, sheriffs fees, felony jail per diems, fines, Tennessee Bureau of Investigation fees, other taxes, and other items of court costs. The Clerk prepares a bill of costs in cases, accounts for these monies, and makes collection efforts when these amounts are unpaid. The Clerk collects fees according to the clerk's fee statute, T.C.A. § 8-21-401 and other applicable Tennessee statutes.

The Criminal Court Clerk can serve in a fiduciary capacity to invest funds held for third parties.

The Clerk has an official duty to attend meetings of the state court clerk's conference unless otherwise officially engaged.

The Clerk should have a good working knowledge of personnel procedures and both state and federal laws, as well as a basic understanding of potential liability, including both personal and county liability, and of the Tennessee Governmental Tort Liability Act.

ADMINISTRATIVE STAFF

Mr. Richard L. DeSaussure, III
Chief Administrative Officer (CAO)

A life-long Memphian, Mr. DeSaussure graduated from high school at the Memphis University School. He graduated from college at the University of Notre Dame du Lac with a Bachelor of Science in Civil Engineering before attending and graduating from the Cecil C. Humphreys School of Law at Memphis State University (now University of Memphis) with a Juris Doctorate. He spent five years in private practice before joining the attorney staff of the Juvenile Court of Memphis and Shelby County, Tennessee. While at Juvenile Court, he served at various times as the Chief Staff Attorney and the Chief Prosecutor. In 2001, Mr. DeSaussure joined the staff of the Criminal Court Clerk's office as Legal Counsel. Mr. DeSaussure brings to the office his twenty-five years of varied experience with Shelby County Government. As the Chief Administrative Officer, Mr. DeSaussure is responsible for the overall administration of the office facilities and services, and in particular, he directly supervises the Director of Operations, the Director of Finance, the Director of Administrative Services, and the Director of Client Services.

Mrs. Maerne Bernard
Director of Operations

Mrs. Bernard is a career employee with twenty-nine years experience in the Criminal Justice System. Her career began in the Criminal Court Clerk's office in 1982 as a deputy clerk. Since that time, she has developed an expertise in the operations of the Criminal Court System by serving in various areas, capacities, and serves as liaison to the Criminal Court Judges. The Director of Operations is responsible for administration and supervision of the day-to-day operation of the Appeals Department, Courtroom Clerks, Mittimus Department, and Property/Evidence Department.

Mrs. Janis Dunavant
Director of Administrative Services

Mrs. Dunavant began her career with Shelby County some thirty-two years ago with the last nine (9) 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, Payroll Section, and Customer Service. These sections are supervised and coordinated in accordance with the policies and directives of the Clerk's office.

Mr. Billy Stewart
Director of Finance

Mr. Stewart came to the Criminal Court Clerk's office in 1998 as Deputy Director of Finance and was appointed to Director of Finance on September 1, 2010. He also worked in the Assessor of Property's office, the County Trustee's office and retired from the U.S. Postal Service as Controller of the Nashville, TN District office. He has a BBA, MBA, and CPA and holds a Certified Public Administrator Certificate. The Director of Finance is responsible for the supervision and Coordination of the Accounting Department, Bond Department, Collection Department, and Purchases.

Mrs. Marie Finney
Director of Client Services

Mrs. Finney began her career in April, 1983 at Memphis and Shelby County Juvenile Court as a "detention officer". In February, 2006 her job position was reclassified to Youth Services Bureau Manager, overseeing the day to day operation of the Court's "home confinement program" and the Re-entry program, allowing her to expand the Court's programs to include GPS (Global Positioning Services) services for all juvenile offenders. She has served on various boards and committees along the way. As liaison she had an impeccable relationship between the courts "home confinement program", the Memphis City Schools, and the Shelby County Schools. Mrs. Finney joined the Criminal Court Clerk's office in 2010 as the Director of Client Services. Her duties currently include being responsible for the Grand Jury Section and Expungements; along with being the Chief Liaison (Public Information Officer) between the Clerk's office and the public.

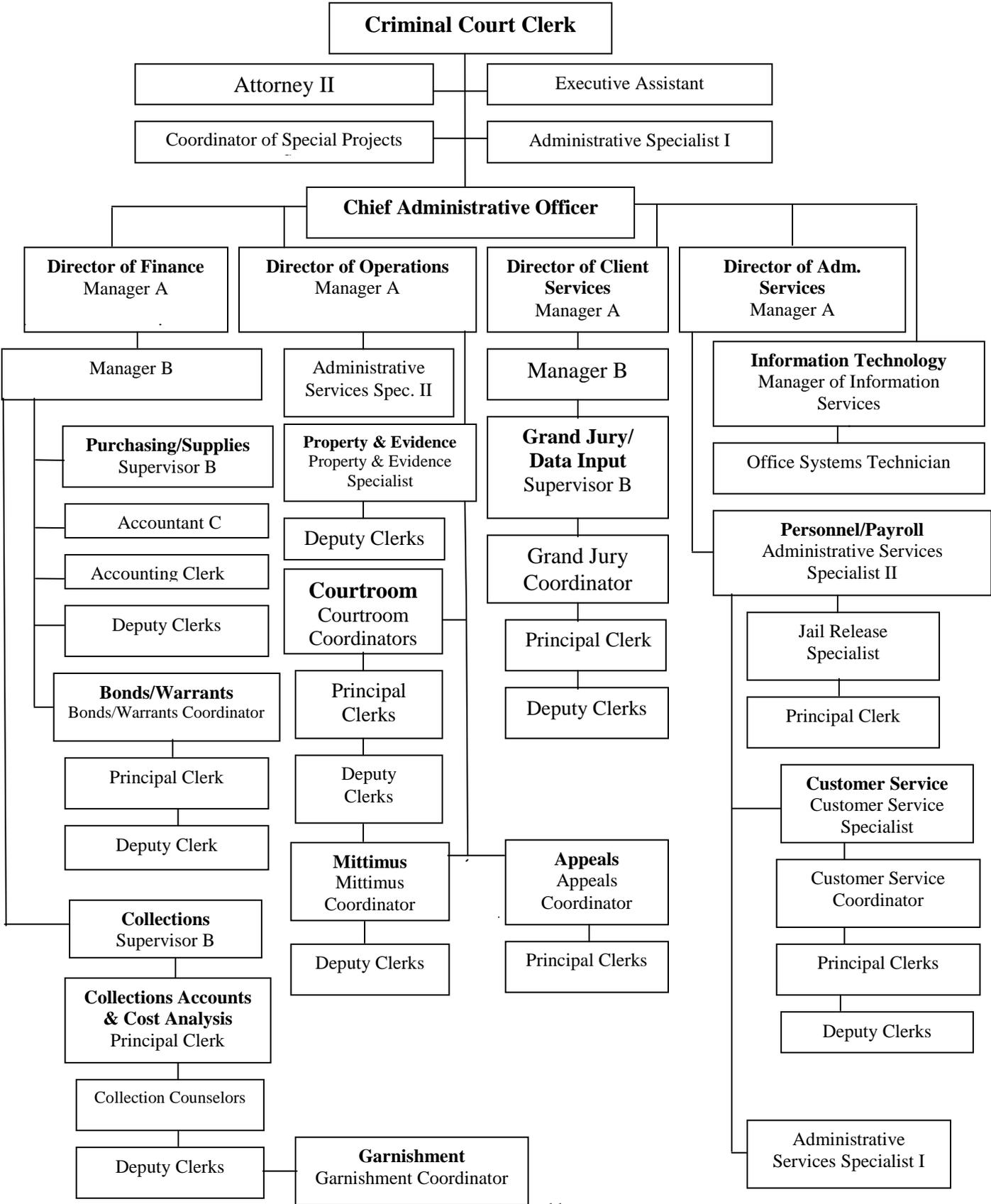
Ms. Doris Swauncy
Executive Assistant

Under the direction of the Criminal Court Clerk, the Executive Assistant performs various designated administrative, secretarial, and confidential duties requiring a high degree of judgment and tact. The Executive Assistant also receives, transmits and informs division heads and other operating personnel of policies established, administrative decisions reached, and problems solved. The Executive Assistant takes initiative in planning work, solving office problems and expediting the flow of work in the Clerk's office. The Executive Assistant plans special activities and varied projects by interacting with all staff members to assure completion of successful plans. Ms. Swauncy is also responsible for all requisitions and purchasing of supplies, equipment and office services, and for maintaining all property and its equipment under the care and custody of the Criminal Court Clerk's Office and its Judges. All deliveries are inspected, inventoried, tagged as necessary, and disbursed to department personnel. After items are properly received, a receiving report or check request is prepared and forwarded to the Finance Department of Shelby County Government.

Mrs. Debra Wilkes
Administrative Specialist

Mrs. Wilkes began her career with Shelby County more than 20 years ago with the last ten 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 delivering effective programs for employees as requested by their supervisors. She determines training needs and delivers 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 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 newly revised administrative procedures.

ORGANIZATIONAL CHART



ABOUT THE SUPREME COURT



Pictured in the courtroom at the Supreme Court Building in Nashville are (seated) Chief Justice Cornelia A. Clark (standing left to right) , Justice Janice M. Holder, Justice William C. Koch, Jr., Justice Gary R. Wade and Justice Sharon G. Lee.

The Tennessee Supreme Court is the state's court of last resort. The five Supreme Court justices may accept appeals of civil and criminal cases from lower state courts. They also interpret the laws and constitutions of Tennessee and the United States. The Supreme 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.

Attorneys may request to present oral arguments before the Supreme Court. Unlike trials in lower courts, there are no witnesses, juries, or testimonies in the Supreme Court. After Supreme Court justices have heard oral arguments and reviewed the attorneys' written materials, or briefs, they issue written decisions, known as opinions. Tennessee Supreme Court opinions on federal constitutional issues can be appealed only to the United States Supreme Court, which may or may not agree to consider the appeals.

The Supreme Court normally meets in Jackson, Knoxville, and Nashville, as required by the state constitution. However, the court may also meet in alternate locations as necessary. A few times a year, the Supreme Court takes their oral arguments on the road as part of the SCALES program (Supreme Court Advancing Legal Education for Students). The SCALES program gives Tennessee high school students the unique opportunity to hear Supreme Court oral arguments and learn more about the judicial process. Tennessee high school students the unique opportunity to hear Supreme Court oral arguments and learn more about the judicial process.

ABOUT THE COURT OF APPEALS



Court of Appeals judges are (seated from left), David R. Farmer, Patricia J. Cottrell, Herschel P. Franks, Alan E. Highers, Charles D. Susano, Jr., (standing from left) Holly M. Kirby, Richard H. Dinkins, Andy D. Bennett, John Westley McClarty, Frank G. Clement, D. Michael Swiney, and J. Steven Stafford.

* * *

Created by the General Assembly in 1925, the Court of Appeals hears appeals in civil—or non-criminal—cases from trial courts and certain state boards and commissions. The court has 12 members who sit in panels of three. The panels meet monthly in Jackson, Knoxville and Nashville. When necessary, the court may meet in alternate locations.

All decisions made by the Court of Appeals may be appealed, by permission, to the Tennessee Supreme Court. As in all three appellate courts, Court of Appeals hearings do not include witnesses, juries or testimonies. Instead, attorneys may present oral and written arguments.

Judges of the Court of Appeals are elected on a “retain-replace” ballot every eight years. As in the other appellate courts, Court of Appeals judges must be evaluated every eight years. Results of the evaluations are published in newspapers across the state, to help voters decide whether the judges should be retained.

ABOUT THE COURT OF CRIMINAL APPEALS



Tennessee Court of Criminal Appeals judges are (seated from left) James Curwood Witt Jr., Jerry L. Smith, Presiding Judge Joseph M. Tipton, Thomas T. Woodall, John Everett Williams, (standing from left) Jeffrey S. Bivins, Camille R. McMullen, Robert W. Wedemeyer, Norma McGee Ogle, Alan E. Glenn, D. Kelly Thomas Jr., and Roger A. Page.

The Court of Criminal Appeals was created by the legislature in 1967 to hear trial court appeals in felony and misdemeanor cases, as well as post-conviction petitions. The Tennessee General Assembly increased the membership of the court from nine to 12 on Sept. 1, 1996.

The members sit monthly in panels of three in Jackson, Knoxville and Nashville. They may also meet in other places as necessary.

All Court of Criminal Appeals decisions may be appealed to the state Supreme Court by permission, except in capital cases, which are appealed automatically. No witnesses, juries or testimonies are present in the Court of Criminal Appeals. Instead, attorneys present oral and written arguments.

Court of Criminal Appeals judges are elected on a “retain-replace” ballot every eight years. As in the other appellate courts, judges on the Court of Criminal Appeals must be evaluated every eight years. Results of the evaluations are published in newspapers across the state, to help voters decide whether the judges should be retained.

ABOUT THE 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 and Probate Courts. Judges of these courts are elected to 8-year terms.

CIRCUIT COURTS

Circuit Courts are courts of general jurisdiction in Tennessee. Circuit court 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

Chancery Courts are courts of equity that are based on the English system in which the chancellor acted as the "King's conscience." A chancellor, the judge who presides over chancery courts, may 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. A number of matters, such as divorces, adoptions, and workers' compensation, can be heard in either chancery or circuit court.

CRIMINAL COURTS

Criminal Courts were established by the legislature to relieve circuit courts in areas with heavy caseloads. In addition to having jurisdiction over criminal cases, 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

Probate Courts were created by the legislature and given jurisdiction over probate of wills and administration of estates. Probate judges also handle conservatorships and guardianships.

ABOUT GENERAL SESSIONS COURTS

General Sessions Court jurisdiction varies from county to county based on state laws and private acts. Every county is served by this court of limited jurisdiction, which hears both civil and criminal cases.

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 Sessions judges also serve as juvenile judges except in counties in which the legislature has established separate Juvenile Courts. General Sessions judges are elected to 8-year terms.

JUVENILE & FAMILY COURTS

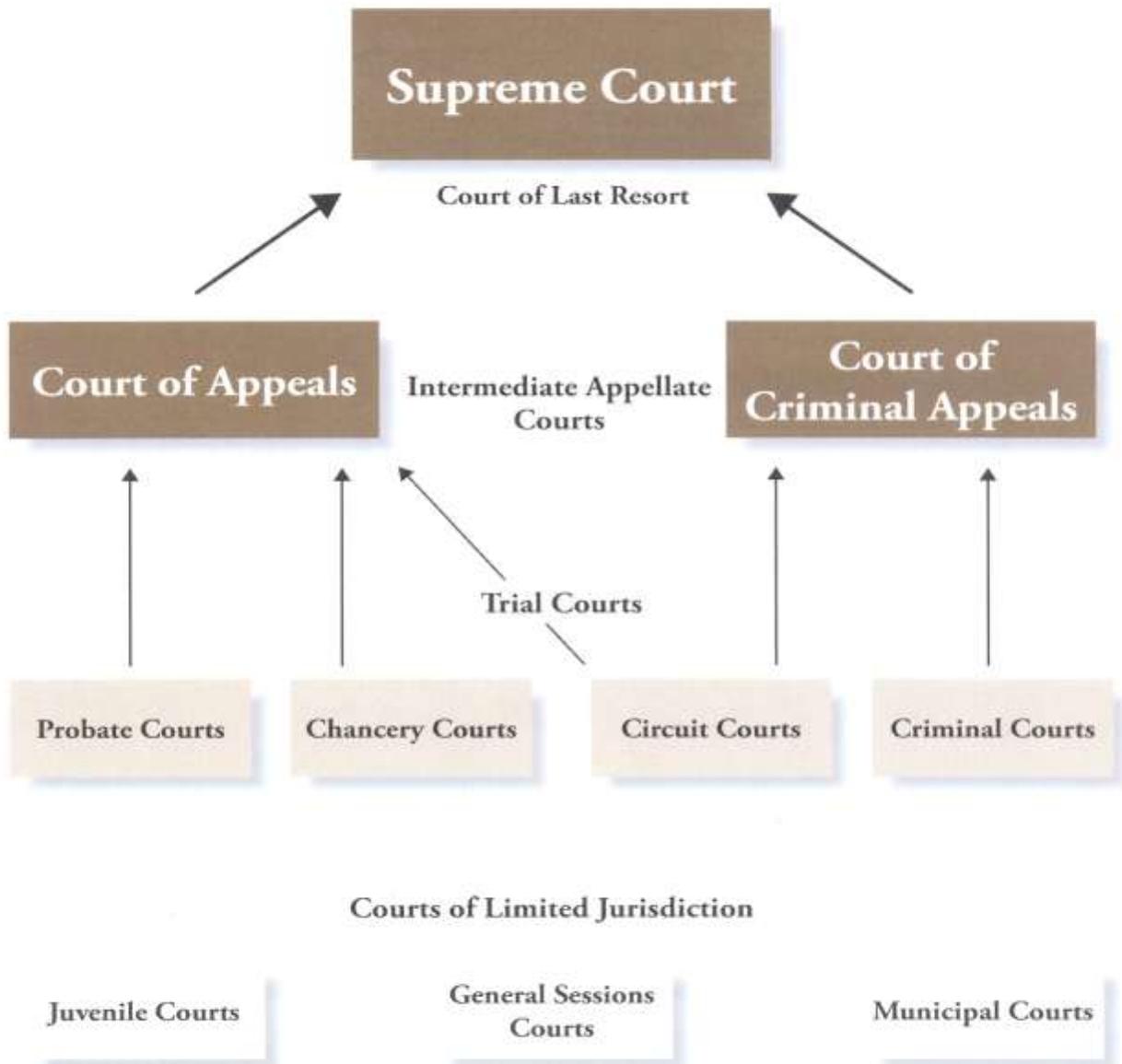
Tennessee is home to 98 juvenile courts with 109 juvenile court judges and 45 magistrates. Of these 98 courts, 17 are designated "Private Act" juvenile courts while the remaining 81 are general sessions courts with juvenile jurisdiction. Each court, with the exception of Bristol and Johnson City, is county-based and administered with at least one juvenile court located in each of the state's 95 counties. While all of Tennessee's courts with juvenile jurisdiction do their best to follow the procedural guidelines established by the Tennessee Rules of Juvenile Procedure, there is little standardization in juvenile court size, case management procedures, and court administrative practices. This means that the systems and practices in Tennessee's juvenile courts vary widely and tend to reflect the needs and preferences of the people living in that particular community.

MUNICIPAL COURTS

Municipal courts, sometimes called “city courts,” hear cases involving violations of municipal ordinances. Most often, these courts hear speeding tickets and other traffic violations. However, these courts also hear codes violations such as dogs running loose, high grass or other violations of city ordinances that seek to ensure the public safety and welfare.

While generally, a municipal court can impose a fine of up to \$50 (Fifty Dollars) plus court costs for violations, in some instances, these courts can impose a civil penalty of up to \$500 (Five Hundred Dollars). The officials of a municipal court are the municipal judge and the municipal court clerk, who may both be appointed by the city’s governing body, or in some instances, one or both may be required to be elected.

TENNESSEE COURT 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.

BONDS/WARRANTS SECTION

Estellita Jamison, 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.

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 bindovers 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. A state of the art security system, monitored by Homeland Security, is used to secure these items until needed in court.

OPERATIONS STATISTICAL INFORMATION



CRIMINAL FILINGS

	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
2010		
FELONY TRUE BILLS OF INDICTMENT		16,213
MISDEMEANOR TRUE BILLS OF INDICTMENT		5,159
PETITIONS & MOTIONS ¹		6,775
NOT TRUE BILLS OF INDICTMENT		11
TOTAL BILLS OF INDICTMENT²		28,158
2011		
FELONY TRUE BILLS OF INDICTMENT		17574
MISDEMEANOR TRUE BILLS OF INDICTMENT		5104
PETITIONS & MOTIONS ¹		3157
NOT TRUE BILLS OF INDICTMENT		16
TOTAL BILLS OF INDICTMENT²		25,851

CRIMINAL INFORMATION CASES

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

2009	2010	2011
2041	1763	2490

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

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

TOTAL DISPOSITION OF MISDEMEANOR INDICTMENTS

2010

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	0	0	0	0	0	0	0	1	1	0	2
GUILTY PLEA	3	4	11	4	3	6	3	1	2	1	38
OTHER	0	0	0	1	0	0	0	0	0	0	1
TOTAL	3	4	11	5	3	6	3	2	3	1	41

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	0	0	5	0	0	0	1	1	7
CONVICTIONS AFTER TRIAL	1	1	0	0	31	1	2	3	4	1	44
DISMISS/NOLLE PROSEQUI	40	30	32	42	58	31	24	24	28	31	340
GUILTY PLEA	74	59	75	74	4	37	79	42	64	58	566
OTHER	10	6	2	4	0	4	0	3	5	3	37
TOTAL	125	96	109	120	98	73	105	72	102	94	994

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	0	0	0	0	1	1	2	2	0	6
DISMISS/NOLLE PROSEQUI	8	9	17	9	7	5	11	20	11	9	106
GUILTY PLEA	19	21	28	37	41	45	45	24	24	15	299
OTHER	1	7	0	1	2	0	0	3	3	1	18
TOTAL	28	37	45	47	50	51	57	49	40	25	429

TOTAL DISPOSITION OF MISDEMEANOR INDICTMENTS

2010

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	2	0	1	0	0	1	1	1	0	0	6
GUILTY PLEA	2	0	1	2	0	0	2	1	0	0	8
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	4	0	2	2	0	1	3	2	0	0	14

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	0	0	0	0	0	1	0	0	1	2
DISMISS/NOLLE PROSEQUI	9	10	21	15	6	5	8	10	12	8	104
GUILTY PLEA	12	11	20	16	12	24	23	18	14	18	168
OTHER	1	0	1	0	0	1	0	0	1	0	4
TOTAL	22	21	42	31	18	30	32	28	27	27	278

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	0	4	0	0	0	4
DISMISS/NOLLE PROSEQUI	35	30	44	30	34	12	30	43	32	24	314
GUILTY PLEA	88	72	99	108	104	83	86	71	87	63	861
OTHER	4	8	4	5	1	5	3	2	6	2	40
TOTAL	127	110	147	143	139	100	123	116	125	89	1219

MOVING TRAFFIC VIOLATIONS

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	2	0	1	0	0	1	0	0	0	1	5
CONVICTIONS AFTER TRIAL	1	5	0	2	0	3	3	3	1	3	21
DISMISS/NOLLE PROSEQUI	95	99	167	158	156	143	85	159	135	132	1329
GUILTY PLEA	56	62	101	65	69	93	80	78	64	70	738
OTHER	14	6	5	17	9	7	2	7	8	16	91
TOTAL	168	172	274	242	234	247	170	247	208	222	2184

TOTAL DISPOSITION OF MISDEMEANOR INDICTMENTS

2011

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	0	0	0	0	1	9	0	0	0	1	11
GUILTY PLEA	3	3	6	3	1	7	2	1	1	1	28
OTHER	0	1	0	0	0	0	0	0	0	0	1
TOTAL	3	4	6	3	2	16	2	1	1	2	40

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										

OFFENSES AGAINST PERSON

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	2	0	0	0	0	2
CONVICTIONS AFTER TRIAL	1	1	0	1	1	24	3	1	7	0	39
DISMISS/NOLLE PROSEQUI	23	41	35	24	23	39	24	27	19	16	271
GUILTY PLEA	49	64	60	80	75	63	78	57	66	50	642
OTHER	6	1	2	2	9	1	3	5	2	2	33
TOTAL	79	107	97	107	108	129	108	90	94	68	987

OFFENSES AGAINST PROPERTY

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	1	0	5	0	0	6
CONVICTIONS AFTER TRIAL	0	1	0	1	0	4	0	13	1	0	20
DISMISS/NOLLE PROSEQUI	7	20	17	17	4	4	9	10	8	8	104
GUILTY PLEA	27	47	41	25	30	22	21	20	11	19	263
OTHER	0	0	1	1	1	0	1	0	0	2	6
TOTAL	34	68	59	44	35	31	31	48	20	29	399

TOTAL DISPOSITION OF MISDEMEANOR INDICTMENTS

2011

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	1	1	0	0	0	0	0	0	2
GUILTY PLEA	0	0	1	4	0	1	0	0	3	1	10
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	2	5	0	1	0	0	3	1	12

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	1	0	1	0	0	0	0	2	1	0	5
DISMISS/NOLLE PROSEQUI	10	12	14	11	9	9	11	17	13	14	120
GUILTY PLEA	13	22	27	15	11	19	23	10	10	17	167
OTHER	1	0	0	0	0	2	0	0	3	0	6
TOTAL	25	34	42	26	20	30	34	29	27	31	298

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	1	0	0	0	0	1
CONVICTIONS AFTER TRIAL	0	0	1	0	0	0	1	0	0	1	3
DISMISS/NOLLE PROSEQUI	32	30	35	28	42	34	31	54	30	30	346
GUILTY PLEA	75	119	72	94	70	89	102	55	78	66	820
OTHER	5	6	2	2	2	3	2	1	4	2	29
TOTAL	112	155	110	124	114	127	136	110	112	99	1199

MOTOR TRAFFIC VIOLATIONS

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	2	0	0	1	0	0	0	0	3
CONVICTIONS AFTER TRIAL	0	0	2	0	0	1	4	1	0	0	8
DISMISS/NOLLE PROSEQUI	99	108	99	101	105	87	133	94	134	100	1060
GUILTY PLEA	65	66	56	57	70	67	114	65	72	58	690
OTHER	11	6	4	5	6	7	5	10	7	6	67
TOTAL	175	180	163	163	181	163	256	170	213	164	1828

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	M1D/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

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

TOTAL DISPOSITION OF FELONY INDICTMENTS

2010

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	5	2	3	3	2	10	3	2	32	1	63
GUILTY PLEA	6	1	2	3	3	11	24	3	7	6	66
OTHER	0	1	0	1	1	0	0	0	0	0	3
TOTAL	11	4	5	7	6	21	27	5	39	7	132

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	2	0	2	0	0	0	2	1	3	1	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	2	0	2	0	0	0	2	1	3	1	11

OFFENSES AGAINST PERSONS

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	8	2	1	4	0	0	3	3	7	5	33
CONVICTION AFTER TRIAL	11	8	9	8	16	20	28	21	32	22	175
DISMISS/NOLLE PROSEQUI	87	89	132	125	101	106	105	157	138	110	1150
GUILTY PLEA	166	168	200	150	157	195	233	236	174	260	1,939
OTHER	9	4	9	3	6	4	3	2	2	19	61
TOTAL	281	271	351	290	280	325	372	419	353	416	3,358

OFFENSES AGAINST PROPERTY

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	1	1	0	1	3
CONVICTION AFTER TRIAL	1	1	0	0	1	0	3	2	3	1	12
DISMISS/NOLLE PROSEQUI	131	81	136	129	72	93	103	100	94	68	1007
GUILTY PLEA	160	192	216	167	167	203	223	257	140	198	1,923
OTHER	4	6	3	5	10	10	4	4	7	5	58
TOTAL	296	280	355	301	250	306	334	364	244	273	3,003

TOTAL DISPOSITION OF FELONY INDICTMENTS

2010

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	5	1	0	2	2	1	5	0	7	3	26
GUILTY PLEA	6	3	3	4	2	2	14	2	3	2	41
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	11	4	3	6	4	3	19	2	10	5	67

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	2	0	4	0	0	0	6
CONVICTION AFTER TRIAL	0	1	0	0	3	0	3	0	0	0	7
DISMISS/NOLLE PROSEQUI	43	29	42	58	38	35	19	29	43	33	369
GUILTY PLEA	41	38	31	24	14	22	32	36	30	21	289
OTHER	2	3	0	0	0	0	0	0	0	0	5
TOTAL	86	71	73	82	57	57	58	65	73	54	676

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	1	2	1	1	4	2	11
CONVICTION AFTER TRIAL	9	0	1	0	4	0	6	5	3	3	31
DISMISS/NOLLE PROSEQUI	588	542	690	681	660	445	450	616	425	526	5623
GUILTY PLEA	272	324	364	320	281	241	263	310	214	272	2,861
OTHER	28	56	9	3	23	17	9	2	6	4	157
TOTAL	897	922	1064	1004	969	705	729	934	652	807	8,683

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	1	0	0	0	0	0	1	0	0	2	4
DISMISS/NOLLE PROSEQUI	6	2	2	5	5	3	3	0	4	2	32
GUILTY PLEA	19	23	39	27	32	26	23	15	22	19	245
OTHER	0	0	0	0	2	0	0	0	0	0	2
TOTAL	26	25	41	32	39	29	27	15	26	23	283

TOTAL DISPOSITION OF FELONY INDICTMENTS

2011

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	5	3	42	0	8	44	22	74	37	25	260
GUILTY PLEA	3	2	13	2	10	13	17	10	5	13	88
OTHER	0	1	0	1	0	1	0	0	0	0	3
TOTAL	8	6	55	3	18	58	39	84	42	38	351

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	1	0	0	0	0	2
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	1	0	1	0	0	0	0	2

OFFENSES AGAINST PERSONS

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	6	2	8	0	3	8	7	5	5	1	45
CONVICTION AFTER TRIAL	9	10	24	14	13	41	24	22	29	27	213
DISMISS/NOLLE PROSEQUI	104	116	117	79	122	90	103	88	86	72	977
GUILTY PLEA	156	198	235	147	205	158	228	239	240	220	2,026
OTHER	14	4	1	4	5	13	6	2	6	6	61
TOTAL	289	330	385	244	348	310	368	356	366	326	3,322

OFFENSES AGAINST PROPERTY

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	3	1	0	1	1	6
CONVICTION AFTER TRIAL	1	1	1	3	0	6	4	1	0	2	19
DISMISS/NOLLE PROSEQUI	66	104	127	230	100	51	71	178	122	58	1107
GUILTY PLEA	189	191	245	292	167	199	234	229	198	249	2,193
OTHER	10	4	4	10	22	10	22	63	7	6	158
TOTAL	266	300	377	535	289	269	332	471	328	316	3,483

TOTAL DISPOSITION OF FELONY INDICTMENTS

2011

OFFENSES AGAINST THE FAMILY

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	1	0	0	0	0	1
CONVICTION AFTER TRIAL	0	0	0	0	0	2	0	2	0	0	4
DISMISS/NOLLE PROSEQUI	0	0	3	8	1	0	1	0	6	3	22
GUILTY PLEA	7	4	5	5	3	0	3	1	9	5	42
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	7	4	8	13	4	3	4	3	15	8	69

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	4	0	0	0	0	1	5
DISMISS/NOLLE PROSEQUI	14	51	26	39	37	16	35	38	30	22	308
GUILTY PLEA	26	32	48	22	32	26	31	44	34	23	318
OTHER	3	5	0	0	5	0	0	1	2	1	17
TOTAL	43	88	74	61	78	42	66	83	66	47	648

OFFENSES AGAINST PUBLIC HEALTH, SAFETY, & WELFARE

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	3	0	2	4	2	1	0	2	14
CONVICTION AFTER TRIAL	5	0	2	2	4	4	5	2	8	0	32
DISMISS/NOLLE PROSEQUI	449	474	538	408	545	454	607	400	473	457	4805
GUILTY PLEA	270	300	340	262	320	296	384	242	313	272	2,999
OTHER	4	13	13	28	12	21	6	4	5	13	119
TOTAL	728	787	896	700	883	779	1004	649	799	744	7,969

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	1	0	0	4	0	0	0	0	5
DISMISS/NOLLE PROSEQUI	3	5	1	1	12	1	2	2	3	3	33
GUILTY PLEA	15	21	17	12	22	21	27	22	14	9	180
OTHER	1	0	0	0	0	2	0	0	0	0	3
TOTAL	19	26	19	13	34	28	29	24	17	12	221

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

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

PETITION/MOTION DISPOSITIONS

2010

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	268	409	402	380	462	370	232	317	350	392	3582
DISMISS/NOLLE PROSEQUI	311	352	381	272	216	404	191	198	255	287	2867
GUILTY PLEA	2	1	0	0	0	4	2	3	0	1	13
OTHER	3	1	18	7	0	2	1	1	0	4	37
TOTAL	584	763	801	659	678	780	426	519	605	684	6499

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	1	1	3	1	0	6
DISMISS/NOLLE PROSEQUI	7	15	24	9	12	36	4	16	9	2	134
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	2	0	3	5	5	0	12	2	10	3	42
TOTAL	9	15	27	14	17	37	17	21	20	5	182

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	7	7	7	7	10	10	10	7	9	76
DISMISS/NOLLE PROSEQUI	0	0	0	0	0	1	0	0	0	1	2
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	2	3	5	1	2	0	1	2	0	0	16
TOTAL	4	10	12	8	9	11	11	12	7	10	94

PETITION/MOTION DISPOSITIONS

2011

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	301	391	612	421	510	434	218	367	343	348	3945
DISMISS/NOLLE PROSEQUI	238	203	238	155	177	274	172	106	224	163	1950
GUILTY PLEA	3	3	2	4	0	0	0	1	3	1	17
OTHER	39	62	29	40	54	67	8	74	32	36	441
TOTAL	581	659	881	620	741	775	398	548	602	548	6353

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	1	0	0	1	0	0	1	2	0	5
DISMISS/NOLLE PROSEQUI	15	19	16	6	8	9	7	6	9	21	116
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	1	2	3	4	0	8	1	1	2	8	30
TOTAL	16	22	19	10	9	17	8	8	13	29	151

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	2	6	6	5	5	8	3	5	3	45
DISMISS/NOLLE PROSEQUI	0	1	1	0	0	0	0	0	0	0	2
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	0	0	2	0	2	0	2	0	0	0	6
TOTAL	2	3	9	6	7	5	10	3	5	3	53

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
MISDEMEANORS	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
MISDEMEANORS	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

2010

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	4	4	4	10	13	11	11	12	9	87
MISDEMEANORS	1	0	2	0	1	0	2	1	1	1	9
POST CONVICTION RELIEF	5	5	10	4	5	15	3	8	3	2	60
WRIT OF HABEAS CORPUS	0	1	1	0	2	1	0	1	0	1	7
TOTAL	15	10	17	8	18	29	16	21	16	13	163

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	10	9	4	3	9	17	15	14	20	8	109
MISDEMEANORS	2	0	2	0	0	0	1	1	1	2	9
POST CONVICTION RELIEF	6	8	10	4	8	15	2	7	5	1	66
WRIT OF HABEAS CORPUS	0	1	1	0	2	1	1	0	0	1	7
TOTAL	18	18	17	7	19	33	19	22	26	12	191

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	18	9	12	11	21	23	12	24	17	15	162
AFFIRMED & MODIFIED	0	0	1	0	1	0	0	1	0	1	4
REVERSED & REMANDED	2	2	0	1	0	1	2	0	0	2	10
AFFIRMED IN PART/ REVERSED & REMANDED	1	1	0	1	1	1	0	0	0	1	6
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	3	0	0	2	0	0	0	2	1	0	8
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	24	12	13	15	23	25	14	27	18	19	190

2011

**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	11	8	7	9	14	14	12	16	13	14	118
MISDEMEANORS	1	0	0	1	0	1	2	2	1	0	8
POST CONVICTION RELIEF	5	9	11	6	4	4	4	7	4	5	59
WRIT OF HABEAS CORPUS	0	3	3	0	1	2	0	4	2	3	18
TOTAL	17	20	21	16	19	21	18	29	20	22	203

**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	10	5	14	7	15	14	10	14	16	8	113
MISDEMEANORS	1	0	0	0	0	3	3	2	1	1	11
POST CONVICTION RELIEF	9	9	8	0	5	4	3	10	4	3	55
WRIT OF HABEAS CORPUS	1	2	4	1	4	3	0	7	2	3	27
TOTAL	21	16	26	8	24	24	16	33	23	15	206

**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	13	13	17	6	15	19	14	19	19	12	147
AFFIRMED & MODIFIED	0	1	1	0	0	0	0	1	0	0	3
REVERSED & REMANDED	0	3	1	0	0	2	2	1	1	1	11
AFFIRMED IN PART/ REVERSED & REMANDED	0	3	1	0	0	0	0	0	1	1	6
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	0	1	0	4	2	0	3	1	2	15
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	15	20	21	6	19	23	16	24	22	16	182

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	43
Total Trial Cases	22	22	23	13	34	42	19	47	32	28	282
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 Dism./N.P.	860	883	1033	894	888	1078	804	854	963	890	9,147
Total G.P. 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	1438	1404	1468	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

2010

**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	8	2	1	4	3	2	9	5	11	8	53
Acquittal - Misdemeanor	2	0	1	0	5	1	0	0	1	2	12
Conviction After Trial - Felony	22	10	10	8	24	20	41	28	38	28	229
Conviction After Trial - Misd.	2	6	0	2	31	5	11	8	7	5	77
Dismiss/Nolle Prosqui - Felony	867	746	1,007	1,003	880	693	690	905	746	744	8,281
Dismiss/Nolle Prosqui - Misd.	189	178	282	254	261	197	159	258	219	204	2,201
Guilty Plea as Charged - Felony	670	749	855	695	656	700	812	859	590	778	7,364
Guilty Plea as Charged - Misd.	254	229	335	306	233	288	318	235	255	225	2,678
Other - Felony	43	70	21	12	42	31	16	8	15	28	286
Other - Misdemeanor	30	27	12	28	12	17	5	15	23	22	191
Petitions/Motions Disposed	597	788	840	681	704	828	454	552	632	699	6,775
TOTAL CASES DISPOSED	2,684	2,805	3,364	2,993	2,851	2,782	2,515	2,873	2,537	2,743	28,147

TOTALS BY TYPE

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
Total Felony Trial Cases	30	12	11	12	27	22	50	33	49	36	282
Total Misdemeanor Trial Cases	4	6	1	2	36	6	11	8	8	7	89
Total Trial Cases	34	18	12	14	63	28	61	41	57	43	371
Total Acquittals	10	2	2	4	8	3	9	5	12	10	65
Total Convictions After Trials	24	16	10	10	55	25	52	36	45	33	306
Total Dism./N.P.	1056	924	1289	1257	1141	890	849	1163	965	948	10,482
Total G.P. as Charged	924	978	1190	1001	889	988	1130	1094	845	1003	10,042
Total Other Cases	73	97	33	40	54	48	21	23	38	50	477
Total Felonies Disposed	1610	1577	1894	1722	1605	1446	1568	1805	1400	1586	16,213
Total Misdemeanor Disposed	477	440	630	590	542	508	493	516	505	458	5,159
Total Pet./Motions Disposed	597	788	840	681	704	828	454	552	632	699	6,775
TOTAL CASES DISPOSED	2684	2805	3364	2993	2851	2782	2515	2873	2537	2743	28,147

2011

**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	6	2	11	0	5	16	10	6	6	4	66
Acquittal - Misdemeanor	0	0	2	0	0	5	0	5	0	0	12
Conviction After Trial - Felony	15	11	28	19	21	57	33	27	37	30	278
Conviction After Trial - Misd.	2	2	4	2	1	29	8	17	9	1	75
Dismiss/Nolle Prosequi - Felony	641	753	854	766	825	657	841	780	757	640	7,514
Dismiss/Nolle Prosequi - Misd.	171	211	201	182	184	182	208	202	204	169	1,914
Guilty Plea as Charged - Felony	666	748	903	742	759	713	924	787	813	791	7,846
Guilty Plea as Charged - Misd.	232	321	263	278	257	268	340	208	241	212	2,620
Other - Felony	32	27	18	43	44	47	34	70	20	26	361
Other - Misdemeanor	6	2	3	3	10	1	4	5	2	4	40
Petitions/Motions Disposed	599	684	909	636	757	797	416	559	620	580	6,557
TOTAL CASES DISPOSED	2,370	2,761	3,196	2,671	2,863	2,772	2,818	2,666	2,709	2,457	27,283

TOTALS BY TYPE

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
Total Felony Trial Cases	21	13	39	19	26	73	43	33	43	34	344
Total Misdemeanor Trial Cases	2	2	6	2	1	34	8	22	9	1	87
Total Trial Cases	23	15	45	21	27	107	51	55	52	35	431
Total Acquittals	6	2	13	0	5	21	10	11	6	4	78
Total Convictions After Trials	17	13	32	21	22	86	41	44	46	31	353
Total Dism./N.P.	812	964	1055	948	1009	839	1049	982	961	809	9,428
Total G.P. as Charged	898	1069	1166	1020	1016	981	1264	995	1054	1003	10,466
Total Other Cases	38	29	21	46	54	48	38	75	22	30	401
Total Felonies Disposed	1360	1541	1814	1570	1654	1490	1842	1670	1633	1491	16,065
Total Misdemeanor Disposed	411	536	473	465	452	485	560	437	456	386	4,661
Total Pet./Motions Disposed	599	684	909	636	757	797	416	559	620	580	6,557
TOTAL CASES DISPOSED	2370	2761	3196	2671	2863	2772	2818	2666	2709	2457	27,283

DISPOSITION BY CASE TYPE

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

2010

ASSAULT	2,318
BURGLARY/THEFT	5,557
DRUGS	8,887
DUI/OTHER MOTOR VEHICLE OFFENSES	3,701
HOMICIDE	322
KIDNAPPING	131
ROBBERY	1,124
SEXUAL OFFENSES	450
OTHER	3,822
TOTAL	26,312

2011

ASSAULT	2,476
BURGLARY/THEFT	6,412
DRUGS	8,285
DUI/OTHER MOTOR VEHICLE OFFENSES	3,473
HOMICIDE	343
KIDNAPPING	105
ROBBERY	1,079
SEXUAL OFFENSES	414
OTHER	2,659
TOTAL	25,246

**MISCELLANEOUS CASES
TOTAL FILED
(2009-2011)**

	2009	2010	2011
UNINDICTED MOTION CASES			
Motion To Dismiss Prosecution	304	283	219
Motion To Set Bail/Bond	7	5	3
Motion For Bail/Bond Reduction	77	65	60
Motion For Speedy Indictment & Fast and Speedy Trial	360	267	401
Miscellaneous Motions	76	26	66
TOTAL UNINDICTED MOTIONS FILED	824	646	749
UNINDICTED PETITION CASES			
Petition For Writ of Habeas Corpus	68	66	60
Petition For Post Conviction Relief	246	182	151
Petition For Out of State Witness	14	6	5
Petition Declare Def. Habitual Offender Under Motor Veh. Habitual Off. Act	67	94	53
Petition For Hearing On Governor's Warrant	6	2	3
Petition For Reduction or Suspension of Sentence	863	863	770
Petition For Restoration of Driving Privileges	122	124	96
Petition For Writ of Error Coram Nobis	16	6	37
Petition To Suspend Remainder of Sentence	847	705	543
Petition To Revoke Suspended Sentence	3,238	3,013	2,704
Petition To Revoke Suspended Weekend Sentence	35	45	20
Miscellaneous Petitions	159	115	266
TOTAL UNINDICTED PETITIONS FILED	5681	5221	4708

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.

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
JUSTICE NETWORK	15	30	31	40	32	55	30	24	40	26	323
NATIONAL PROB.OF AMERICA	0	8	2	2	5	9	2	1	5	4	38
PROBATION MGMT.GROUP	9	5	43	10	9	92	17	17	17	47	266
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	188	327	686	420	405	327	306	396	569	392	4016

2010

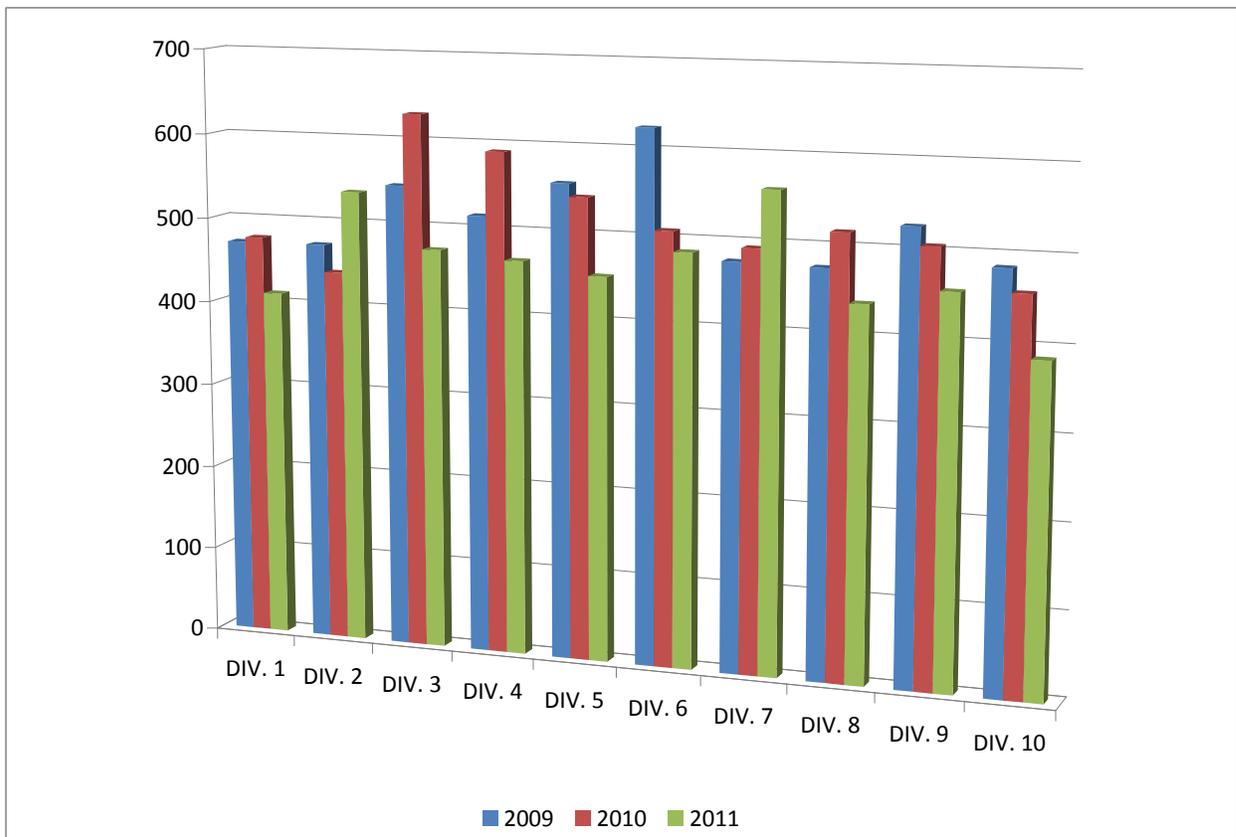
DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
PROBATION SERVICE											
CORRECTIONAL ALTERNATIVES	7	25	138	8	15	2	8	4	61	104	372
JUSTICE NETWORK	10	22	38	28	20	39	34	39	36	7	273
NATIONAL PROB.OF AMERICA	1	5	5	0	2	4	4	3	4	0	28
PROBATION MGMT.GROUP	4	12	25	17	12	52	10	9	7	51	199
PROBATION SERVICES	2	0	13	2	4	5	1	11	4	11	53
PROBATION WORKS	0	16	11	15	25	24	19	10	21	28	169
STATE OF TENNESSEE	201	273	485	326	293	111	239	451	422	270	3071
TENNESSEE CORRECTIONS	0	0	0	0	0	1	0	2	2	0	5
TOTAL CASES	225	353	715	396	371	238	315	529	557	471	4170

2011

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
PROBATION SERVICE											
CORRECTIONAL ALTERNATIVES	25	52	110	0	33	0	23	2	10	64	319
JUSTICE NETWORK	17	23	16	36	14	36	29	31	28	11	241
NATIONAL PROB. OF AMERICA	2	8	4	3	1	1	1	5	1	0	26
PROBATION MGMT. GROUP	8	12	10	18	4	48	6	0	2	38	146
PROBATION SERVICES	0	0	0	0	3	2	0	3	0	8	16
PROBATION WORKS	5	12	13	20	13	28	3	6	11	21	132
STATE OF TENNESSEE	278	355	541	420	409	142	311	443	357	355	3611
TENNESSEE CORRECTIONS	0	1	12	2	3	3	5	2	0	1	29
TOTAL CASES	335	463	706	499	480	260	378	492	409	498	4520

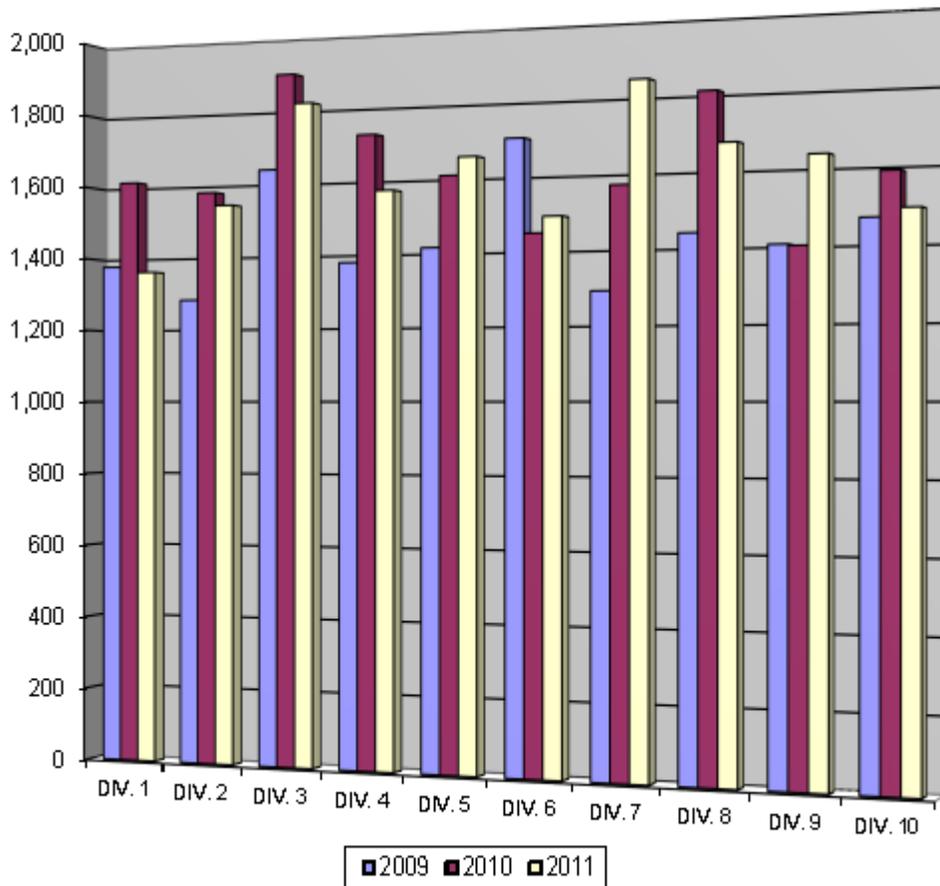
2009-2011 MISDEMEANOR CASES DISPOSED BY DIVISION

	<u>2009</u>	<u>2010</u>	<u>2011</u>
DIV. 1	471	477	411
DIV. 2	472	440	536
DIV. 3	546	630	473
DIV. 4	515	590	465
DIV. 5	557	542	452
DIV. 6	624	508	485
DIV. 7	477	493	560
DIV. 8	475	516	437
DIV. 9	526	505	456
DIV. 10	485	458	386
Total Cases Disposed	5148	5159	4661



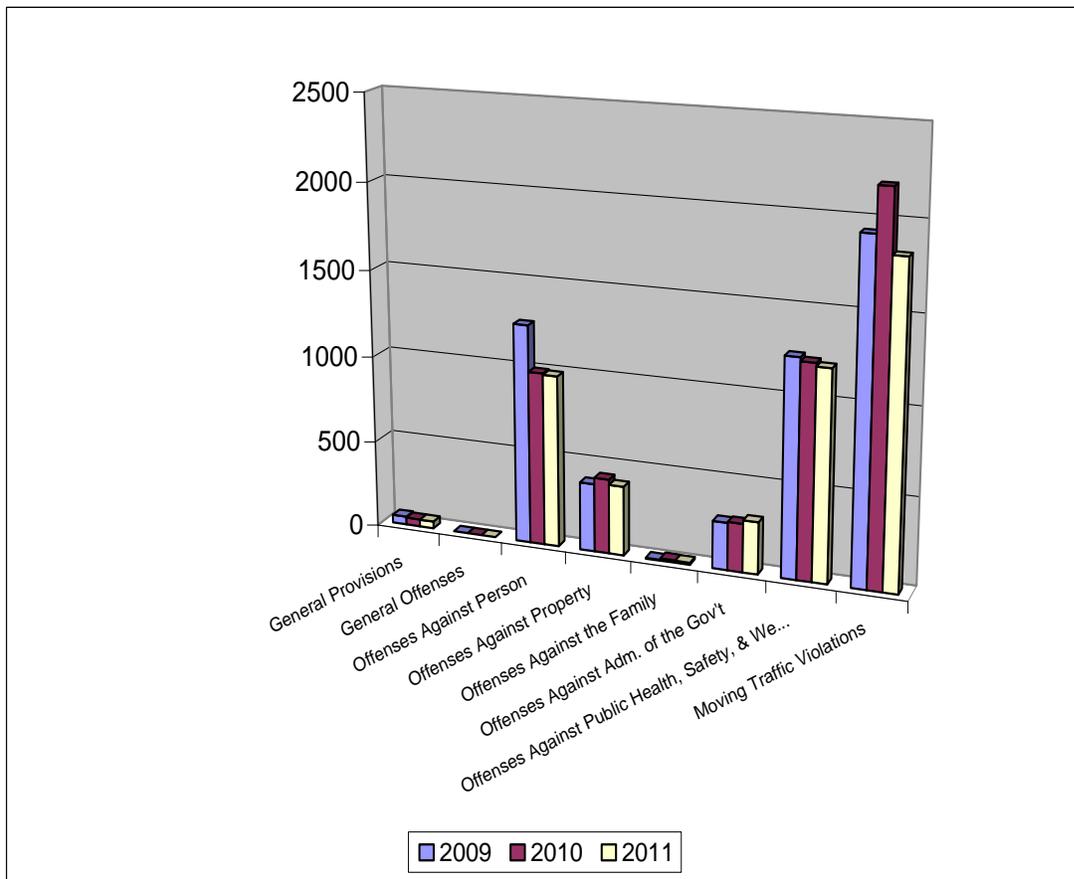
2009-2011 FELONY CASES DISPOSED BY DIVISION

	2009	2010	2011
DIV. 1	1,376	1,610	1,360
DIV. 2	1,281	1,577	1,541
DIV. 3	1,635	1,894	1,814
DIV. 4	1,377	1,722	1,570
DIV. 5	1,413	1,605	1,654
DIV. 6	1,699	1,446	1,490
DIV. 7	1,291	1,568	1,842
DIV. 8	1,438	1,805	1,670
DIV. 9	1,404	1,400	1,633
DIV. 10	1,468	1,586	1,491
Total Cases Disposed	14,382	16,213	16,065



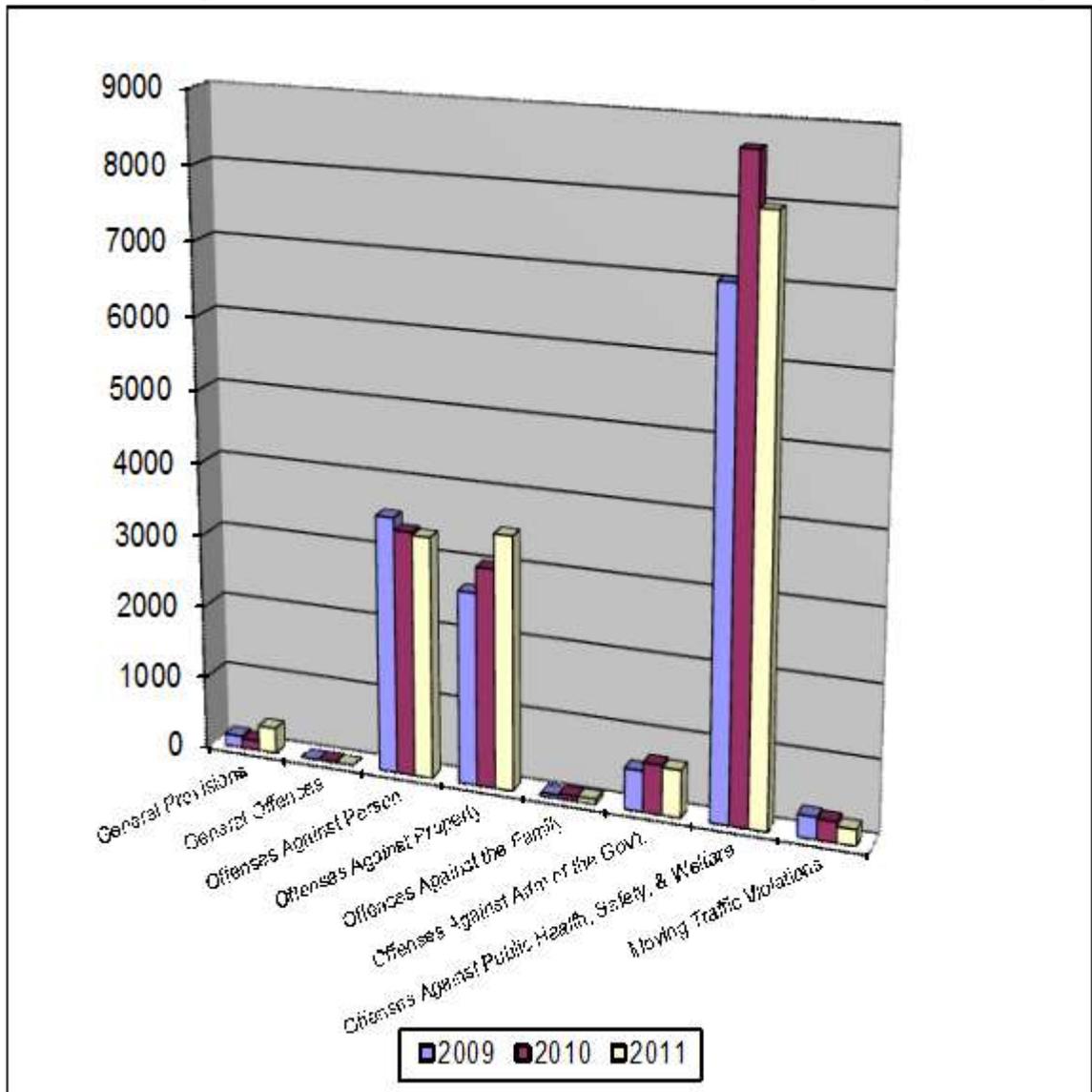
2009-2011 MISDEMEANOR CASES DISPOSED BY TYPE

	2009	2010	2011
General Provisions	47	41	40
General Offenses	0	0	0
Offenses Against Person	1259	994	987
Offenses Against Property	392	429	399
Offenses Against the Family	5	14	12
Offenses Against Adm. of the Gov't	272	278	298
Offenses Against Public Health, Safety, & Welfare	1241	1219	1199
Moving Traffic Violations	1932	2184	1828
Total Cases Disposed	5,148	5,159	4,763



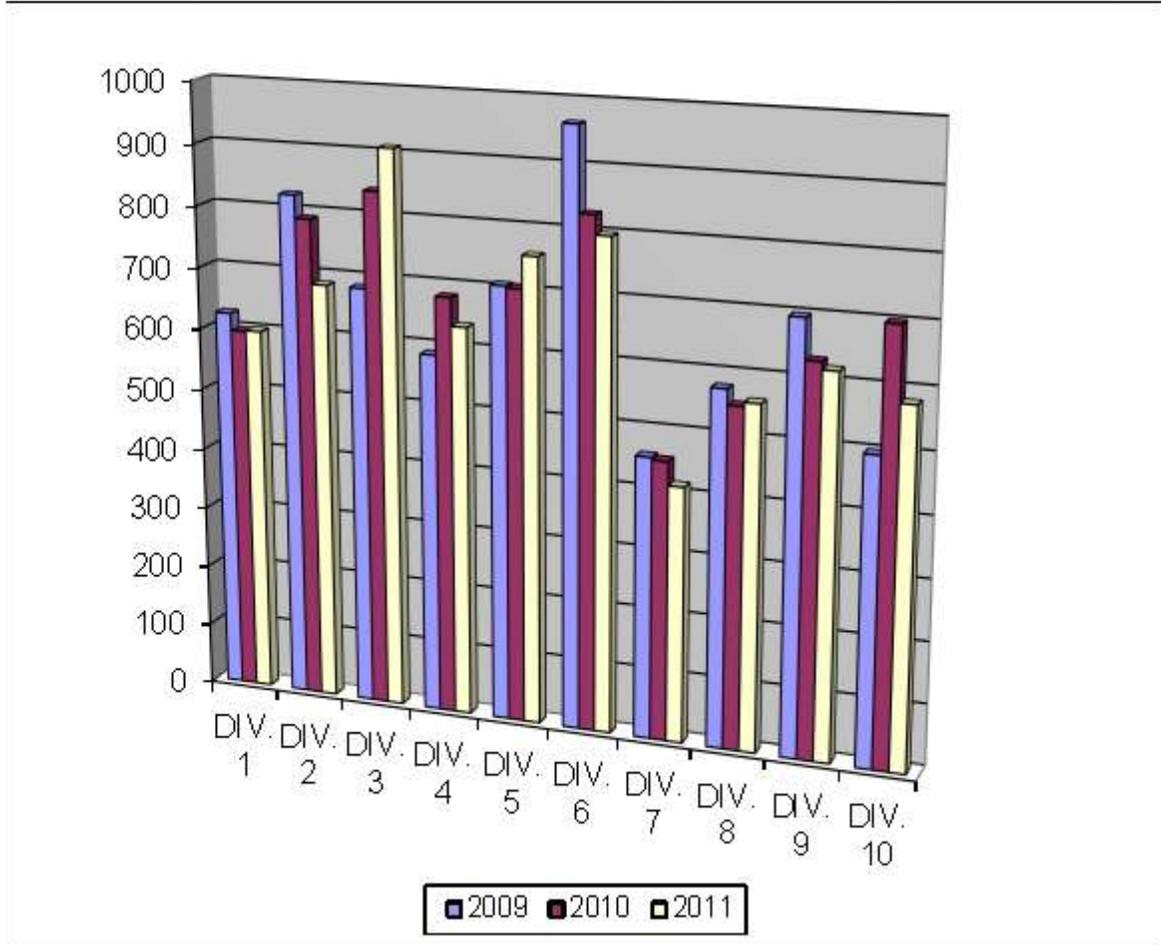
2009-2011 FELONY CASES DISPOSED BY TYPE

	2009	2010	2011
General Provisions	161	132	351
General Offenses	1	11	2
Offenses Against Person	3,529	3,358	3,322
Offenses Against Property	2,649	3,003	3,483
Offenses Against the Family	47	67	69
Offenses Against Adm. of the Gov't	560	676	648
Offenses Against Public Health, Safety, & Welfare	7,037	8,683	7,969
Moving Traffic Violations	306	283	221
Total Cases Disposed	14,290	16,213	16,065



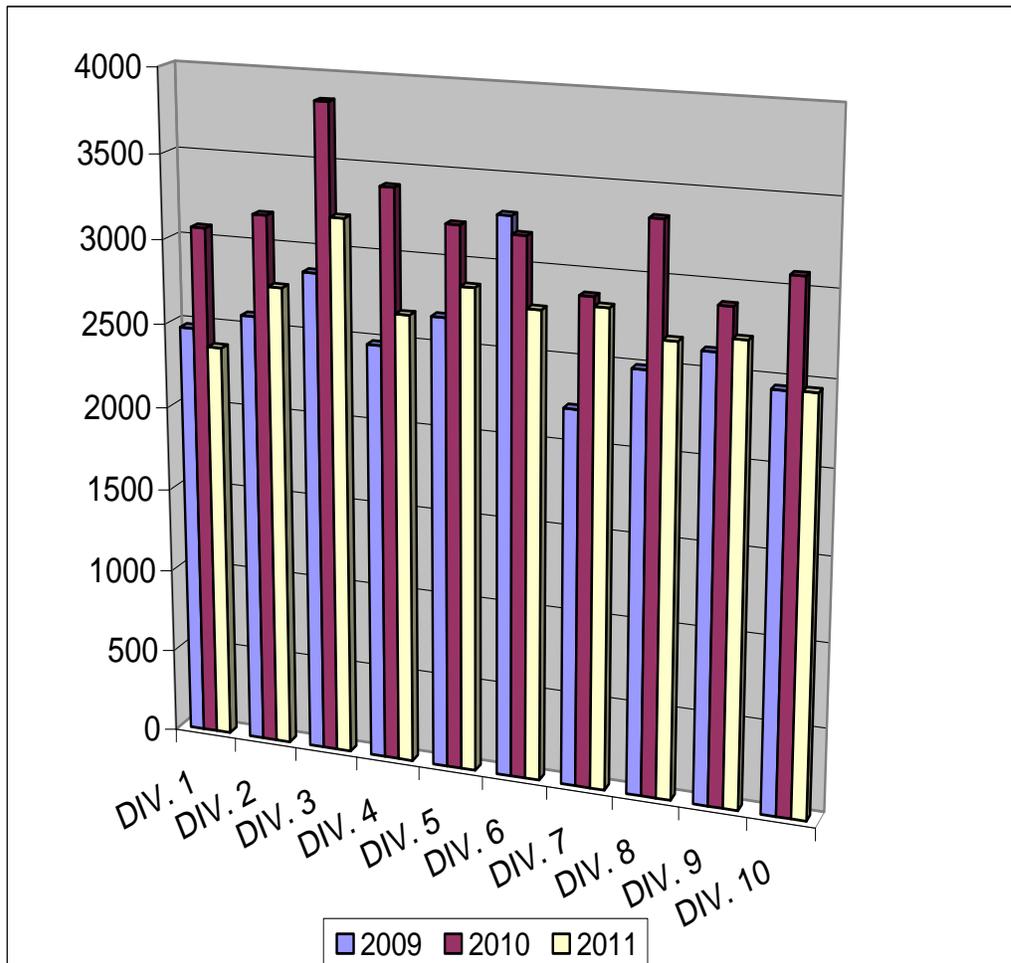
2009-2011 UNINDICTED PETITIONS/MOTIONS DISPOSED BY DIVISION

	2009	2010	2011
DIV. 1	625	597	599
DIV. 2	825	788	684
DIV. 3	684	840	909
DIV. 4	587	681	636
DIV. 5	707	704	757
DIV. 6	964	828	797
DIV. 7	458	454	416
DIV. 8	577	552	559
DIV. 9	697	632	620
DIV. 10	498	699	580
Total Cases Disposed	6,622	6,775	6,557



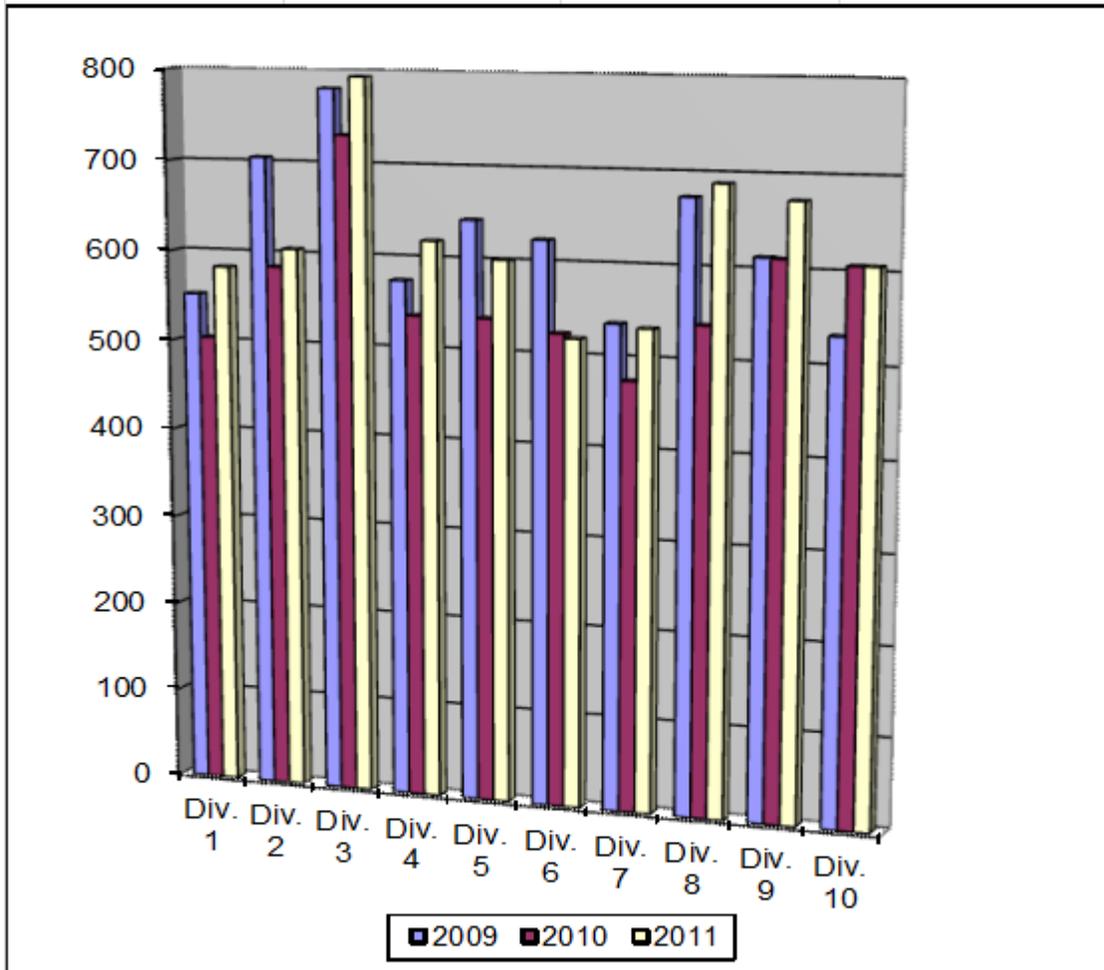
TOTAL CASES DISPOSED BY DIVISION (2009-2011)

	2009	2010	2011
DIV. 1	2472	3072	2370
DIV. 2	2578	3177	2761
DIV. 3	2865	3852	3196
DIV. 4	2479	3394	2671
DIV. 5	2677	3211	2863
DIV. 6	3287	3182	2772
DIV. 7	2226	2872	2818
DIV. 8	2490	3336	2666
DIV. 9	2627	2887	2709
DIV. 10	2451	3087	2457
Total Cases Disposed	26,152	32,070	27,283



WARRANTS ISSUED BY DIVISION (2009 – 2011)

	2009	2010	2011
Div. 1	552	504	583
Div. 2	705	585	605
Div. 3	781	731	794
Div. 4	575	537	619
Div. 5	643	537	601
Div. 6	624	524	519
Div. 7	537	476	533
Div. 8	674	539	689
Div. 9	613	612	673
Div. 10	533	607	607
Total	6237	5652	6223



ADMINISTRATIVE SERVICES



ADMINISTRATIVE SERVICES DIVISION

Janis Dunavant, Director of Administrative Services

Mrs. Dunavant began her career with Shelby County thirty two (32) years ago with the Shelby County Trustee. Her court experience includes Shelby County Probate and Juvenile Courts, with the last nine (9) years here 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 the Customer Service Department. 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)

<u>FISCAL YEAR</u>	<u>SALARIES</u>	<u>EMPLOYEES</u>	<u>COMMENTS</u>
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.
2009-10	\$3,189,658.03	86	Utilization of new technological advances has allowed our service levels to increase as our personnel budget decreases. All reductions in staffing haven achieved through attrition.
2010-11	\$3,177,886.16	85	In the course of continuing personnel and budget cuts, the introduction of new and innovative technologies enables our office to continue to provide exceptional service.

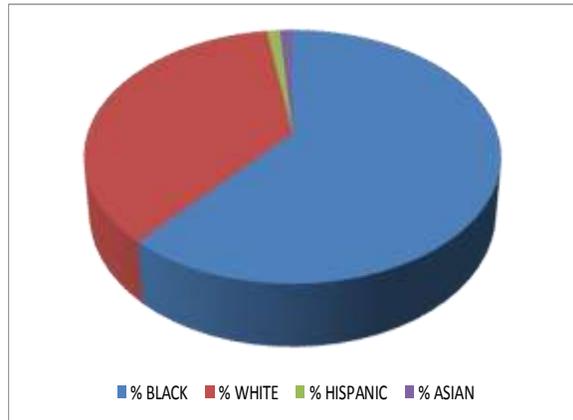
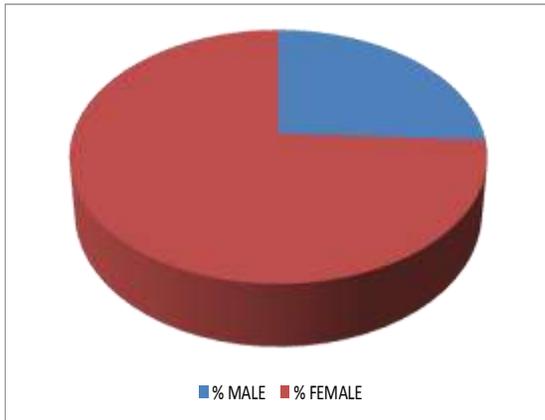
CRIMINAL COURT CLERK'S OFFICE

STAFF COMPLIMENT (FILLED POSITIONS) 2011

	MALE				FEMALE				TOTAL
	W	B	H	A	W	B	H	A	
Officials/Administration	8	2	0	0	7	9	0	0	26
Professionals	1	0	0	0	0	0	0	0	1
Technicians	0	1	0	0	0	0	0	0	1
Administrative Support	6	3	1	0	9	37	0	1	57
TOTAL	15	6	1	0	16	46	0	1	85
PERCENTAGE	17.65%	7.06%	1.18%	0.00%	18.82%	54.11%	0.00%	1.18%	100.00%

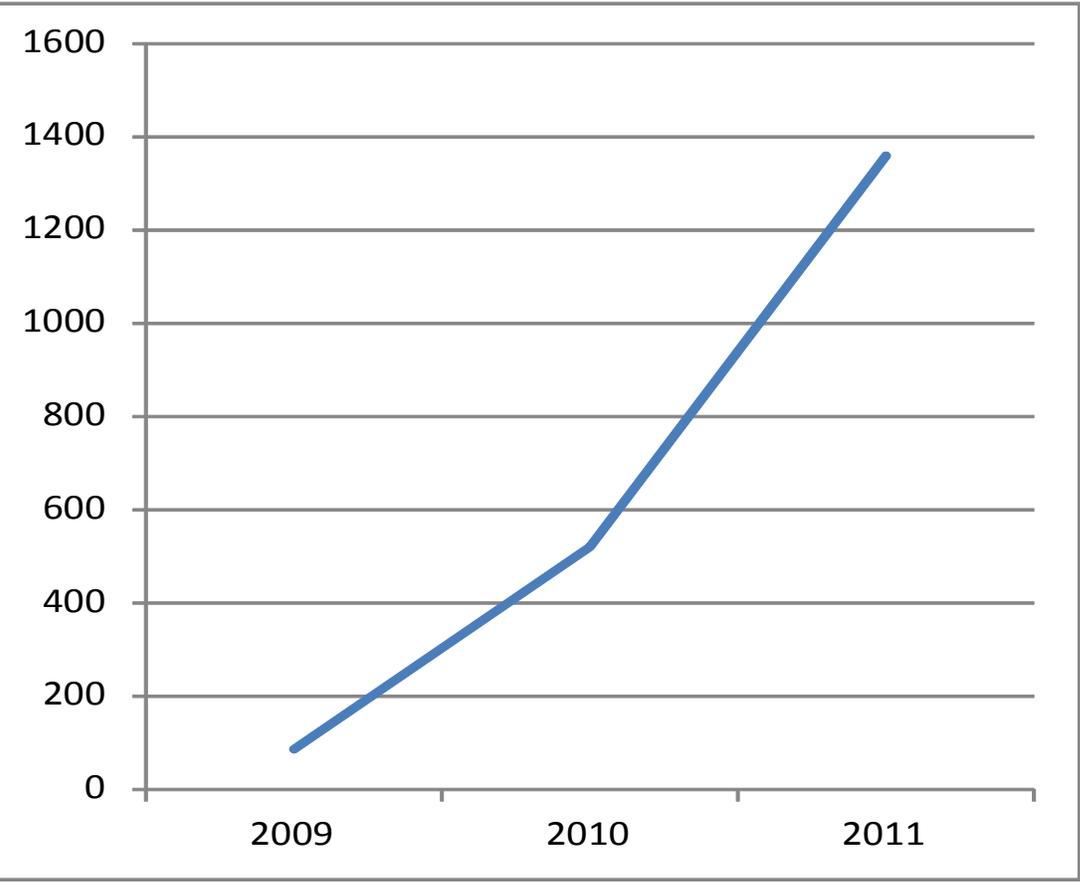
% MALE 25.88%
 % FEMALE 74.12%
 % BLACK 61.18%
 % WHITE 36.46%
 % HISPANIC 1.18%
 % ASIAN 1.18%

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



RECORD CHECKS PER MONTH

	2009	2010	2011
JANUARY	4	8	119
FEBRUARY	4	12	107
MARCH	10	26	9
APRIL	7	95	280
MAY	4	218	163
JUNE	4	102	123
JULY	5	31	163
AUGUST	6	17	63
SEPTEMBER	8	3	169
OCTOBER	3	4	135
NOVEMBER	7	1	21
DECEMBER	24	3	7
TOTAL	86	520	1359

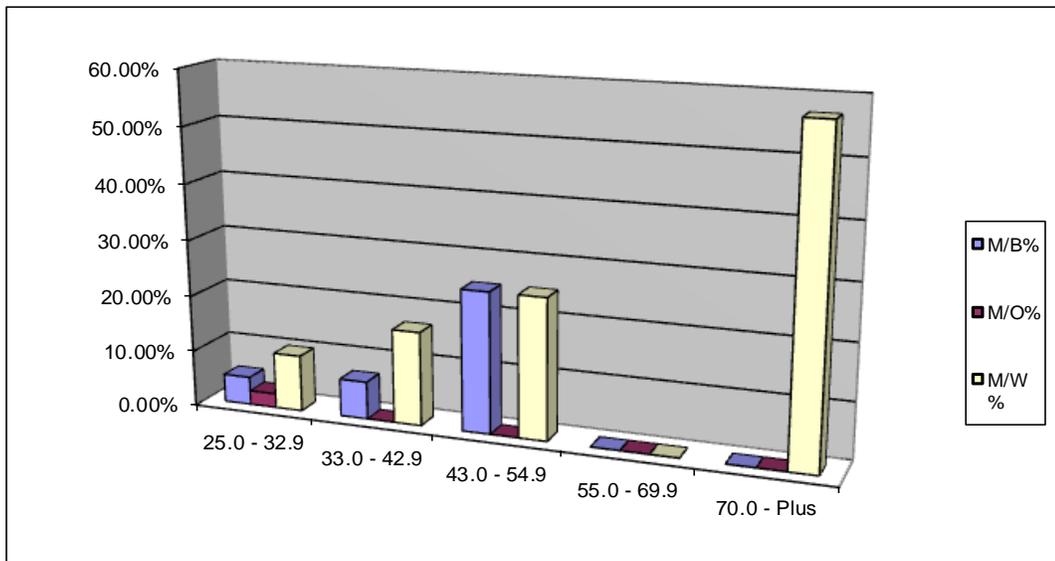
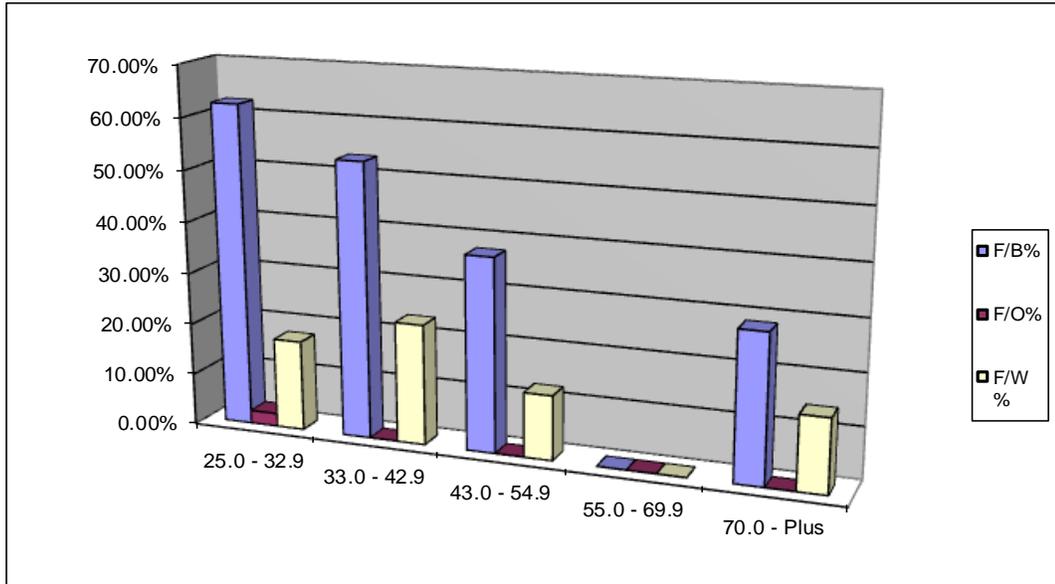


2011 EMPLOYEE UTILIZATION ANALYSIS

FEMALE

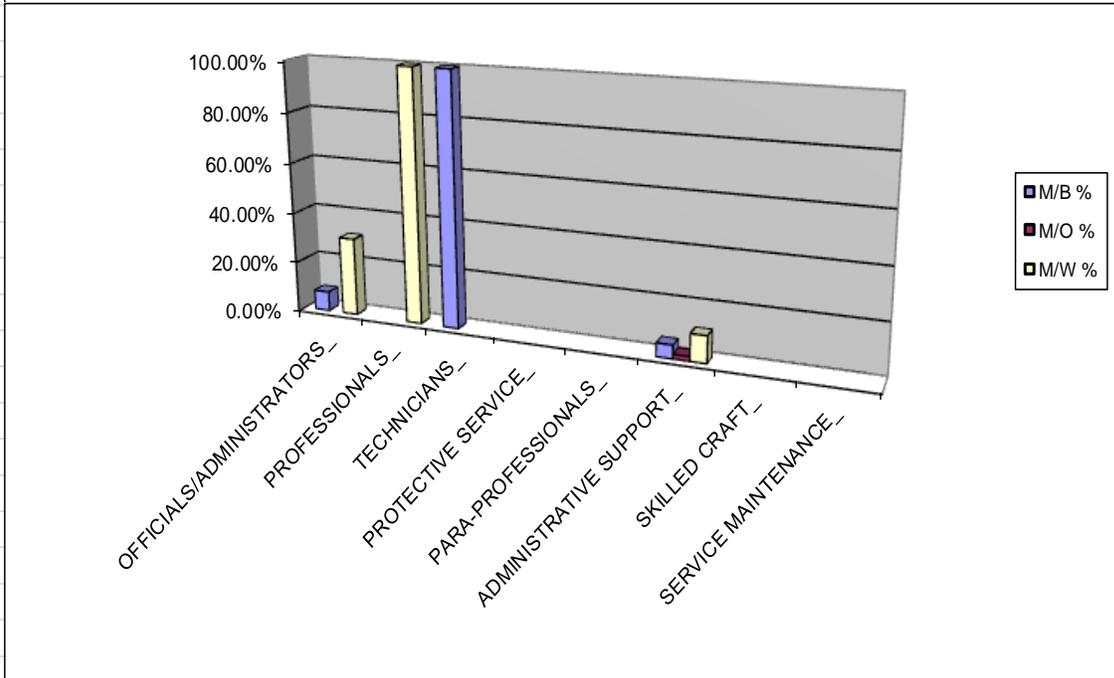
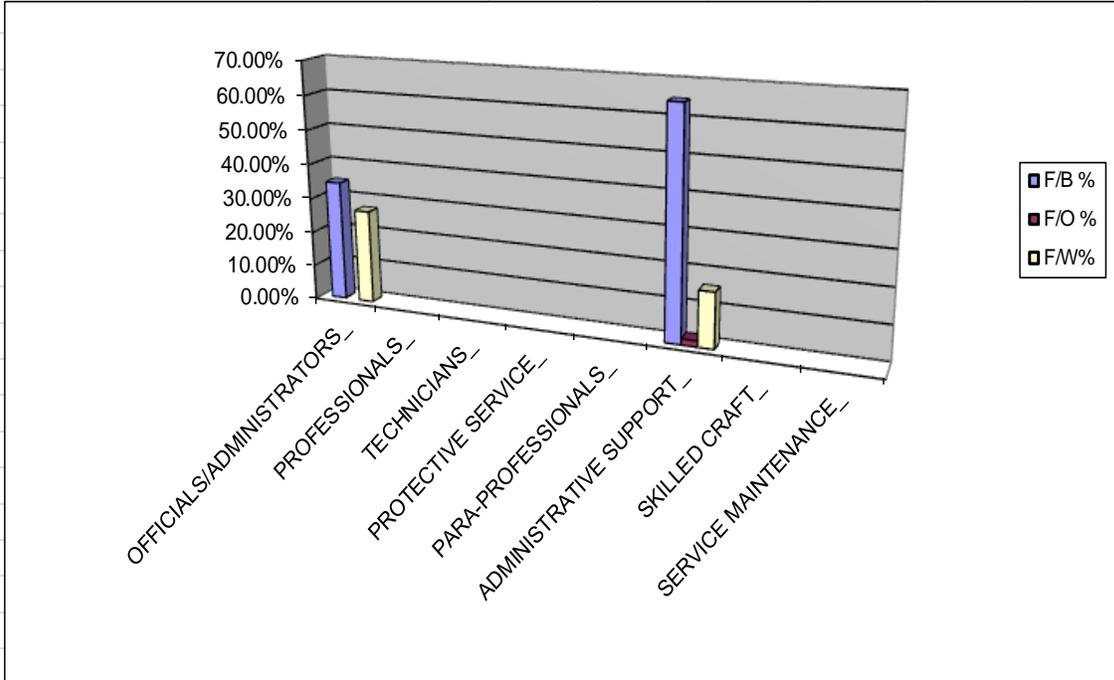
MALE

ANNUAL SALARY RANGE (IN THOUSANDS)	F/B%	F/O%	F/W%	M/B%	M/O%	M/W%
25.0 - 32.9	62.50%	2.50%	17.50%	5.00%	2.50%	10.00%
33.0 - 42.9	53.33%	0.00%	23.33%	6.67%	0.00%	16.67%
43.0 - 54.9	37.50%	0.00%	12.50%	25.00%	0.00%	25.00%
55.0 - 69.9	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
70.0 - Plus	28.60%	0.00%	14.30%	0.00%	0.00%	57.10%

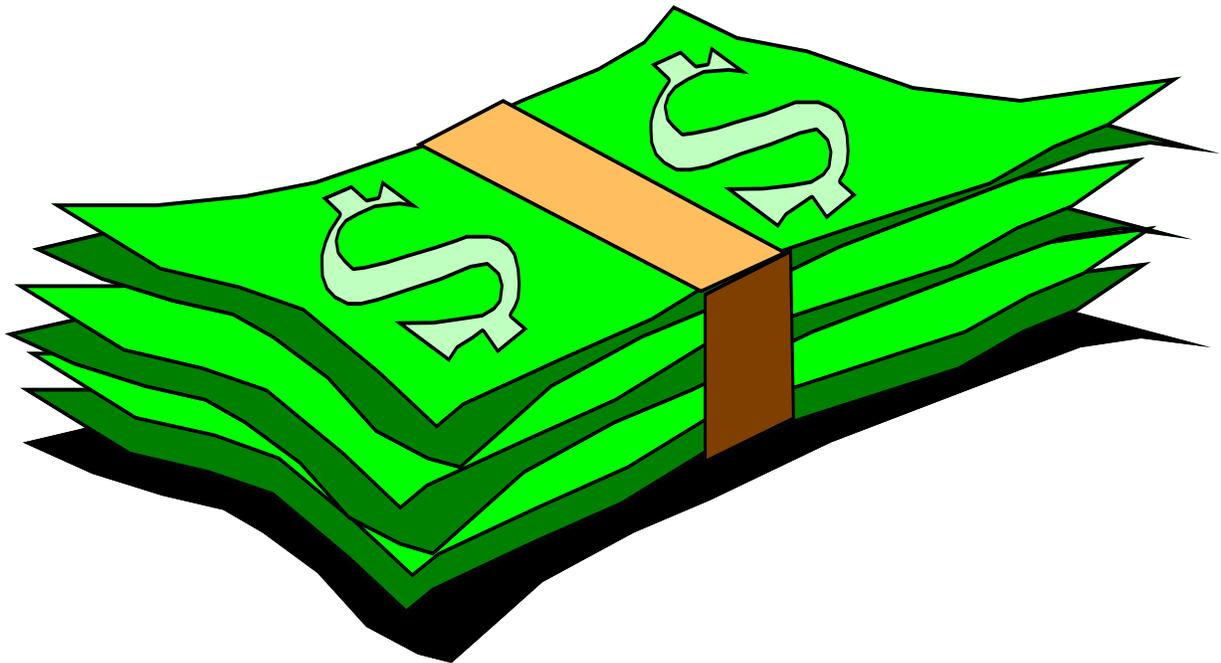


2011 EMPLOYEE UTILIZATION ANALYSIS

OCCUPATIONAL CATEGORY	FEMALE			MALE		
	F/B %	F/O %	F/W%	M/B %	M/O %	M/W %
OFFICIALS/ADMINISTRATORS_	34.62%		26.92%	7.69%		30.77%
PROFESSIONALS_						100%
TECHNICIANS_				100%		
PROTECTIVE SERVICE_						
PARA-PROFESSIONALS_						
ADMINISTRATIVE SUPPORT_	64.91%	1.75%	15.80%	5.26%	1.75%	10.53%
SKILLED CRAFT_						
SERVICE MAINTENANCE_						



FINANCE DIVISION



Billy Stewart, Director

Mr. Stewart came to the Criminal Court Clerk's office in 1998 as Deputy Director of Finance and was appointed the Director of Finance on September 1, 2010. He also worked in the Assessor of Property's office, the County Trustee's office and retired from the U.S. Postal Service as Controller of the Nashville, TN District office. He has a BBA, MBA, CPA and holds a Certified Public Administrator Certificate. The Director of Finance is responsible for the supervision and coordination of the Accounting Department, Collection Department and Purchases.

ACCOUNTING SECTION

Ned Franks, Deputy Director of Finance

Mr. Franks came to the Criminal Court Clerk's office on November 1, 2010. He has worked for several companies, mainly serving as Controller and Business Manager. Mr. Franks has extensive knowledge in the hotel management industry as well as working with nonprofit agencies, primarily doing financial statements, budgeting, forecasting and personnel & business management. He has a Bachelor of Business Administration Degree from Delta State University with a major in Accounting and minors in Finance and Economics. Also, he currently is enrolled in the Certified Public Administrator Program.

PURCHASING SECTION

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.

COLLECTION SECTION

Sheneak Beard, 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.
- The *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 2010

	BUDGET AS APPROVED	ACTUAL	VARIANCE
REVENUE:			
Elected Official's Fines and Fees	5,050,000	4,984,883	(65,117)
Other Revenue	81,000	4,628	(76,372)
Total Revenue	<u>5,131,000</u>	<u>4,989,511</u>	<u>(141,489)</u>
EXPENDITURES:			
Salaries and Labor	3,372,486	3,260,902	111,584
Other Compensation	12,000	6,936	5,064
Fringe Benefits	1,081,684	993,089	88,595
Supplies	111,774	99,015	12,759
Services	33,185	21,038	12,147
Professional/Contract Services	1,800	408	1,392
Rent, Utilities, and Maintenance	41,170	30,908	10,262
Interdepartmental Expenditures	129,919	125,952	3,967
Total Expenditures	<u>4,784,018</u>	<u>4,538,248</u>	<u>245,770</u>
Net Operations-Profit / (Loss)	346,982	451,263	104,281

Fiscal Year 2011

	BUDGET AS APPROVED	ACTUAL	VARIANCE
REVENUE:			
Elected Official's Fines and Fees	4,735,000	4,907,122	172,122
Other Revenue	7,000	44,127	37,127
Total Revenue	<u>4,742,000</u>	<u>4,951,249</u>	<u>209,249</u>
EXPENDITURES:			
Salaries and Labor	3,391,474	3,231,238	160,236
Other Compensation	12,000	11,759	241
Fringe Benefits	1,079,580	1,039,560	40,020
Supplies	83,455	83,009	446
Services	40,767	39,680	1,087
Professional/Contract Services	-	-	-
Rent, Utilities, and Maintenance	28,540	27,465	1,075
Interdepartmental Expenditures	152,817	152,065	752
Total Expenditures	<u>4,788,633</u>	<u>4,584,776</u>	<u>203,857</u>
Net Operations-Profit / (Loss)	(46,633)	366,473	413,106

FINES

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

		FY2009	FY2010	FY2011
Drug Fines	Bartlett Police Department	3,381	1,314	1,967
	City Of Bartlett	3,560	946	1,992
	Collierville Police Department	8,093	1,097	1,635
	Town of Collierville	8,093	1,184	1,635
	Germantown Police Department	0	175	1
	City Of Germantown	0	305	23
	Memphis Police Department	90,291	26,118	61,513
	City of Memphis	81,323	26,516	65,554
	Millington Police Department	1,221	1,328	311
	City of Millington	1,262	1,328	311
	Shelby County Sheriff's Department	79,879	16,581	18,608
	Shelby County Government	81,936	22,333	22,080
	Tennessee Highway Patrol	770	75,613	415
Total Drug Fines		359,809	174,838	176,045
Other Felony Fines		245,192	213,753	229,072
DUI and Other Misdemeanor Fines		284,689	218,094	210,134
Other Driving Offense Fines		88,713	62,044	58,326
TOTAL FINES RECEIVED		978,403	668,729	673,577

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.

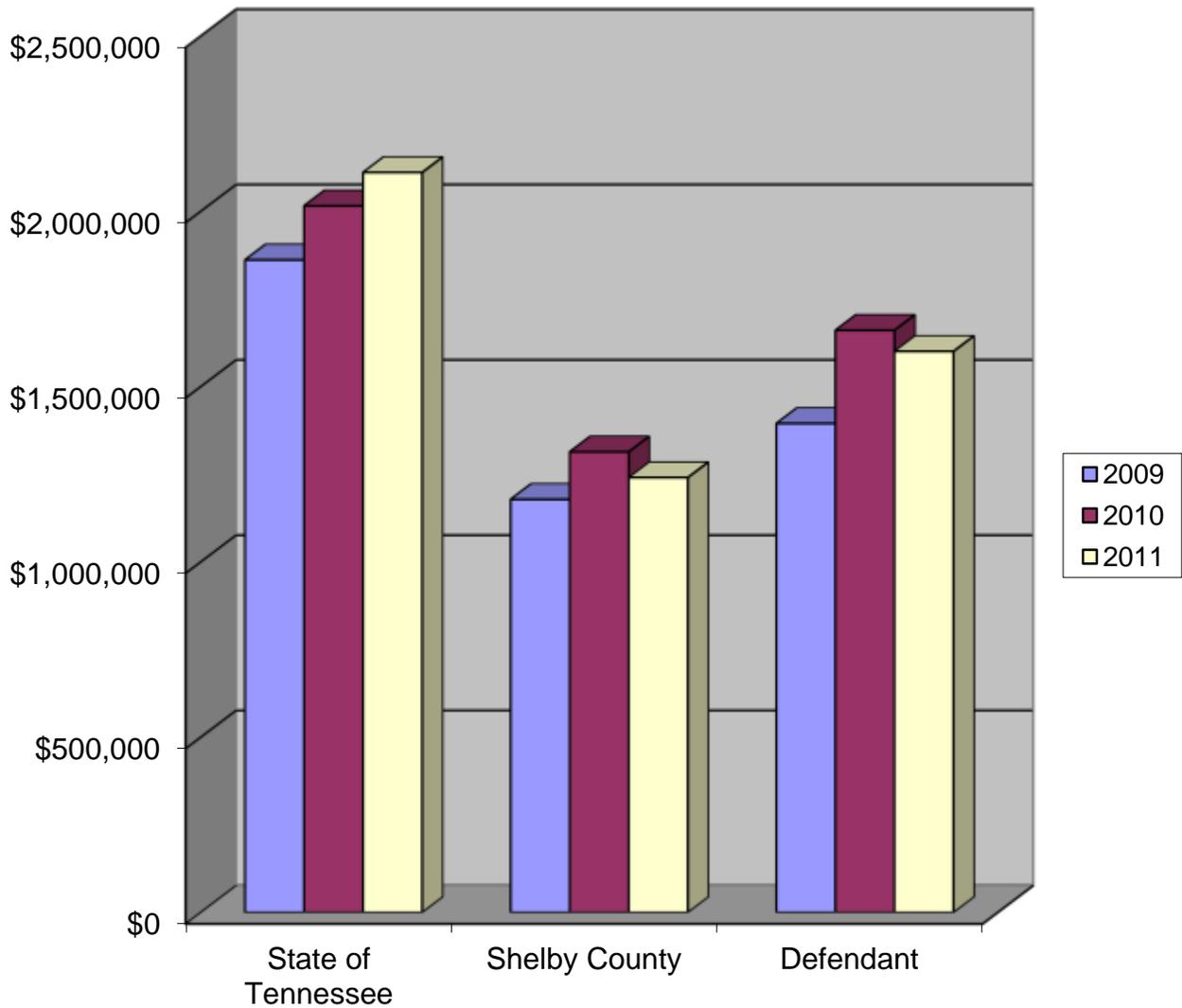
The largest amount of excess revenue collected is through commissions. The Clerk retains a commission for collecting the cost due to other agencies. Agencies include the Memphis Police Department, Shelby County Sheriff's Department, General Sessions Court Clerk and other local/municipal government agencies.

		2009	2010	2011
Commissions	Miscellaneous	189,194	178,554	314,696
	State of Tennessee	74,486	61,530	39,051
	Shelby County	115,692	92,150	83,077
	Department of Safety	8,998	6,569	5,980
Total Commissions		388,370	338,803	442,804
Total Interest Earned		21,134	4,626	2,960
Fees	Clerk's Collection Fees	754,746	868,137	790,033
	Clerk's Fees from Paid Cases	314,147	369,559	363,292
	Continuance Fees	358,456	378,541	391,120
	Credit Card Fees	4,104	3,725	3,390
	Escrow Collection Fees	34,200	26,056	25,411
	Expungement Fees	25,525	27,750	24,475
	Garnishment Fees	4,113	4,917	3,407
	Driver's License Reinstatement Fees	6,400	7,688	7,200
	Bond Service Fees	6,614	7,396	8,382
	Bond Forfeiture	11,650	32,750	16,400
	Fax Fees	0	3,309	0
	Driver's License Certification Fees	3,764	2,842	3,530
	Court Room Security Fees	12,503	11,814	13,789
	Subpoena Fees	6,381	5,966	5,610
	Victim Assistance Fees	41,509	41,438	37,606
	Return Check Fees	23	20	156
	Capias Forfeiture Fees	10,480	10,315	8,679
	Delinquent Payment Fees	10	40	38
	Record Check Fees	429	2,602	6,795
	Bond Petitions	27,450	29,925	30,225
	Cost Bond Petitions	0	0	19,575
	Cost Bond Postage	0	0	3,479
	Petitions	195,682	204,067	196,935
	Copies	2,911	2,475	1,793
	Bartlett Arrest Fees	4,938	4,198	3,903
	Collierville Arrest Fees	1,355	928	1,396
	Germantown Arrest Fees	350	338	168
	Memphis Arrest Fees	17,753	17,546	15,829
	Millington Arrest Fees	1,153	716	678
	Tenn Highway Patroll Arrest Fees	286	127	137
	Felony Appeals Fees	11,729	19,714	24,405
Total Fees		1,858,661	2,084,899	2,007,836

ESCROW COLLECTIONS

2009 – 2011

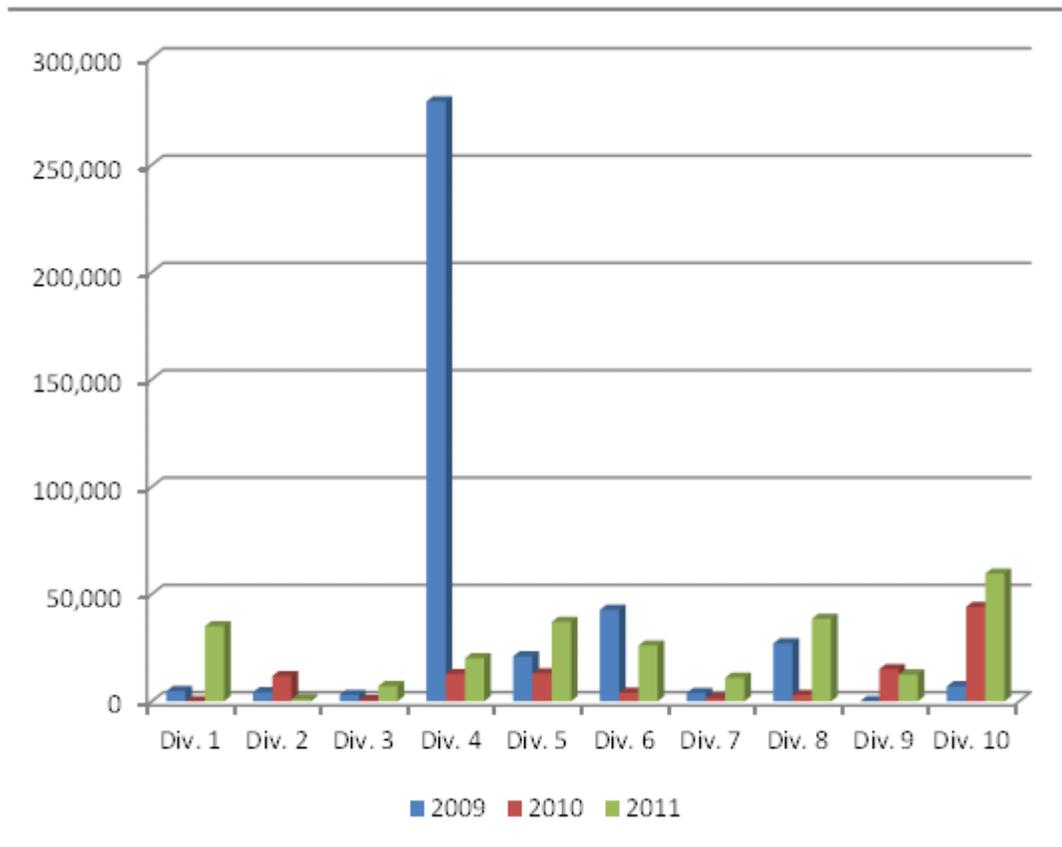
Rec'd From	2009	2010	2011
State of Tennessee	\$1,861,119	\$2,015,287	\$2,110,525
Shelby County	\$1,178,307	\$1,313,724	\$1,240,383
Defendant	\$1,394,689	\$1,660,500	\$1,600,341



FINAL JUDGMENTS PAID BY BONDING COMPANIES

2009 – 2011

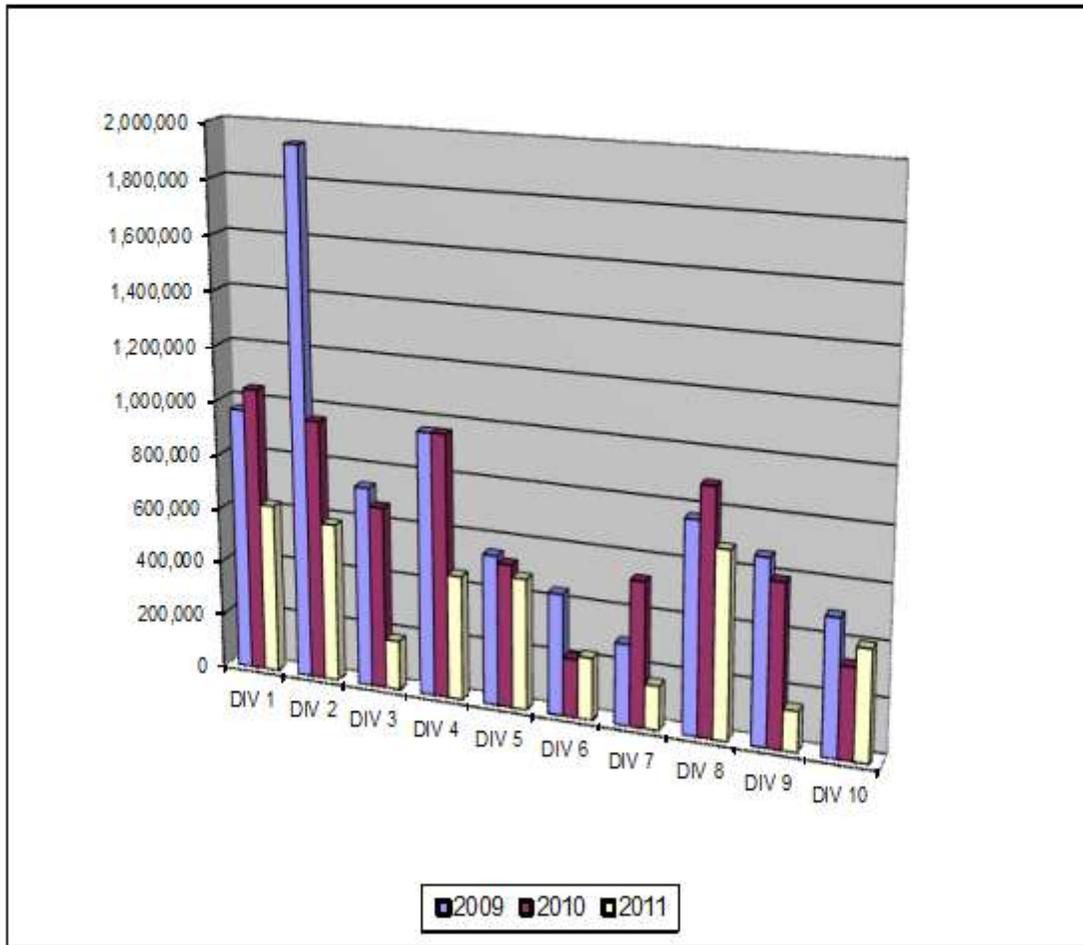
	2009	2010	2011
Div. 1	4,750	0	35,000
Div. 2	4,250	11,750	1,000
Div. 3	3,000	600	7,100
Div. 4	279,500	12,750	20,100
Div. 5	21,000	13,000	37,000
Div. 6	42,650	4,000	26,000
Div. 7	3,850	1,500	11,000
Div. 8	27,000	3,000	38,500
Div. 9	0	15,000	12,500
Div. 10	7,000	44,000	59,500
Total	393,000	105,600	247,700



BOND EXONERATIONS BY DIVISION

2009 – 2011

	2009	2010	2011
DIV 1	966,500	1,046,000	622,000
DIV 2	1,933,500	956,000	582,000
DIV 3	734,750	668,000	181,000
DIV 4	962,750	963,500	455,000
DIV 5	548,500	522,000	478,000
DIV 6	442,000	212,500	226,000
DIV 7	295,500	527,500	161,500
DIV 8	768,500	893,000	679,500
DIV 9	670,000	591,500	147,300
DIV 10	495,500	331,500	403,000
TOTALS	7,818,500	6,711,500	3,935,300



MISCELLANEOUS DATA

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

On January 12, 2012, there were 18,485 males and 1,189 females assigned to TDOC for a total of 19,674 inmates, incarcerated in Tennessee's adult institutions.

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

On June 30, 2011, there were 54,235 probationers under supervision of Probation/Parole Officers.

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

On June 30, 2011, the Community Corrections offender population was 7,584.

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

On June 30, 2011, the parole caseload was 12,429.

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

As of January 10, 2012 the Tennessee prison population incarcerated for the crime of homicide was 25.03%. 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 January 10, 2012 the Tennessee prison population incarcerated for sex offenses was 14.28%. 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 January 10, 2012 the Tennessee prison population incarcerated for drug offenses was 15.72%.

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

In Fiscal Year 2010 - 11, the average cost-per-day to house a TDOC inmate(including those housed at privately managed facilities) was \$64.83. The cost to house a death row inmate was \$94.74

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

On February 1, 2012, there were 84 males and 1 female on death row in Tennessee totaling 85 inmates.

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

On January 12, 2012 there were 10 juveniles incarcerated in Tennessee facilities.

- *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 January 10, 2012, there were 1,861 offenders serving life sentences (i.e., life, life minimum and habitual) and 301 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.

APPELLANT – Party appealing a decision or judgment to a higher court.

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 an attorney, which presents the law and facts supporting his or her client.

C

CASELOAD – The number of cases a judge handles.

CAUSE OF ACTION – A legal claim.

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 of 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.

GUARDIAN AD LITEM – A person appointed by a court to manage the interests of a minor or incompetent person whose property is involved in litigation.

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.

HASHISH – 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 or 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

RECESS – A short interval during which court suspends business, but without adjourning.

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

SCIRE FACIAS – A judicial writ, founded upon a record, and when brought to enforce the payment of money, it must be for a specific sum, or perhaps, in addition, interest or exchange, as an incident to the debt.

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.