

SHELBY COUNTY MAYOR
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SHELBY COUNTY BOARD OF COMMISSIONERS

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Marilyn Loeffel

Michael Hooks

David Lillard

Cleo C. Kirk

Bruce Thompson

ANNUAL REPORT

CRIMINAL COURT OF MEMPHIS AND SHELBY COUNTY

201 Poplar – Suite 401
Memphis, Tennessee 38103

2005

William R. Key, Criminal Court Clerk

Thirtieth Judicial District

At
Memphis

CRIMINAL COURT JUDGES

Paula Skahan	Division I
W. Otis Higgs, Jr.	Division II
John P. Colton, Jr.	Division III
Carolyn Wade Blackett	Division IV
Joseph B. Dailey	Division V
W. Fred Axley	Division VI
Arthur T. Bennett	Division VII
Chris Craft	Division VIII
W. Mark Ward	Division IX
James C. Beasley, Jr.	Division X

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WILLIAM R. KEY

Criminal Court Clerk Thirtieth Judicial District at Memphis

William R. Key was re-elected to the position of the Criminal Court Clerk and assumed the office for a third term on September 1, 2002.

Keeper of the records for Criminal Court of Shelby County

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

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

Former Director of Student Financial Aid at Christian Brothers University

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

Former Memphis Police Officer

Bachelor of Science: Memphis State University

Masters in Administration: Memphis State University

Certified Public Administrator: U. T.

COMMUNITY ACTIVITIES

Christ the King Lutheran Church

Memphis Youth Initiative

Whitehaven Optimist Club Pres.

Memphis Youth Guidance Commission

Tennessee Probation Officers Association

S.E. Republican Party Pres/Treasurer

Juvenile Drug and Delinquency Prevention Initiation

Member Republican Shelby County Steering Comm.

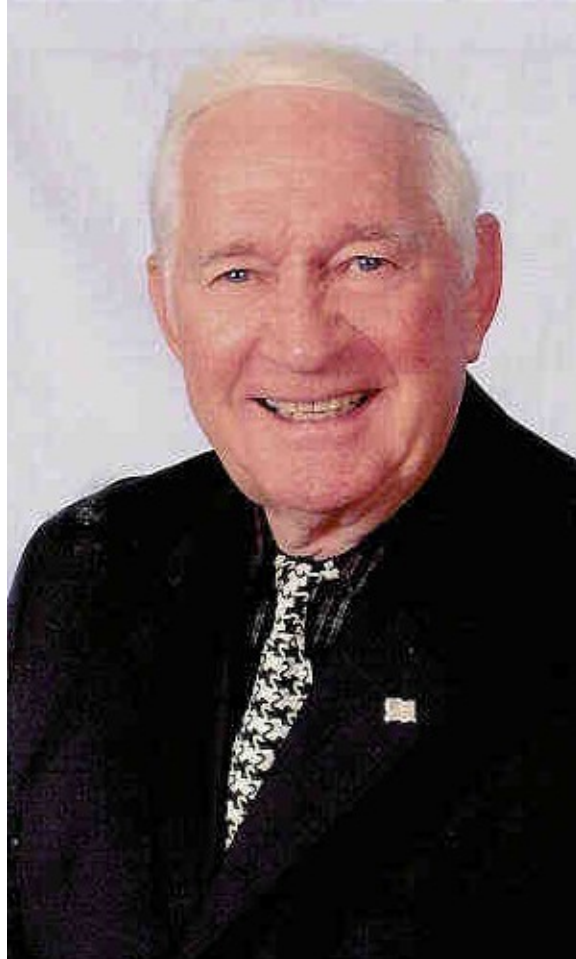
Parenting Coalition

Variety Club of Memphis

Crimestoppers Board

C.O.A.T. Board

PHOTOGRAPH



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

ADMINISTRATIVE STAFF

Mr. Ray Turner

Chief Administrative Officer (CAO)

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

Mrs. Maerne Bernard

Director of Operations

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

Mrs. Janis Dunavant

Director of Administrative Services

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

Mr. Frank Warren Young

Director of Finance

Mr. Young began his career in the Criminal Court Clerk's office in 1970 and in 1974 continued his career with the State of Tennessee as an Investigator for the District Attorney General's Office where he was employed over 20 years as an Assistant Chief Investigator. Mr. Young has a Bachelor's Degree from MSU in Police Administration, a Master's Degree from MSU in Public Administration and graduated from the FBI National Academy in 1982. He is a career employee with over 37 years experience with both Shelby County Government and the State of Tennessee. The Director of Finance is responsible for the supervision and coordination of the Accounting Department, Bond Department, and the Collection Department.

Debbie Guasco
Executive Secretary

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

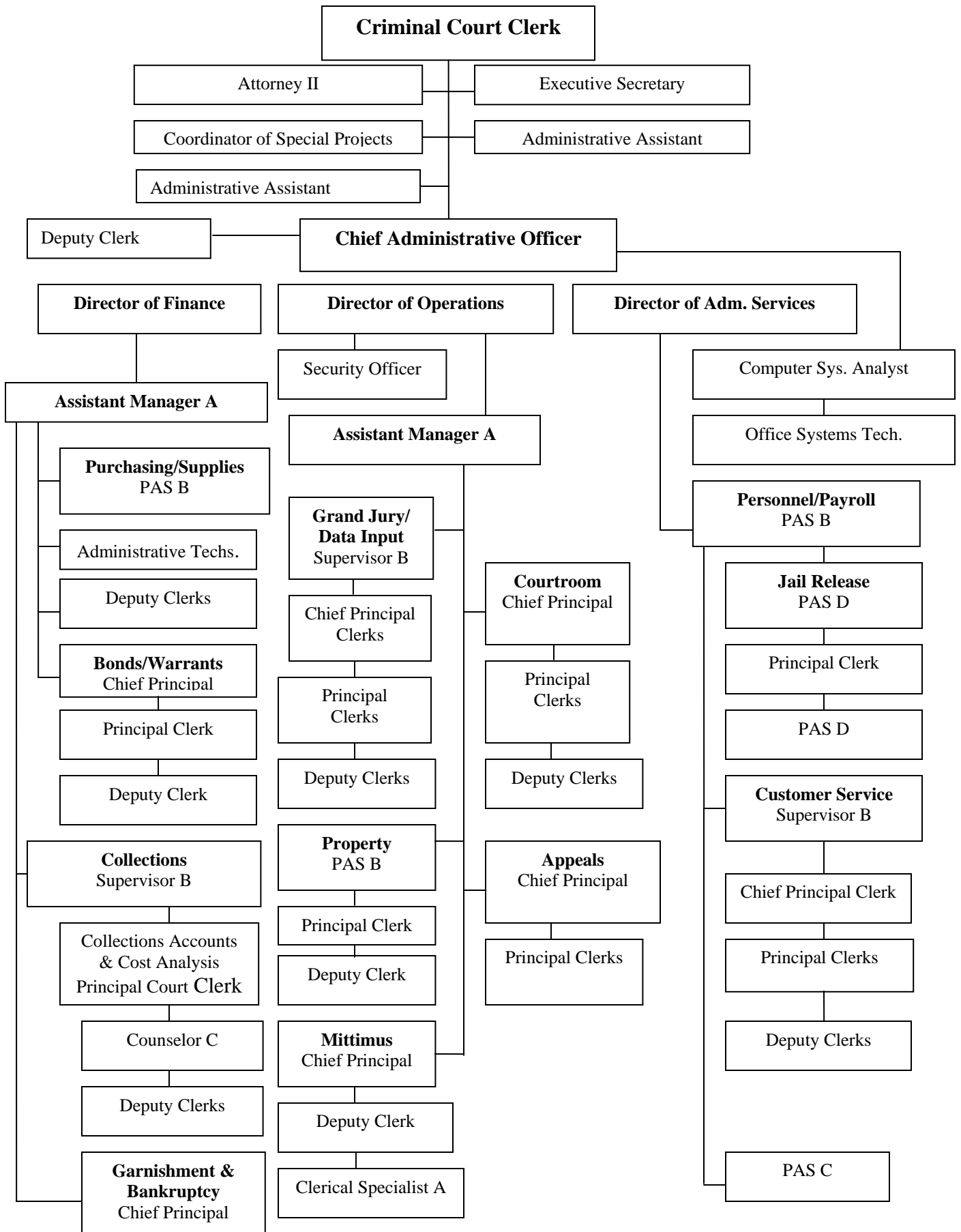
Mrs. Paddy Ward
Administrative Assistant – Training

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

Security Coordinator

The Security Coordinator, with the assistance of a security guard, is responsible for providing floor security for the Clerk's office and developing and implementing policies and procedures related to the security of the Clerk's office. Special concerns shall be given to the security of money, records and safety of employees. It is the additional responsibility of the Security Coordinator to investigate any suspected illegal activity involving the Clerk's office.

ORGANIZATIONAL CHART



TENNESSEE COURTS

SUPREME COURT

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

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

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

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

INTERMEDIATE APPELLATE COURTS

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

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

Court of Appeals judges run on a “yes-no” ballot every eight years. Voters decide to retain or reject the judges, who run unopposed.

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

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

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

STATE TRIAL COURTS

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

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

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

CHANCERY COURTS are a good example of the court system's English heritage. The traditional equity courts are based on the English system in which the chancellor acted as the "King's conscience". Chancellors may, by law and tradition, modify the application of strict legal rules and adapt the relief given to the circumstances of individual cases.

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

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

COURTS OF LIMITED JURISDICTION

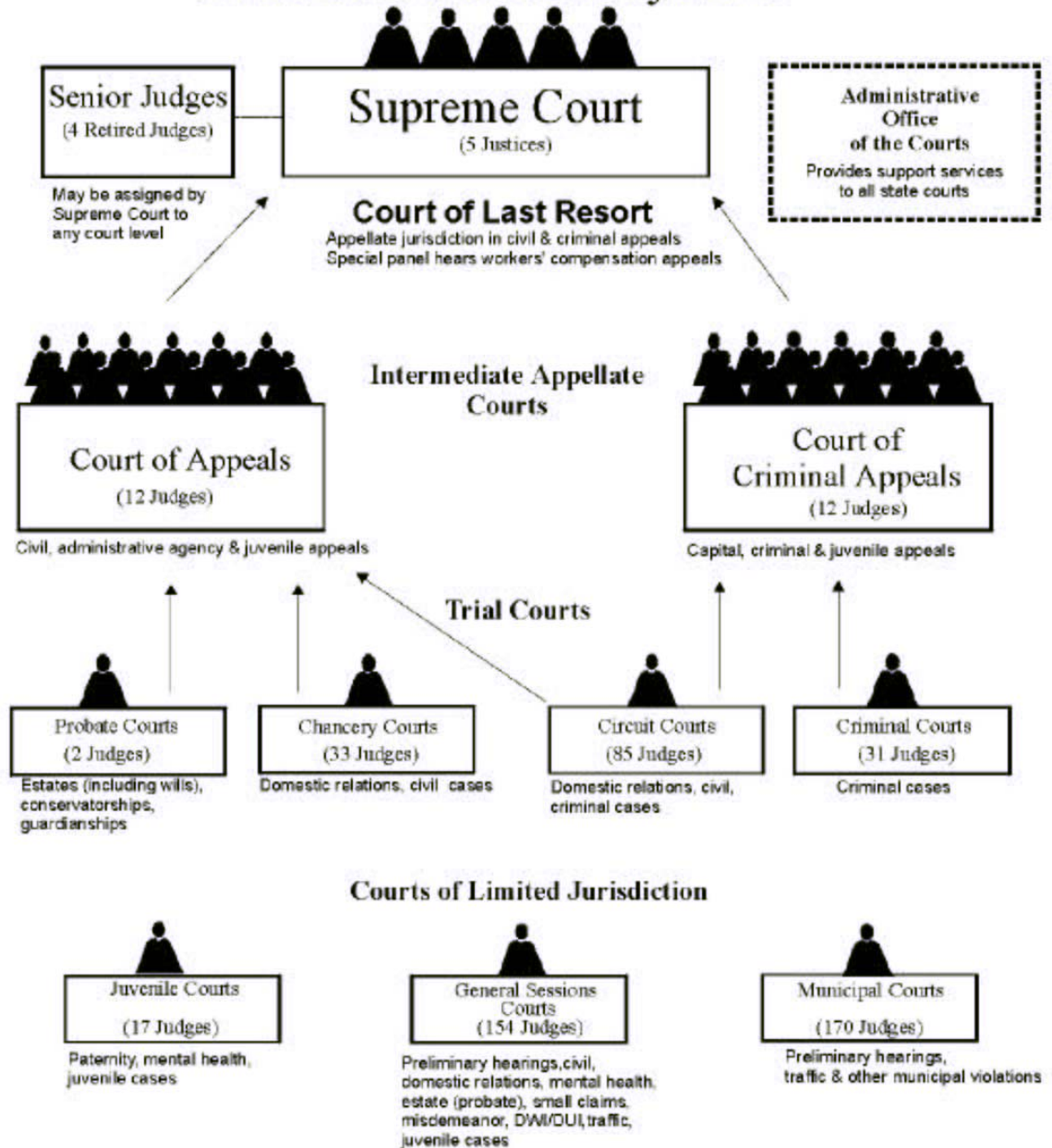
The **GENERAL SESSIONS COURT** jurisdiction varies from county to county based on state laws and private acts. The court that hears civil and criminal cases, including matters formerly handled by justices of peace, services every county. Civil jurisdiction is restricted to specific monetary limits and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

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

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



Tennessee Judicial System



OPERATIONS

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



OPERATIONS DIVISION

Maerne Bernard, Director

Sandra Cross, Deputy Director

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

APPEALS SECTION

Tim Lewis, Supervisor

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

COURTROOM CLERKS

Sandra Brown, Supervisor

Sandra Sandidge, Supervisor

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

DATA INPUT SECTION

Steve Collier, Supervisor

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

GRAND JURY SECTION

Steve Collier, Supervisor

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

MITTIMUS SECTION

Phyllis Sheppard, Supervisor

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

PROPERTY AND EVIDENCE SECTION

Carl Townsend, Supervisor

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

OPERATIONS STATISTICAL INFORMATION



CRIMINAL FILINGS

2003	
FELONY TRUE BILLS OF INDICTMENT	8,692
MISDEMEANOR TRUE BILLS OF INDICTMENT	6,420
PETITIONS & MOTIONS ¹	1,160
NOT TRUE BILLS OF INDICTMENT	6
TOTAL BILLS OF INDICTMENT	16,278

2004	
FELONY TRUE BILLS OF INDICTMENT	9,101
MISDEMEANOR TRUE BILLS OF INDICTMENT	6,575
PETITIONS & MOTIONS	1,457
NOT TRUE BILLS OF INDICTMENT	24
TOTAL BILLS OF INDICTMENT	17,157

2005	
FELONY TRUE BILLS OF INDICTMENT	9,091
MISDEMEANOR TRUE BILLS OF INDICTMENT	6,837
PETITIONS & MOTIONS ¹	1,147
NOT TRUE BILLS OF INDICTMENT	42
TOTAL BILLS OF INDICTMENT ²	17,117

CRIMINAL INFORMATION CASES

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

2003	2004	2005
1,062	810	981

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
- §55-10-414 Child Endangerment – Drunk Driving
Protection

SEXUAL OFFENSES

- §39-2-614 Indecent Exposure
- §39-13-511 Public Indecency
- §39-13-513 Prostitution
- §39-13-514 Patronizing 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. Property
- §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

OBSTRUCTION OF JUSTICE

- §39-16-602 Resisting Official Detention
- §39-16-603 Evading Arrest
- §39-16-605 Escape From Misdemeanor
Incarceration

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	§39-6-456	Unlawful Poss. of Drug Paraphernalia
§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		

GAMBLING

§39-17-502	Gambling
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INTOXICATING LIQUORS

§39-17-713	Storage of Liquor for Sale
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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

WEAPONS

§39-17-1302	Possession of Prohibited Weapon
§39-17-1305	Possession of Firearm Where Alcoholic Bev. Are Sold/Served
§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 Without License in Poss.
§55-10-205	Reckless Driving	§55-10-504	Driving While 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	Possession of Vehicle with Alt. Serial Number
§40-21-103	Petition To Suspend Remainder of Sentence	§55-5-115	Improper Use of Auto Reg. Papers
§40-21-106	Violation of Probation	§55-50-601	Fraud./Unlawful Use of Drivers Lic.
§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

2003

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	0	0	0	0
GUILTY PLEA	2	34	8	14	2	24	9	6	1	5	105
OTHER	7	6	4	7	6	3	8	6	6	8	61
TOTAL	9	40	12	21	8	27	17	12	7	13	166

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	2	2	0	0	2	1	0	0	1	8
GUILTY PLEA	0	1	0	2	1	0	2	0	0	0	6
OTHER	0	1	0	0	0	0	0	0	0	1	2
TOTAL	0	4	2	2	1	2	3	0	0	2	16

OFFENSES AGAINST PERSON

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	2	0	3	0	0	0	5
CONVICTIONS AFTER TRIAL	0	3	0	0	0	1	1	2	0	2	9
DISMISS/NOLLE PROSEQUI	44	36	28	28	26	63	44	34	25	27	355
GUILTY PLEA	98	81	69	92	46	94	55	83	80	65	763
OTHER	12	10	13	7	1	4	6	7	6	14	80
TOTAL	154	130	110	127	75	162	109	126	111	108	1212

OFFENSES AGAINST PROPERTY

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	1	0	0	1
CONVICTIONS AFTER TRIAL	1	1	0	0	0	0	0	6	0	2	10
DISMISS/NOLLE PROSEQUI	61	38	55	53	50	56	54	49	57	53	526
GUILTY PLEA	100	93	107	93	60	114	103	113	108	91	982
OTHER	18	12	18	31	14	4	12	19	11	21	160
TOTAL	180	144	180	177	124	174	169	188	176	167	1679

TOTAL DISPOSITION OF MISDEMEANOR INDICTMENTS

2003

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	2	0	3	3	0	8
GUILTY PLEA	0	2	0	0	0	7	1	1	0	3	14
OTHER	0	2	0	0	0	0	0	0	0	0	2
TOTAL	0	4	0	0	0	9	1	4	3	3	24

OFFENSES AGAINST THE ADMINISTRATION OF THE GOVERNMENT

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	1	0	0	0	0	0	0	0	0	0	1
CONVICTIONS AFTER TRIAL	1	0	0	0	1	0	0	0	1	0	3
DISMISS/NOLLE PROSEQUI	2	3	7	4	1	6	9	5	1	6	44
GUILTY PLEA	10	18	9	18	9	19	5	20	14	8	130
OTHER	2	0	2	1	0	0	1	0	1	0	7
TOTAL	16	21	18	23	11	25	15	25	17	14	185

OFFENSES AGAINST THE PUBLIC HEALTH, SAFETY, AND WELFARE

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	1	0	0	0	0	0	0	0	2	3
CONVICTIONS AFTER TRIAL	0	2	1	0	0	0	1	5	1	0	10
DISMISS/NOLLE PROSEQUI	38	26	37	27	19	19	26	32	35	24	283
GUILTY PLEA	138	156	180	135	60	126	83	108	115	105	1206
OTHER	2	20	13	9	4	7	3	13	10	13	94
TOTAL	178	205	231	171	83	152	113	158	161	144	1596

MOVING TRAFFIC VIOLATIONS

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	2	1	0	1	0	0	0	6	0	0	10
CONVICTIONS AFTER TRIAL	0	0	2	1	0	0	0	1	0	0	4
DISMISS/NOLLE PROSEQUI	189	165	186	194	110	203	199	175	144	165	1730
GUILTY PLEA	259	296	255	319	182	343	331	274	243	261	2763
OTHER	46	63	56	58	47	64	41	57	67	40	539
TOTAL	496	525	499	573	339	610	571	513	454	466	5046

TOTAL DISPOSITION OF MISDEMEANOR INDICTMENTS

2004

GENERAL PROVISIONS

COURT DIVISIONS	I	0	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTIONS AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	1	15	2	0	0	0	0	0	0	0	18
GUILTY PLEA	1	0	3	15	1	14	8	6	2	0	50
OTHER	0	0	0	3	0	0	0	0	0	0	3
TOTAL	2	15	5	18	1	14	8	6	2	0	71

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	2	0	1	1	1	2	0	2	2	11
GUILTY PLEA	7	5	7	8	3	7	7	7	7	5	63
OTHER	1	0	0	0	0	0	0	0	0	0	1
TOTAL	8	7	7	9	4	8	9	7	9	7	75

OFFENSES AGAINST PERSON

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	2	2	0	0	0	0	2	0	0	6
CONVICTIONS AFTER TRIAL	0	0	2	2	0	0	0	3	0	0	7
DISMISS/NOLLE PROSEQUI	49	52	62	59	21	56	51	39	37	52	478
GUILTY PLEA	86	80	93	86	50	142	58	95	106	104	900
OTHER	5	19	22	11	7	17	18	12	18	12	141
TOTAL	140	153	181	158	78	215	127	151	161	168	1532

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	1	2	0	0	1	0	1	5
DISMISS/NOLLE PROSEQUI	35	64	51	42	151	48	30	47	45	55	568
GUILTY PLEA	100	107	110	86	56	133	78	101	106	111	988
OTHER	8	17	21	9	7	15	10	9	18	11	125
TOTAL	143	188	182	138	216	196	118	158	169	178	1686

TOTAL DISPOSITION OF MISDEMEANOR INDICTMENTS

2004

OFFENSES AGAINST THE FAMILY

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTIONS AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	1	2	1	0	0	0	1	1	2	1	9
GUILTY PLEA	1	0	0	1	0	0	0	0	1	0	3
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	2	2	1	1	0	0	1	1	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	0	0	1	0	0	0	0	0	0	0	1
DISMISS/NOLLE PROSEQUI	5	15	16	5	8	16	13	2	3	11	94
GUILTY PLEA	25	30	24	19	18	29	10	11	11	12	189
OTHER	3	3	0	0	0	2	0	3	5	0	16
TOTAL	33	48	41	24	26	47	23	16	19	23	300

OFFENSES AGAINST THE PUBLIC HEALTH, SAFETY, AND WELFARE

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	1	0	2	0	0	0	0	0	1	0	4
CONVICTIONS AFTER TRIAL	0	2	0	0	0	0	0	0	1	0	3
DISMISS/NOLLE PROSEQUI	19	51	42	29	11	35	30	18	31	35	301
GUILTY PLEA	95	130	117	106	38	139	105	95	113	125	1063
OTHER	1	12	8	6	5	11	4	4	15	10	76
TOTAL	116	195	169	141	54	185	139	117	161	170	1,447

MOTOR TRAFFIC VIOLATIONS

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	2	0	0	0	2	0	0	0	0	1	5
CONVICTIONS AFTER TRIAL	12	2	0	2	0	0	2	2	0	2	22
DISMISS/NOLLE PROSEQUI	182	200	172	162	97	200	189	151	172	196	1721
GUILTY PLEA	239	272	237	221	136	294	227	225	236	237	2,324
OTHER	35	46	49	52	28	43	48	32	44	44	421
TOTAL	470	520	458	437	263	537	466	410	452	480	4493

TOTAL DISPOSITION OF MISDEMEANOR INDICTMENTS

2005

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	2	1	0	1	0	0	0	0	1	5
GUILTY PLEA	1	16	11	24	2	10	7	6	2	1	80
OTHER	0	0	0	0	0	0	0	0	0	2	2
TOTAL	1	18	12	24	3	10	7	6	2	4	87

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	1	0	0	0	0	1	0	0	0	2
GUILTY PLEA	4	1	1	1	1	2	7	6	5	7	35
OTHER	0	1	1	0	0	0	0	0	0	1	3
TOTAL	4	3	2	1	1	2	8	6	5	8	40

OFFENSES AGAINST PERSON

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	1	0	0	1	2	4
CONVICTIONS AFTER TRIAL	1	0	0	6	0	0	0	0	0	1	8
DISMISS/NOLLE PROSEQUI	46	56	50	51	37	29	52	34	42	38	435
GUILTY PLEA	113	93	88	100	74	81	75	90	97	88	899
OTHER	21	12	13	8	10	12	4	13	19	43	155
TOTAL	181	161	151	165	121	123	131	137	159	172	1501

OFFENSES AGAINST PROPERTY

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	2	0	1	0	0	0	3
CONVICTIONS AFTER TRIAL	0	2	0	2	2	0	1	3	0	0	10
DISMISS/NOLLE PROSEQUI	44	38	67	25	23	31	33	29	30	36	356
GUILTY PLEA	139	100	101	96	89	80	79	94	113	77	968
OTHER	6	18	1	5	14	8	8	6	21	7	94
TOTAL	189	158	169	128	130	119	122	132	164	120	1431

TOTAL DISPOSITION OF MISDEMEANOR INDICTMENTS

2005

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	1	0	0	0	0	0	0	1	2	4
GUILTY PLEA	2	0	0	0	0	0	1	2	1	2	8
OTHER	0	0	0	0	1	0	0	0	0	2	3
TOTAL	2	1	0	0	1	0	1	2	2	6	15

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	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	14	11	17	7	12	7	19	6	6	14	113
GUILTY PLEA	24	18	22	22	12	37	7	32	21	24	219
OTHER	3	0	1	1	1	2	0	3	0	3	14
TOTAL	41	29	40	30	25	46	26	41	27	41	346

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	1	1
CONVICTIONS AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	62	27	28	16	24	18	40	34	11	43	303
GUILTY PLEA	120	145	107	118	75	81	116	121	109	106	1098
OTHER	7	10	10	3	9	7	3	18	9	16	92
TOTAL	189	182	145	137	108	106	159	173	129	166	1,494

MOTOR TRAFFIC VIOLATIONS

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	3	0	0	0	1	0	0	1	0	1	6
CONVICTIONS AFTER TRIAL	0	3	0	0	1	0	0	4	0	6	14
DISMISS/NOLLE PROSEQUI	169	152	187	176	138	136	174	136	141	153	1562
GUILTY PLEA	215	230	215	239	199	184	248	227	236	243	2,236
OTHER	34	37	39	36	47	49	29	42	35	52	400
TOTAL	421	422	441	451	386	369	451	410	412	455	4,218

COMMON TYPE 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 State Revenue Tax |
| §55-5-116 | Altering, Falsifying or Forging Evidence
Of Title, Assignments or Plates | §71-3-120 | Fraud to Obtain Aid for Dependent Children |
| §55-50-321 | Fraudulent Drivers License Application | | |

GENERAL OFFENSES

PREPARATORY OFFENSES

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

OFFENSES AGAINST PERSON

ASSAULT OFFENSES

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

CRIMINAL HOMICIDE

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

KIDNAPPING AND FALSE IMPRISONMENT

- | | |
|------------|------------|
| §39-13-212 | Kidnapping |
|------------|------------|

- | | |
|------------|----------------------------------|
| §39-13-304 | Aggravated Kidnapping |
| §39-13-305 | Especially Aggravated 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 Especially Aggravated Burglary
§39-14-408 Vandalism
§39-14-411 Destruction or Interference with
Utility Lines, Fixtures, Appliances,
or Railroad Property
§39-3-401 Burglary First Degree
§39-3-403 Burglary Second Degree
§39-3-404 Burglary Third Degree
§39-3-406 Breaking Into, Entering, & Burglarizing
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 TYPE 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

§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. OPERATIONS

§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

OBSTRUCTION OF JUSTICE

§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

WEAPONS

§39-17-1302 Possession of Prohibited Weapon
§39-17-1306 Carrying Weapons During Judicial
Proceedings
§39-17-1309 Carrying Weapons on School Property
§39-13-1713 Possession of a Sawed Off Shotgun

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

2003

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	7	6	1	2	7	17	4	6	11	66
GUILTY PLEA	4	3	6	11	4	9	14	17	10	9	87
OTHER	11	10	7	8	3	12	8	13	16	18	106
TOTAL	20	20	19	20	9	28	39	34	32	38	259

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	0	0	0	0	0	0
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	0	1	0	0	0	0	0	0	0	0	1
TOTAL	0	1	0	0	0	0	0	0	0	0	1

OFFENSES AGAINST PERSONS

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	4	3	1	2	18	1	1	13	3	9	55
CONVICTION AFTER TRIAL	4	19	38	6	81	6	2	30	6	5	197
DISMISS/NOLLE PROSEQUI	70	88	95	104	135	165	175	126	93	124	1,175
GUILTY PLEA	88	144	93	132	210	165	168	212	115	177	1,504
OTHER	4	14	13	12	11	14	8	22	37	37	172
TOTAL	170	268	240	256	455	351	354	403	254	352	3,103

OFFENSES AGAINST PROPERTY

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	12	0	0	0	0	0	1	1	0	1	15
CONVICTION AFTER TRIAL	1	0	2	0	3	0	3	3	0	2	14
DISMISS/NOLLE PROSEQUI	270	248	183	228	190	249	207	241	179	230	2,225
GUILTY PLEA	261	192	187	283	302	333	212	287	271	220	2,548
OTHER	35	82	43	85	33	72	39	49	75	56	569
TOTAL	579	522	415	596	528	654	462	581	525	509	5,371

TOTAL DISPOSITION OF FELONY INDICTMENTS

2003

OFFENSES AGAINST THE FAMILY

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	2	0	0	0	0	0	0	0	0	0	2
CONVICTION AFTER TRIAL	1	0	0	0	0	0	2	0	0	1	4
DISMISS/NOLLE PROSEQUI	6	1	1	1	3	3	3	0	5	4	27
GUILTY PLEA	1	0	0	1	1	2	1	0	2	2	10
OTHER	0	0	0	0	0	0	0	1	0	0	1
TOTAL	10	1	1	2	4	5	6	1	7	7	44

OFFENSES AGAINST THE 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	1	0	1
CONVICTION AFTER TRIAL	0	0	0	0	3	0	0	0	1	1	5
DISMISS/NOLLE PROSEQUI	57	30	23	22	18	17	19	22	14	40	262
GUILTY PLEA	27	36	30	24	29	39	43	32	22	22	304
OTHER	2	7	3	1	1	6	1	2	2	2	27
TOTAL	86	73	56	47	51	62	63	56	40	65	599

OFFENSES AGAINST THE PUBLIC HEALTH, SAFETY, & WELFARE

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	1	0	0	0	1
CONVICTION AFTER TRIAL	4	2	0	0	0	0	0	3	0	0	9
DISMISS/NOLLE PROSEQUI	271	339	323	272	142	248	188	190	186	160	2,319
GUILTY PLEA	81	179	76	103	108	156	96	90	97	82	1,068
OTHER	20	37	28	26	23	30	23	33	29	24	273
TOTAL	376	557	427	401	273	434	308	316	312	266	3,670

MOVING TRAFFIC VIOLATIONS

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTION AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	13	3	7	3	2	6	4	0	6	5	49
GUILTY PLEA	41	52	55	39	40	46	45	42	34	41	435
OTHER	5	12	3	2	4	0	1	2	3	5	37
TOTAL	59	67	65	44	46	52	50	44	43	51	521

TOTAL DISPOSITION OF FELONY INDICTMENTS

2004

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	2	0	0	0	0	0	0	0	0	2
DISMISS/NOLLE PROSEQUI	7	11	1	4	0	1	6	4	2	3	39
GUILTY PLEA	5	11	0	2	1	0	2	0	1	1	23
OTHER	0	2	0	0	0	1	0	0	0	1	4
TOTAL	12	26	1	6	1	2	8	4	3	5	68

GENERAL OFFENSES

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

OFFENSES AGAINST PERSONS

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	6	8	4	1	18	0	1	9	1	5	53
CONVICTION AFTER TRIAL	16	30	42	7	68	5	9	60	23	17	277
DISMISS/NOLLE PROSEQUI	114	184	105	110	167	223	135	159	155	186	1538
GUILTY PLEA	137	103	117	173	239	227	143	185	190	171	1,685
OTHER	9	12	20	27	10	16	6	14	28	24	166
TOTAL	282	337	288	318	502	471	294	427	397	403	3,719

OFFENSES AGAINST PROPERTY

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	2	0	2	0	0	0	0	2	0	4	10
CONVICTION AFTER TRIAL	0	12	1	1	5	0	2	10	0	3	34
DISMISS/NOLLE PROSEQUI	129	191	204	129	291	258	187	203	157	194	1943
GUILTY PLEA	168	224	191	221	369	241	197	258	200	239	2,308
OTHER	7	42	57	37	17	68	34	30	62	90	444
TOTAL	306	469	455	388	682	567	420	503	419	530	4,739

TOTAL DISPOSITION OF FELONY INDICTMENTS

2004

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	1	0	0	1
CONVICTION AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	2	1	0	2	1	8	0	4	7	3	28
GUILTY PLEA	3	0	0	2	1	7	0	0	1	0	14
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	5	1	0	4	2	15	0	5	8	3	43

OFFENSES AGAINST ADMINISTRATION OF THE GOVERNMENT

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	1	1	0	0	1	0	0	0	0	0	3
CONVICTION AFTER TRIAL	0	1	0	0	1	0	0	3	0	0	5
DISMISS/NOLLE PROSEQUI	26	32	37	19	20	23	55	44	21	44	321
GUILTY PLEA	21	47	20	41	42	36	37	38	22	28	332
OTHER	7	8	9	12	0	10	3	9	9	8	75
TOTAL	55	89	66	72	64	69	95	94	52	80	736

OFFENSES AGAINST PUBLIC HEALTH, SAFETY, AND WELFARE

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTION AFTER TRIAL	4	0	2	0	5	1	0	0	2	1	15
DISMISS/NOLLE PROSEQUI	232	209	248	195	109	290	233	166	230	239	2151
GUILTY PLEA	108	121	84	107	63	111	100	102	91	113	1,000
OTHER	11	22	25	15	8	18	5	19	15	25	163
TOTAL	355	352	359	317	185	420	338	287	338	378	3,329

MOVING TRAFFIC VIOLATIONS

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	1	0	0	0	0	0	0	0	0	0	1
CONVICTION AFTER TRIAL	0	1	0	0	0	0	0	1	0	0	2
DISMISS/NOLLE PROSEQUI	3	8	7	2	11	10	7	6	3	4	61
GUILTY PLEA	39	54	38	38	21	32	31	29	24	38	344
OTHER	0	3	4	3	3	0	1	0	5	0	19
TOTAL	43	66	49	43	35	42	39	36	32	42	427

TOTAL DISPOSITION OF FELONY INDICTMENTS

2005

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	4	5	2	0	3	0	1	0	1	17
GUILTY PLEA	2	2	2	1	0	1	1	1	1	1	12
OTHER	1	1	2	5	0	0	0	0	0	1	10
TOTAL	4	7	9	8	0	4	1	2	1	3	39

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	1	0	0	0	0	0	1
DISMISS/NOLLE PROSEQUI	2	0	7	4	9	17	1	2	3	6	51
GUILTY PLEA	5	4	4	8	6	7	2	4	2	2	44
OTHER	1	1	2	0	0	0	3	0	0	1	8
TOTAL	8	5	13	12	16	24	6	6	5	9	104

OFFENSES AGAINST PERSONS

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	3	13	4	0	9	3	6	5	4	6	53
CONVICTIONS AFTER TRIAL	18	20	6	2	46	12	35	50	14	16	219
DISMISS/NOLLE PROSEQUI	100	85	177	77	153	65	87	96	98	109	1047
GUILTY PLEA	122	242	152	168	150	122	134	228	126	196	1,640
OTHER	11	19	14	6	11	18	5	10	22	29	145
TOTAL	254	379	353	253	369	220	267	389	264	356	3,104

OFFENSES AGAINST PROPERTY

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	2	4	0	0	0	0	0	0	2	0	8
CONVICTIONS AFTER TRIAL	3	2	0	3	1	0	3	1	3	3	19
DISMISS/NOLLE PROSEQUI	98	122	187	99	128	102	110	107	98	106	1157
GUILTY PLEA	194	155	190	147	252	152	183	249	239	213	1,974
OTHER	47	65	36	44	19	18	33	30	52	38	382
TOTAL	344	348	413	293	400	272	329	387	394	360	3,540

TOTAL DISPOSITION OF FELONY INDICTMENTS

2005

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 TRIA	0	0	2	0	0	0	0	1	0	0	3
DISMISS/NOLLE PROSEQU	1	1	3	3	1	0	3	1	0	4	17
GUILTY PLEA	2	2	0	0	3	1	3	1	2	2	16
OTHER	0	0	0	0	0	1	0	0	0	0	1
TOTAL	3	3	5	3	4	2	6	3	2	6	37

OFFENSES AGAINST THE ADMINISTRATION OF THE GOVERNMENT

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	2	0	0	0	0	0	0	0	0	2
CONVICTIONS AFTER TRIAL	0	3	0	1	0	0	1	1	0	0	6
DISMISS/NOLLE PROSEQUI	66	56	38	32	24	12	38	17	32	49	364
GUILTY PLEA	16	21	26	36	32	11	27	53	37	26	285
OTHER	4	6	7	3	8	2	7	4	4	5	50
TOTAL	86	88	71	72	64	25	73	75	73	80	707

OFFENSES AGAINST THE PUBLIC HEALTH, SAFETY, & WELFARE

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	1	0	0	0	0	0	0	0	0	1
CONVICTIONS AFTER TRIAL	1	1	0	0	2	0	3	2	0	5	14
DISMISS/NOLLE PROSEQUI	337	250	259	197	195	206	223	276	248	247	2438
GUILTY PLEA	141	111	125	109	108	132	124	189	151	106	1,296
OTHER	16	16	18	15	19	11	8	37	17	16	173
TOTAL	495	379	402	321	324	349	358	504	416	374	3,922

MOVING TRAFFIC VIOLATIONS

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	1	0	0	1
CONVICTIONS AFTER TRIAL	0	0	0	0	0	0	0	0	0	1	1
DISMISS/NOLLE PROSEQUI	9	6	6	3	4	3	3	3	4	4	45
GUILTY PLEA	42	38	28	28	29	27	29	37	38	42	338
OTHER	0	1	9	2	0	1	0	0	8	3	24
TOTAL	51	45	43	33	33	31	32	41	50	50	409

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, For 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

2003

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	312	322	247	341	227	315	180	343	304	321	2912
DISMISS/NOLLE PROSEQUI	47	116	251	94	122	139	131	89	144	158	1291
GUILTY PLEA	1	1	2	4	9	0	2	8	0	1	28
OTHER	211	229	65	136	165	112	93	136	102	104	1353
TOTAL	571	668	565	575	523	566	406	576	550	584	5584

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	1	0	0	0	1	0	0	0	0	0	2
DISMISS/NOLLE PROSEQUI	3	2	2	2	6	1	4	2	3	2	27
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	8	4	5	6	5	5	16	5	7	6	67
TOTAL	12	6	7	8	12	6	20	7	10	8	96

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	14	10	7	24	16	14	3	7	10	10	115
DISMISS/NOLLE PROSEQUI	1	0	2	1	0	2	5	0	2	0	13
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	3	2	11	2	2	1	1	3	6	6	37
TOTAL	18	12	20	27	18	17	9	10	18	16	165

PETITION/MOTION DISPOSITIONS

2004

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	354	363	326	327	271	284	176	356	405	340	3202
DISMISS/NOLLE PROSEQUI	97	218	265	123	161	121	153	136	199	206	1679
GUILTY PLEA	2	1	2	0	3	1	2	2	1	3	17
OTHER	195	95	62	62	254	203	69	132	135	99	1306
TOTAL	648	677	655	512	689	609	400	626	740	648	6204

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	1	0	0	0	0	1	0	0	3
DISMISS/NOLLE PROSEQUI	1	2	5	5	1	1	2	2	1	3	23
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	10	5	7	3	5	9	7	4	3	4	57
TOTAL	11	8	13	8	6	10	9	7	4	7	83

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	10	11	6	12	12	5	7	20	13	9	105
DISMISS/NOLLE PROSEQUI	0	0	1	0	2	0	2	1	3	2	11
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	5	0	1	3	1	3	3	2	1	2	21
TOTAL	15	11	8	15	15	8	12	23	17	13	137

PETITION/MOTION DISPOSITIONS

2005

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	335	400	323	279	274	313	166	379	389	338	3196
DISMISS/NOLLE PROSEQUI	127	265	248	154	169	216	152	106	151	205	1793
GUILTY PLEA	4	3	1	3	5	1	4	1	3	2	27
OTHER	199	114	104	128	136	113	66	143	106	98	1207
TOTAL	665	782	676	564	584	643	388	629	649	643	6223

TYPE OF CASE: PETITION FOR POST CONVICTION RELIEF (TCA 40-30-204) SCATS CODE #10337

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
PETITION GRANTED	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	0	0	0	0	0	0	0	0	0	1	1
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	1	3	6	1	2	8	3	4	2	5	35
TOTAL	1	3	6	1	2	8	3	4	2	6	36

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	8	8	6	5	9	6	6	3	9	5	65
DISMISS/NOLLE PROSEQUI	0	1	0	5	0	0	0	0	0	1	7
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	0	2	2	3	1	3	0	2	0	3	16
TOTAL	8	11	8	13	10	9	6	5	9	9	88

2003
TOTAL NUMBER OF CASES WHERE NOTICES OF APPEAL
WERE FILED WITH THE CRIMINAL COURT OF APPEALS

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
FELONIES	7	7	7	4	23	7	4	16	3	5	83
MISDEMEANORS	0	0	0	0	0	0	0	0	0	1	1
POST CONVICTION RELIEF	7	0	3	6	8	3	10	1	7	5	50
WRIT OF HABEAS CORPUS	3	1	1	2	2		1		2	1	13
TOTAL	17	8	11	12	33	10	15	17	12	12	147

TOTAL NUMBER OF CASES TRANSMITTED TO
THE CRIMINAL COURT OF APPEALS

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
FELONIES	7	6	4	2	23	3	1	10	6	0	62
MISDEMEANORS	0	0	0	0	0	1	1	0	0	1	3
POST CONVICTION RELIEF	8	5	5	1	5	5	7	2	4	5	47
WRIT OF HABEAS CORPUS	1		1		3		1		2		8
TOTAL	16	11	10	3	31	9	10	12	12	6	120

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	14	5	16	6	24	3	7	18	9	11	113
AFFIRMED & MODIFIED	0	0	1	0	0	0	0	0	0	1	2
REVERSED & REMANDED	2	2	3	0	1	1	3	0	0	0	12
AFFIRMED IN PART/ REVERSED & REMANDED	1	0	1	0	1	0	0	0	1	1	5
AFFIRMED IN PART/ REVERSED & DISMISSED	0	0	1	0	1	0	0	0	0	1	3
VACATED & REMANDED	0	0	0	0	0	0	0	1	0	0	1
REMANDED	0	1	1	0	0	0	0	0	0	0	2
APPEAL DISMISSED	0	0	1	2	0	0	1	0	2	1	7
MODIFIED & REMANDED	0	0	0	0	0	0	0	0	0	1	1
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	17	8	24	8	27	4	11	19	12	16	146

2004
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	6	10	6	2	17	2	11	24	7	13	98
MISDEMEANORS	0	0	0	0	0	0	2	1	0	0	3
POST CONVICTION RELIEF	11	4	10	4	6	9	7	3	2	6	62
WRIT OF HABEAS CORPUS	2	0	3	0	3	3	1	2	2	1	17
TOTAL	19	14	19	6	26	14	21	30	11	20	180

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	11	10	7	3	15	7	12	24	5	12	106
MISDEMEANORS	0	0	0	0	1	0	2	0	0	0	3
POST CONVICTION RELIEF	9	3	4	8	13	4	10	4	3	4	62
WRIT OF HABEAS CORPUS	4	0	3	1	5	2	1	3	3	1	23
TOTAL	24	13	14	12	34	13	25	31	11	17	194

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	10	5	4	2	15	3	11	14	10	3	77
AFFIRMED & MODIFIED	0	1	0	0	1	1	0	0	0	0	3
REVERSED & REMANDED	3	1	1	1	2	2	0	1	0	0	11
AFFIRMED IN PART/ REVERSED & REMANDED	1	0	1	1	2	1	0	0	0	0	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	1	1	0	0	0	0	2
DISMISSED	3	0	0	0	5	0	1	3	2	3	17
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	17	7	6	4	26	8	12	18	12	6	116

2005
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	7	8	6	11	6	12	18	6	12	94
MISDEMEANORS	0	2	1	1	0	0	0	0	0	2	6
POST CONVICTION RELIEF	5	4	6	2	3	5	4	6	0	9	44
WRIT OF HABEAS CORPUS	1	1	0	1	0	3	0	0	1	0	7
TOTAL	14	14	15	10	14	14	16	24	7	23	151

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	5	9	7	1	19	7	11	24	5	11	99
MISDEMEANORS	0	1	0	0	0	0	0	1	0	1	3
POST CONVICTION RELIEF	8	3	11	3	2	8	5	4	2	9	55
WRIT OF HABEAS CORPUS	1	2	0	1	1	2	2	1	0	1	11
TOTAL	14	15	18	5	22	17	18	30	7	22	168

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	16	7	9	8	17	10	15	17	11	16	126
AFFIRMED & MODIFIED	1	1	2	0	2	1	0	3	1	0	11
REVERSED & REMANDED	0	0	1	0	4	0	1	0	0	1	7
AFFIRMED IN PART/ REVERSED & REMANDED	1	3	1	0	0	1	1	1	1	0	9
AFFIRMED IN PART/ REVERSED & DISMISSED	0	0	0	0	1	0	0	0	0	0	1
VACATED & REMANDED	0	0	0	0	0	0	0	1	0	0	1
REMANDED	0	1	0	0	1	0	0	0	0	0	2
DISMISSED	2	0	1	0	0	3	2	4	1	0	13
MODIFIED & REMANDED	0	1	0	0	0	1	0	0	0	1	3
MODIFIED	0	1	0	0	1	0	0	0	0	0	2
REVERSED IN PART	0	0	0	0	0	0	0	0	0	0	0
TOTAL	20	14	14	8	26	16	19	26	14	18	175

**2003
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	18	3	1	2	18	1	3	14	4	10	74
Acquittal - Misdemeanor	3	2	0	0	2	0	3	7	0	2	19
Conviction After Trial - Felony	10	21	40	6	87	6	7	36	7	9	229
Conviction After Trial - Misd.	2	6	3	2	1	1	2	14	2	4	37
Dismiss/Nolle Prosequi - Felony	701	679	638	635	497	695	615	584	489	574	6,107
Dismiss/Nolle Prosequi - Misd.	334	270	317	304	206	351	330	295	265	276	2,948
Guilty Plea as Charged - Felony	494	643	447	588	689	747	579	679	551	553	5,970
Guilty Plea as Charged - Misd.	608	681	626	675	360	727	597	608	561	538	5,981
Other - Felony	77	163	97	135	75	137	78	122	162	142	1,188
Other - Misdemeanor	86	114	106	113	72	82	66	102	101	97	939
Petitions/Motions Disposed	601	686	592	610	553	589	435	593	578	608	5,845
TOTAL CASES DISPOSED	2,934	3,268	2,867	3,070	2,560	3,336	2,715	3,054	2,720	2,813	29,337

TOTALS BY TYPE

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
Total Felony Trial Cases	28	24	41	8	105	7	10	50	11	19	303
Total Misdemeanor Trial Cases	5	8	3	2	3	1	5	21	2	6	56
Total Trial Cases	32	32	44	10	108	8	15	71	13	25	358
Total Acquittals	21	5	1	2	20	1	6	21	4	12	93
Total Convictions After Trials	12	27	43	8	88	7	9	50	9	13	266
Total Dism./N.P.	1035	949	955	939	703	1046	945	879	754	850	9,055
Total G.P. as Charged	1,102	1,324	1,073	1,263	1,049	1,474	1,176	1,287	1,112	1,091	11,951
Total Other Cases	163	277	203	248	147	219	144	224	263	239	2,127
Total Felonies Disposed	1,300	1,509	1,223	1,366	1,366	1,586	1,282	1,435	1,213	1,288	13,568
Total Misdemeanor Disposed	1,033	1,073	1,052	1,094	641	1,161	998	1,026	929	917	9,924
Total Pet./Motions Disposed	601	686	592	610	553	589	435	593	578	608	5,845
TOTAL CASES DISPOSED	2,934	3,268	2,867	3,070	2,560	3,336	2,715	3,054	2,720	2,813	29,337

2004
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	11	9	6	1	19	0	1	12	1	9	69
Acquittal - Misdemeanor	3	2	4	0	2	6	0	2	1	1	21
Conviction After Trial - Felony	20	46	45	8	79	0	11	74	27	21	331
Conviction After Trial - Misd.	12	4	3	5	2	814	2	6	1	3	852
Dismiss/Nolle Prosequi - Felony	515	636	602	461	600	356	623	586	575	673	5,627
Dismiss/Nolle Prosequi - Misd.	292	386	346	298	289	654	316	258	292	352	3,483
Guilty Plea as Charged - Felony	481	560	450	585	737	758	510	612	531	590	5,814
Guilty Plea as Charged - Misd.	554	639	591	542	302	113	493	540	582	594	4,950
Other - Felony	34	89	115	94	38	88	49	72	120	149	848
Other - Misdemeanor	53	97	100	81	47	627	80	60	100	77	1,322
Petitions/Motions Disposed	674	696	676	535	710	0	421	656	761	668	5,797
TOTAL CASES DISPOSED	2,649	3,164	2,938	2,610	2,825	3,416	2,506	2,878	2,991	3,137	29,114

TOTALS BY TYPE

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
Total Felony Trial Cases	31	55	51	9	98	6	12	86	28	30	406
Total Misdemeanor Trial Cases	15	6	7	5	4	0	2	8	2	4	53
Total Trial Cases	46	61	58	14	102	6	14	94	30	34	459
Total Acquittals	14	11	10	1	21	0	1	14	2	10	84
Total Convictions After Trials	32	50	48	13	81	6	13	80	28	24	375
Total Dism./N.P.	807	1022	948	759	889	1170	939	844	867	1025	9,270
Total G.P. as Charged	1,035	1,199	1,041	1,127	1,039	1,412	1,003	1,152	1,113	1,184	11,305
Total Other Cases	87	186	215	175	85	201	129	132	220	226	1,656
Total Felonies Disposed	1,061	1,340	1,218	1,149	1,473	1,587	1,194	1,356	1,254	1,442	13,074
Total Misdemeanor Disposed	914	1,128	1,044	926	642	1,202	891	866	976	1,027	9,616
Total Pet./Motions Disposed	674	696	676	535	710	627	421	656	761	668	6,424
TOTAL CASES DISPOSED	2,649	3,164	2,938	2,610	2,825	3,416	2,506	2,878	2,991	3,137	29,114

**2005
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	20	4	0	9	3	7	6	6	6	66
Acquittal - Misdemeanor	3	0	0	0	3	1	1	1	1	4	14
Conviction After Trial - Felony	22	34	8	6	49	12	43	57	17	25	273
Conviction After Trial - Misd.	2	5	2	8	3	0	1	7	0	7	35
Dismiss/Nolle Prosqui - Felony	614	605	664	417	515	409	465	503	483	557	5,232
Dismiss/Nolle Prosqui - Misd.	335	287	350	275	235	221	319	239	231	287	2,779
Guilty Plea as Charged - Felony	524	509	547	497	580	453	503	760	596	557	5,526
Guilty Plea as Charged - Misd.	618	603	545	600	452	475	540	578	584	569	5,564
Other - Felony	80	86	86	75	57	50	54	81	103	93	765
Other - Misdemeanor	70	79	63	53	82	78	44	82	84	105	740
Petitions/Motions Disposed	674	795	691	573	596	665	397	638	660	658	6,347
TOTAL CASES DISPOSED	2,947	3,023	2,960	2,504	2,581	2,367	2,374	2,952	2,765	2,868	27,341

TOTALS BY TYPE

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
Total Felony Trial Cases	27	54	12	6	58	15	50	63	23	31	339
Total Misdemeanor Trial Cases	5	5	2	8	6	1	2	8	1	11	49
Total Trial Cases	32	59	14	14	64	16	52	71	24	42	388
Total Acquittals	8	20	4	0	12	4	8	7	7	10	80
Total Convictions After Trials	24	39	10	14	52	12	44	64	17	32	308
Total Dism./N.P.	949	892	1014	692	750	630	784	742	714	844	8,011
Total G.P. as Charged	1,142	1,112	1,092	1,097	1,032	928	1,043	1,338	1,180	1,126	11,090
Total Other Cases	150	165	149	128	139	128	98	163	187	198	1,505
Total Felonies Disposed	1,245	1,254	1,309	995	1,210	927	1,072	1,407	1,205	1,238	11,862
Total Misdemeanor Disposed	1,028	974	960	936	775	775	905	907	900	972	9,132
Total Pet./Motions Disposed	674	796	690	578	596	660	397	638	660	658	6,347
TOTAL CASES DISPOSED	2,947	3,024	2,959	2,509	2,581	2,362	2,374	2,952	2,765	2,868	27,341

DISPOSITION BY CASE TYPE

2003

ASSAULT	1,672
BURGLARY/THEFT	5,547
DRUGS	4,718
DUI/OTHER MOTOR VEHICLE OFFENSES	6,219
HOMICIDE	234
KIDNAPPING	192
ROBBERY	1,310
SEXUAL OFFENSES	448
FRAUD/CREDIT CARD/PASSING BAD CHECKS	1,156
OTHER	7,841
TOTAL	29,337

2004

ASSAULT	2,570
BURGLARY/THEFT	4,893
DRUGS	4,151
DUI/OTHER MOTOR VEHICLE OFFENSES	5,513
HOMICIDE	323
KIDNAPPING	201
ROBBERY	1,491
SEXUAL OFFENSES	555
FRAUD/CREDIT CARD/PASSING BAD CHECKS	952
OTHER	8,465
TOTAL	29,114

2005

ASSAULT	2,236
BURGLARY/THEFT	4,716
DRUGS	4,908
DUI/OTHER MOTOR VEHICLE OFFENSES	5,093
HOMICIDE	231
KIDNAPPING	161
ROBBERY	1,297
SEXUAL OFFENSES	494
FRAUD/CREDIT CARD/PASSING BAD CHECKS	322
OTHER	7,883
TOTAL	27,341

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.

2003

DIVISION OF COURT PROBATION SERVICE	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
CORRECTIONAL ALTERNATIVES	11	98	42	0	4	54	7	0	12	59	287
CORRECTIONAL COUNSELING	0	0	0	7	0	0	9	0	0	0	16
JUSTICE NETWORK	1	81	61	56	13	142	47	79	66	47	593
PROBATION MGMT. GROUP	1	25	21	29	3	265	3	18	21	65	451
NATIONAL PROB. OF AMERICA	2	18	15	13	0	38	6	16	47	0	155
PROBATION PLUS	0	1	1	0	0	0	0	0	0	0	2
PROBATION SERVICES	0	0	9	7	1	9	0	2	7	48	83
STATE OF TENNESSEE	354	472	207	372	194	88	229	366	249	164	2695
TN.CORRECTIONAL SERVICES	0	0	5	0	0	67	0	0	0	1	73
TOTAL CASES	369	695	361	484	215	663	301	481	402	384	4355

2004

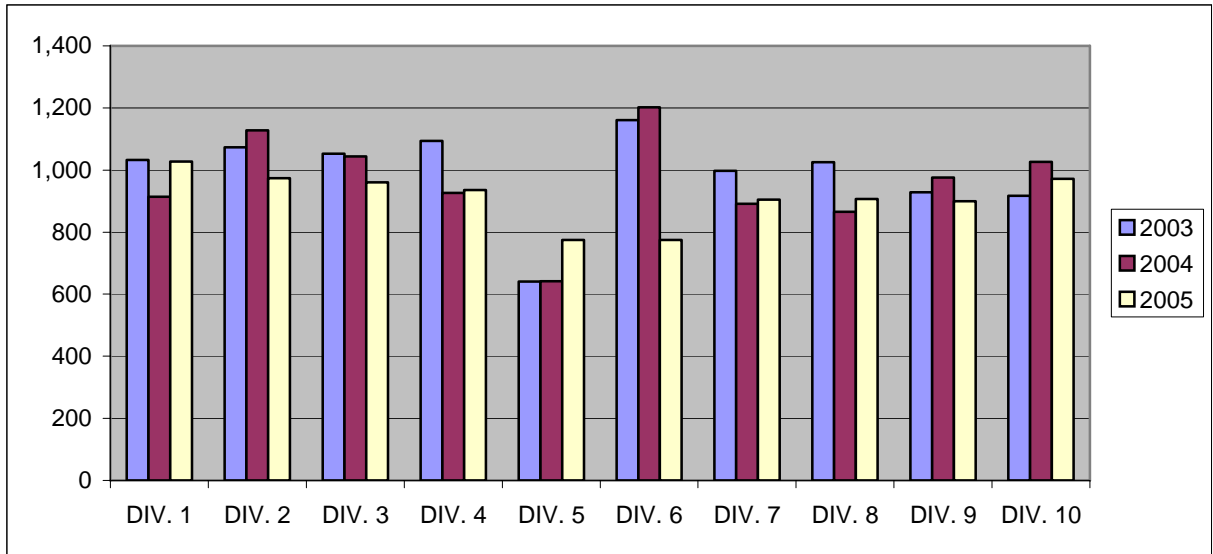
DIVISION OF COURT PROBATION SERVICE	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
CORRECTIONAL ALTERNATIVES	19	82	34	0	16	11	1	2	9	44	218
CORRECTIONAL COUNSELING	0	0	0	7	0	0	17	0	0	0	24
GLOBAL CORRECTIONS	0	0	0	0	0	0	0	0	0	0	0
JUSTICE NETWORK	14	89	32	53	19	145	49	73	88	37	599
PROBATION MGMT.GROUP	1	32	30	12	7	328	7	15	32	83	547
NATIONAL PROB.OF AMERICA	0	17	11	12	0	26	3	7	50	0	126
PROBATION SERVICES	0	2	16	4	2	36	1	2	6	86	155
SHELBY COUNTY	0	0	0	0	0	0	0	0	0	1	1
STATE OF TENNESSEE	345	436	255	271	103	15	173	350	179	215	2342
TENNESSEE CORRECTIONS	0	0	6	0	0	20	0	0	0	0	26
TOTAL CASES	379	658	384	359	147	581	251	449	364	466	4038

2005

DIVISION OF COURT PROBATION SERVICE	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
CORRECTION ALTERNATIVES	58	82	19	0	19	25	0	2	11	38	254
CORRECTIONAL COUNSELING	0	0	5	0	0	0	29	0	0	0	34
GLOBAL CORRECTION, INC.	0	0	0	0	0	0	0	0	0	0	0
JUSTICE NETWORK	107	46	40	51	30	72	59	55	65	25	550
PROBATION MGMT.GROUP	28	19	30	13	7	139	0	12	18	68	334
NATIONAL PROB. OF AMERICA	11	11	8	1	1	5	9	11	2	0	59
PROBATION SERVICES	6	3	24	2	0	14	0	6	2	48	105
PROBATION WORKS	7	2	10	1	10	28	0	5	2	10	75
SHELBY COUNTY	0	0	0	0	0	0	0	0	0	0	0
STATE OF TENNESSEE	247	335	217	219	148	24	166	430	283	208	2277
TENNESSEE CORRECTIONS	0	6	7	0	1	3	0	0	0	0	17
TOTAL CASES	464	504	360	287	216	310	263	521	383	397	3705

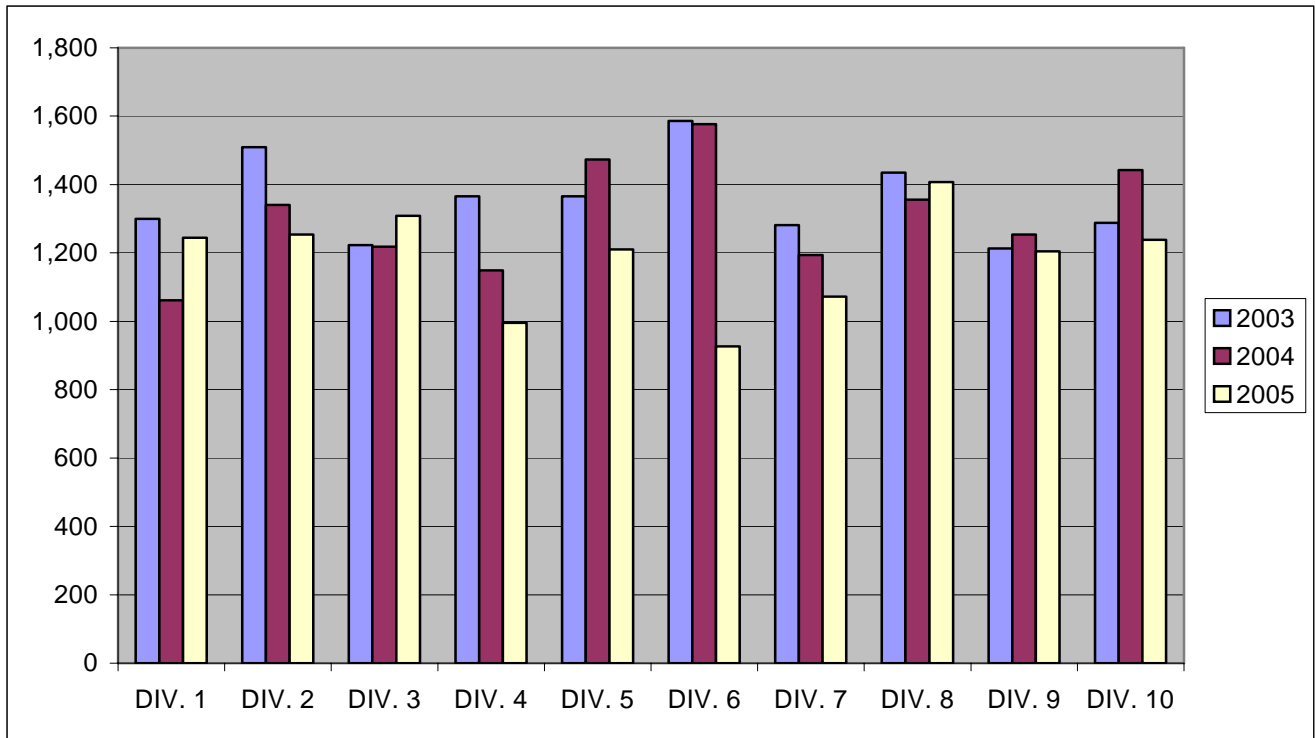
2003-2005 MISDEMEANOR CASES DISPOSED BY DIVISION

	2003	2004	2005
DIV. 1	1,033	914	1,028
DIV. 2	1,073	1,128	974
DIV. 3	1,052	1,044	960
DIV. 4	1,094	926	936
DIV. 5	641	642	775
DIV. 6	1,161	1,202	775
DIV. 7	998	891	905
DIV. 8	1,026	866	907
DIV. 9	929	976	900
DIV. 10	917	1,027	972
Total Cases Disposed	9,924	9,616	9,132



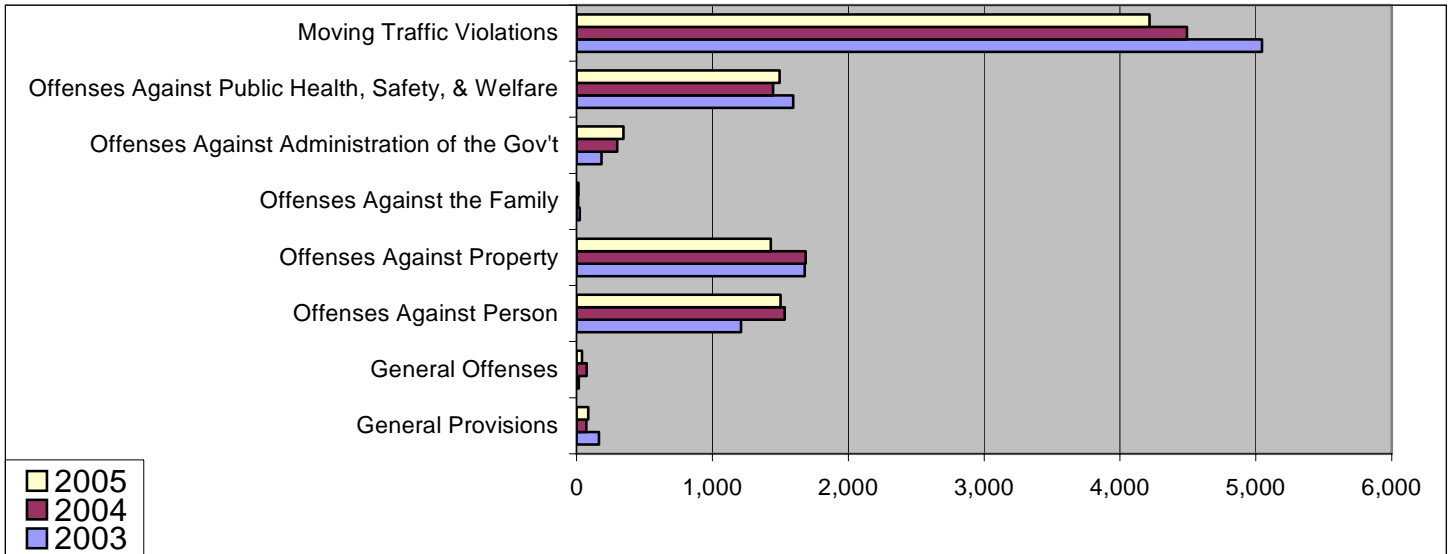
2003-2005 FELONY CASES DISPOSED BY DIVISION

	2003	2004	2005
DIV. 1	1,300	1,061	1,245
DIV. 2	1,509	1,340	1,254
DIV. 3	1,223	1,218	1,309
DIV. 4	1,366	1,149	995
DIV. 5	1,366	1,473	1,210
DIV. 6	1,586	1,577	927
DIV. 7	1,282	1,194	1,072
DIV. 8	1,435	1,356	1,407
DIV. 9	1,213	1,254	1,205
DIV. 10	1,288	1,442	1,238
Total Cases Disposed	13,568	13,064	11,862



2003-2005 MISDEMEANOR CASES DISPOSED BY TYPE

	2003	2004	2005
General Provisions	166	71	87
General Offenses	16	75	40
Offenses Against Person	1,212	1,532	1,501
Offenses Against Property	1,679	1,686	1,431
Offenses Against the Family	24	12	15
Offenses Against Administration of the Gov't	185	300	346
Offenses Against Public Health, Safety, & Welfare	1,596	1,447	1,494
Moving Traffic Violations	5,046	4,493	4,218
Total Cases Disposed	9,924	9,616	9,132



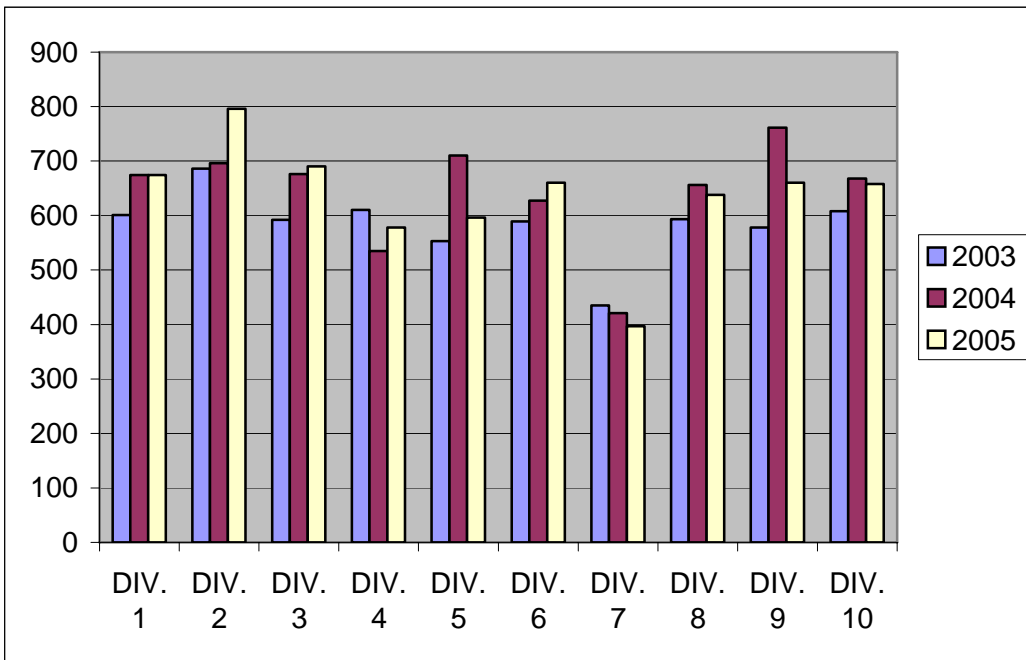
2003-2005 FELONY CASES DISPOSED BY TYPE

	2003	2004	2005
General Provisions	259	68	39
General Offenses	1	13	104
Offenses Against Person	3,103	3,719	3,104
Offenses Against Property	5,371	4,739	3,540
Offenses Against the Family	44	43	37
Offenses Against Administration of the Gov't	599	736	707
Offenses Against Public Health, Safety, & Welfare	3,670	3,329	3,922
Moving Traffic Violations	521	427	409
Total Cases Disposed	13,568	13,074	11,862



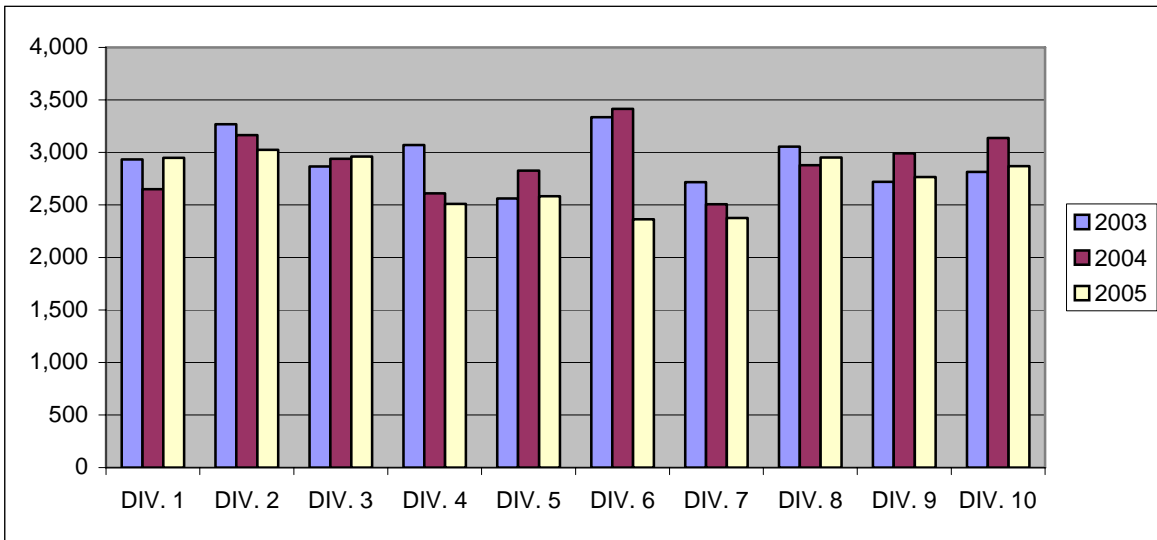
**2003-2005 UNINDICTED PETITIONS/MOTIONS DISPOSED
BY DIVISION**

	2003	2004	2005
DIV. 1	601	674	674
DIV. 2	686	696	796
DIV. 3	592	676	690
DIV. 4	610	535	578
DIV. 5	553	710	596
DIV. 6	589	627	660
DIV. 7	435	421	397
DIV. 8	593	656	638
DIV. 9	578	761	660
DIV. 10	608	668	658
Total Cases Disposed	5,845	6,424	6,347



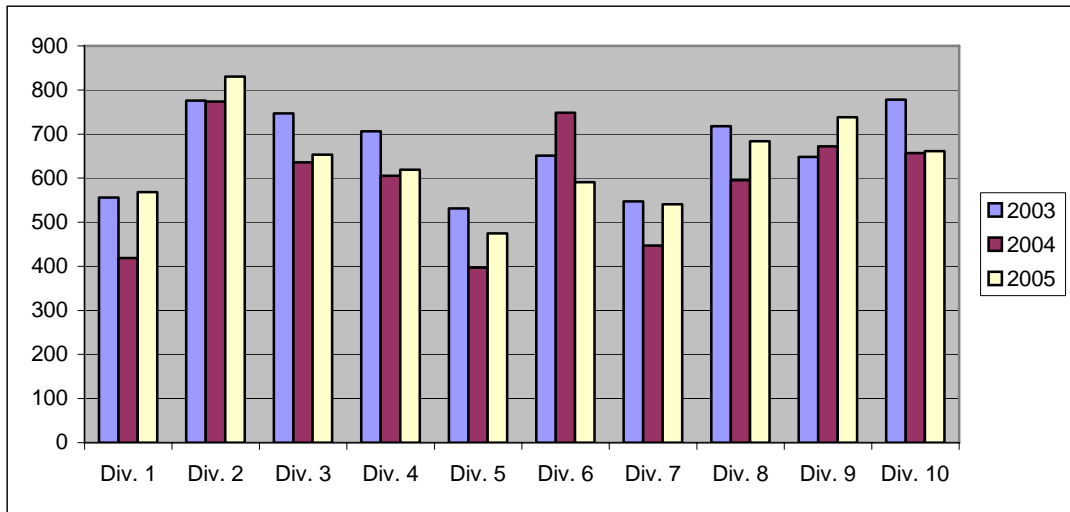
TOTAL CASES DISPOSED (2003-2005) BY DIVISION

	2003	2004	2005
DIV. 1	2,934	2,649	2,947
DIV. 2	3,268	3,164	3,024
DIV. 3	2,867	2,938	2,959
DIV. 4	3,070	2,610	2,509
DIV. 5	2,560	2,825	2,581
DIV. 6	3,336	3,416	2,362
DIV. 7	2,715	2,506	2,374
DIV. 8	3,054	2,878	2,952
DIV. 9	2,720	2,991	2,765
DIV. 10	2,813	3,137	2,868
Total Cases Disposed	29,337	29,114	27,341



**WARRANTS ISSUED BY DIVISION
(2003-6,658 2004-5,950 2005-6360)**

	2003	2004	2005
Div. 1	556	419	568
Div. 2	776	774	830
Div. 3	747	636	653
Div. 4	706	605	619
Div. 5	531	397	475
Div. 6	651	748	591
Div. 7	547	447	541
Div. 8	718	595	684
Div. 9	648	672	738
Div. 10	778	657	661
Total	6,658	5,950	6,360



ADMINISTRATIVE SERVICES



ADMINISTRATIVE SERVICES DIVISION

Janis Dunavant, Director

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

PERSONNEL AND PAYROLL SECTION

Patti Morton, Supervisor

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

CUSTOMER SERVICE SECTION

Bridget Arnold, Supervisor

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

ADMINISTRATIVE SERVICES STATISTICS



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

FISCAL YEAR	SALARIES	EMPLOYEES	COMMENTS
2001-02	\$2,889,338	101	There has been no increase in staffing levels for the past 3 years. This 2001-02 salary amount represents a slight decrease under the 2000-01 budget.
2002-03	\$2,950,369	101	Staff level remained at 101 for the 4 th year. Costs are kept down by the wise use of personnel and resources.
2003-04	\$3,022,205	101	The 2003-04 salary amount includes a 1% stipend for each county employee during Christmas 2003, and a 2% cost of living raise effective October 1, 2004. The base salary prior to either of these expenses actually reflects a slight decrease under the previous year. Our staffing compliment has not increased for the last 5 years.
2004-05	\$3,085,463.63	99	In an effort to lower salary expense, two vacant positions were sacrificed for the 2004-05 budget. This resulted in an increase of just over 2% despite a 3% general increase for all employees.

CRIMINAL COURT CLERK'S OFFICE

STAFF COMPLIMENT (FILLED POSITIONS)

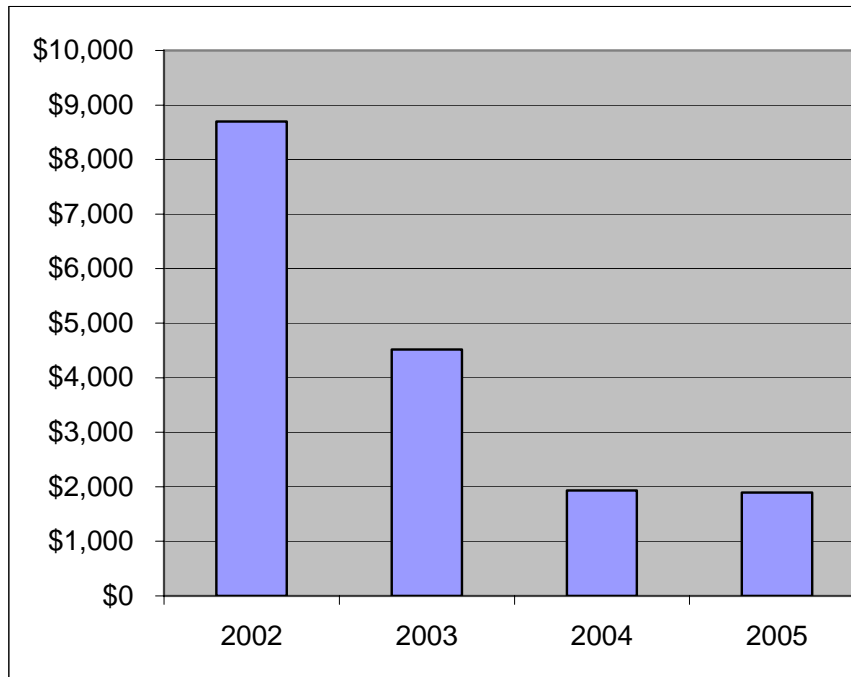
	MALE					FEMALE					TOTAL
	W	B	H	A	I	W	B	H	A	I	
Officials/Administration	7	2	0	0	0	4	3	0	0	0	16
Professionals	2	0	0	0	0	0	0	0	0	0	2
Technicians	0	1	0	0	0	0	0	0	0	0	1
Administrative Support	12	5	1	0	0	17	41	0	1	0	77
Protective Serv./Security	0	0	0	0	0	0	0	0	0	0	0
TOTAL	21	8	1	0	0	21	44	0	1	0	96
PERCENTAGE	22	8	1	0	0	22	46	0	1	0	100

% MALE 31%
 % FEMALE 69%
 % BLACK 54%
 % WHITE 44%
 % HISPANIC 1%
 % ASIAN 1%

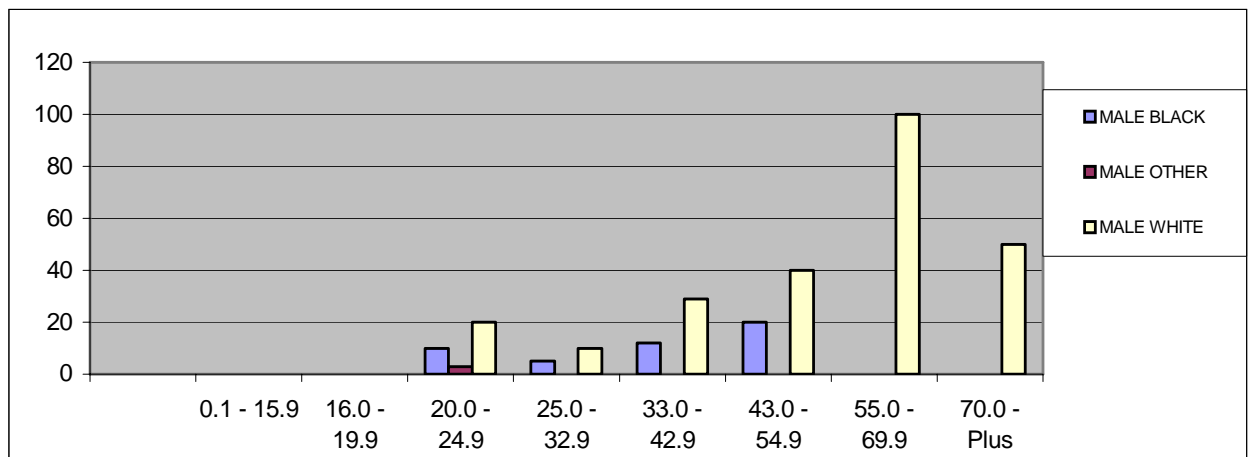
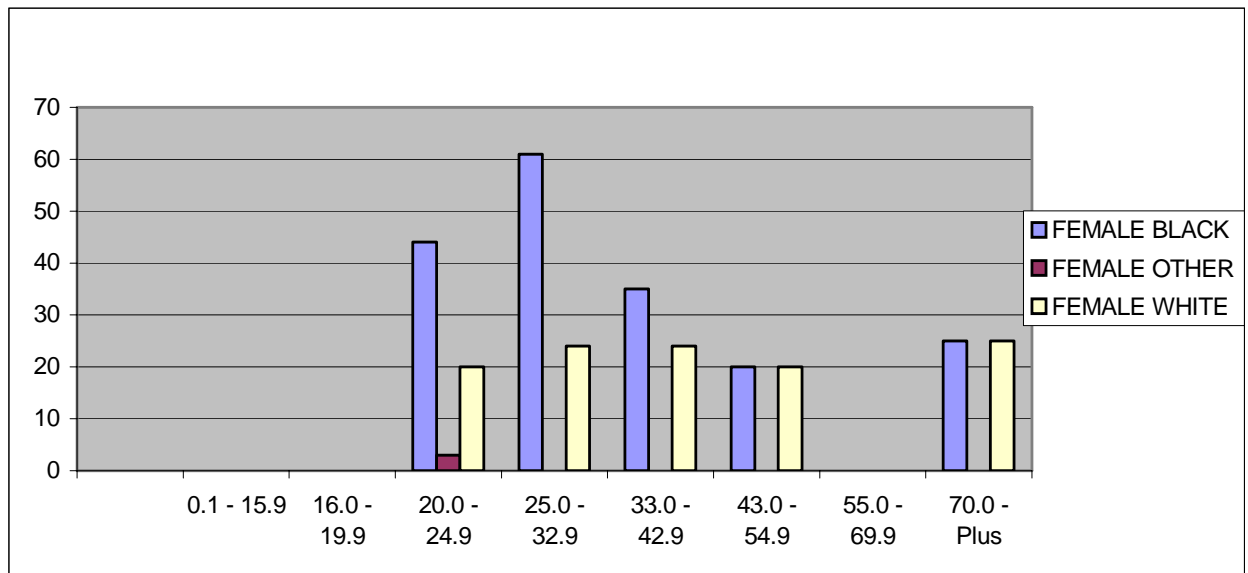
W - White
 B - Black
 H - Hispanic
 A - Asian

RECORD CHECK FEES PER MONTH

	2002	2003	2004	2005
JANUARY	\$430	\$690	\$230	\$147
FEBRUARY	\$325	\$389	\$194	\$203
MARCH	\$975	\$79	\$195	\$179
APRIL	\$1,324	\$468	\$126	\$211
MAY	\$364	\$323	\$94	\$261
JUNE	\$685	\$453	\$61	\$67
JULY	\$195	\$665	\$187	\$350
AUGUST	\$1,938	\$723	\$85	\$125
SEPTEMBER	\$635	\$156	\$70	\$88
OCTOBER	\$245	\$293	\$230	\$106
NOVEMBER	\$1,250	\$104	\$272	\$96
DECEMBER	\$330	\$170	\$189	\$59
TOTAL	\$8,696	\$4,513	\$1,933	\$1,892

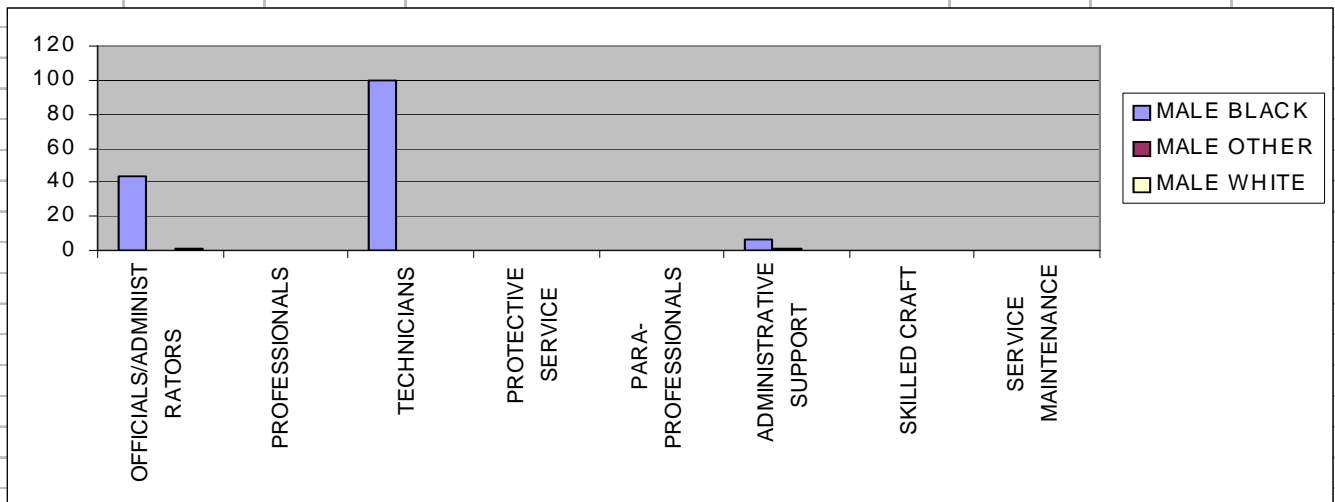
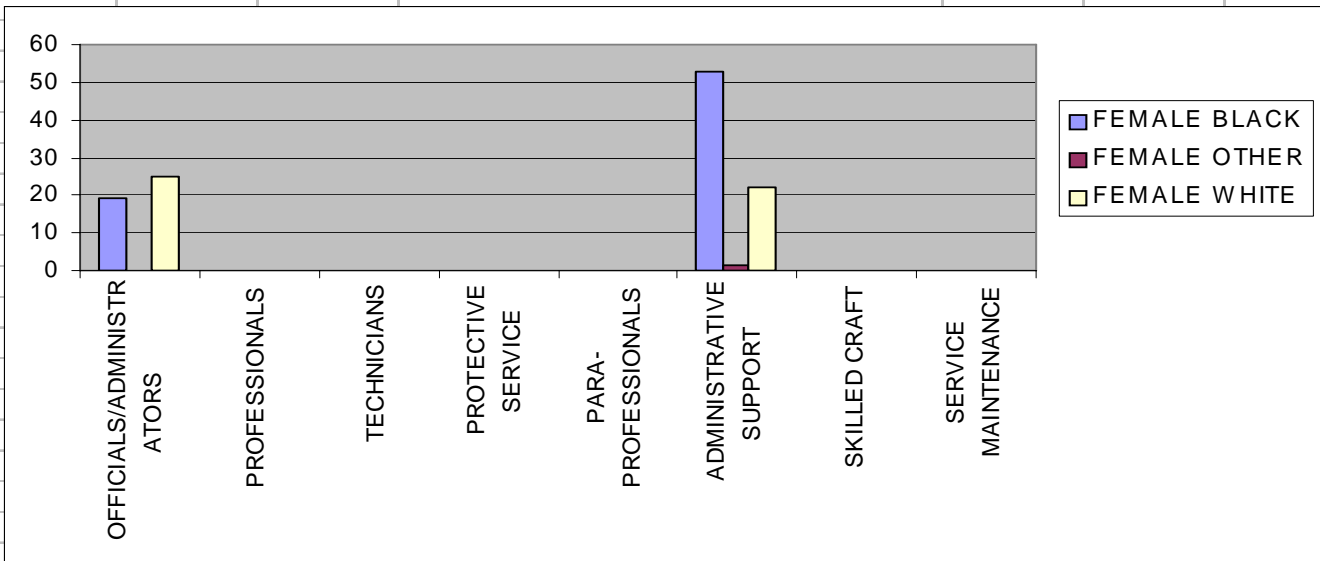


EMPLOYEE UTILIZATION ANALYSIS						
FEMALE				MALE		
F/B-%	F/O-%	F/W-%	ANNUAL SALARY RANGE (In Thousands)	M/B-%	M/O-%	M/W-%
			0.1 - 15.9			
			16.0 - 19.9			
44	3	20	20.0 - 24.9	10	3	20
61		24	25.0 - 32.9	5		10
35		24	33.0 - 42.9	12		29
20		20	43.0 - 54.9	20		40
0		0	55.0 - 69.9	0		100
25		25	70.0 - Plus	0		50



EMPLOYEE UTILIZATION ANALYSIS

FEMALE			OCCUPATIONAL CATEGORY	MALE		
F/B-%	F/O-%	F/W-%		M/B-%	M/O-%	M/W-%
19		25	OFFICIALS/ADMINISTRATORS	44		12
			PROFESSIONALS			100
			TECHNICIANS	100		
			PROTECTIVE SERVICE			
			PARA-PROFESSIONALS			
53	1.5	22	ADMINISTRATIVE SUPPORT	6	1.5	16
			SKILLED CRAFT			
			SERVICE MAINTENANCE			

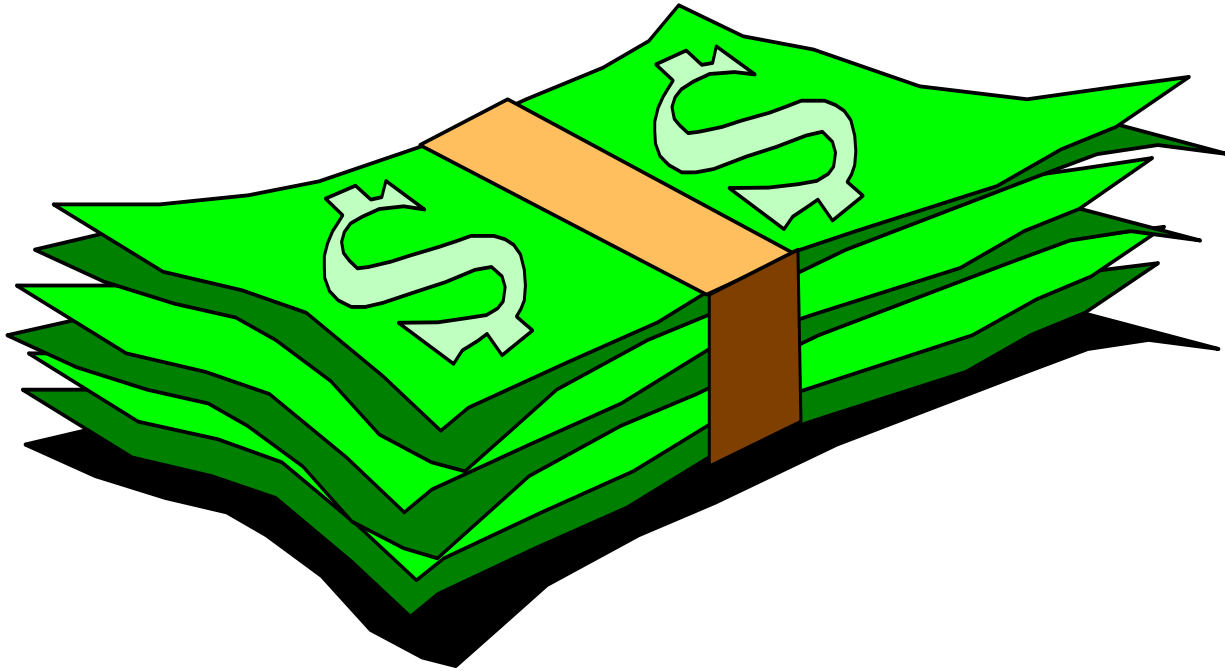


MISCELLANEOUS CASES

TOTAL FILED

	2003	2004	2005
Diversions with memorandum of understanding (DA Cases)	33	0	0
UNINDICTED MOTION CASES			
Motion To Dismiss Prosecution	180	190	271
Motion To Set Bail/Bond	31	49	59
Motion For Bail/Bond Reduction	56	58	72
Motion For Speedy Indictment & Fast and Speedy Trial	315	803	588
Motion To Revoke Bond	0	0	0
Motion For Severance	0	0	0
Motion To Alter Condition of Bail	0	0	0
Motion To Transfer Defendant to Tenn. Dept. of Corrections	0	0	0
Motion To Return Property	0	0	0
Miscellaneous Motions	62	43	9
TOTAL UNINDICTED MOTIONS FILED	644	1143	999
UNINDICTED PETITION CASES			
Petition For Writ of Habeas Corpus	64	61	2
Petition For Post Conviction Relief	97	49	0
Petition For Out of State Witness	9	8	3
Petition Declare Def. Habitual Offender Under Motor Veh. Habitual Off. Act	245	96	61
Petition For Hearing On Governor's Warrant	4	3	6
Petition For Reduction or Suspension of Sentence	0	0	0
Petition For Restoration of Citzenship	0	0	0
Petition For Restoration of Driving Priviliges	0	0	0
Petition For Writ of Error Coram Nobis	0	0	0
Petition To Turn Over Unclaimed Money	0	0	0
Petition To Suspend Remainder of Sentence	0	0	0
Petition of the Clerk to Destroy Drugs and Weapon	0	0	0
Petition To Increase Shelby County Sheriff Department Employees	0	0	0
Petition To Destroy Drugs and Weapons (MPD)	0	0	0
Petition of the Clerk to Dispose of Abandoned, Stolen or Recovered Property	0	0	0
Miscellaneous Petitions	97	97	76
TOTAL UNINDICTED PETITIONS FILED	516	314	148

FINANCE DIVISION



Warren Young, Director

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

Under the direction of the Director, the **Purchasing Section** is responsible to the Shelby County Purchasing Department for preparing, signing, and forwarding requisitions for purchase orders. The section prepares and forwards goods and services that have been requested to specific sections in house. Through this section, all check request for goods and services obtained by invoice are prepared, signed, and forwarded to the Shelby County Finance Department. When goods and services are received by a purchase order, the receiving report is completed, signed and forwarded to the Finance Department for payment.

ACCOUNTING SECTION

Bill Stewart, Supervisor

The **Bookkeeping and Accounting Section**, under the direction of a supervisor, is responsible for overseeing the management and documentation of all monies received into the office. This section keeps ledgers on all funds received and disbursed, including petty cash and the cashier's cage. All accounts, ledgers, vouchers and receipts are monitored and actual expenditures are tracked for budget purposes.

BONDS/WARRANTS SECTION

David Hill, Supervisor

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

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

COLLECTION SECTION

Billy Mulligan, Supervisor

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

The **Collections Unit**, which maintains delinquent accounts, processes new accounts, handles receipts for all money received, and provide service to the public.

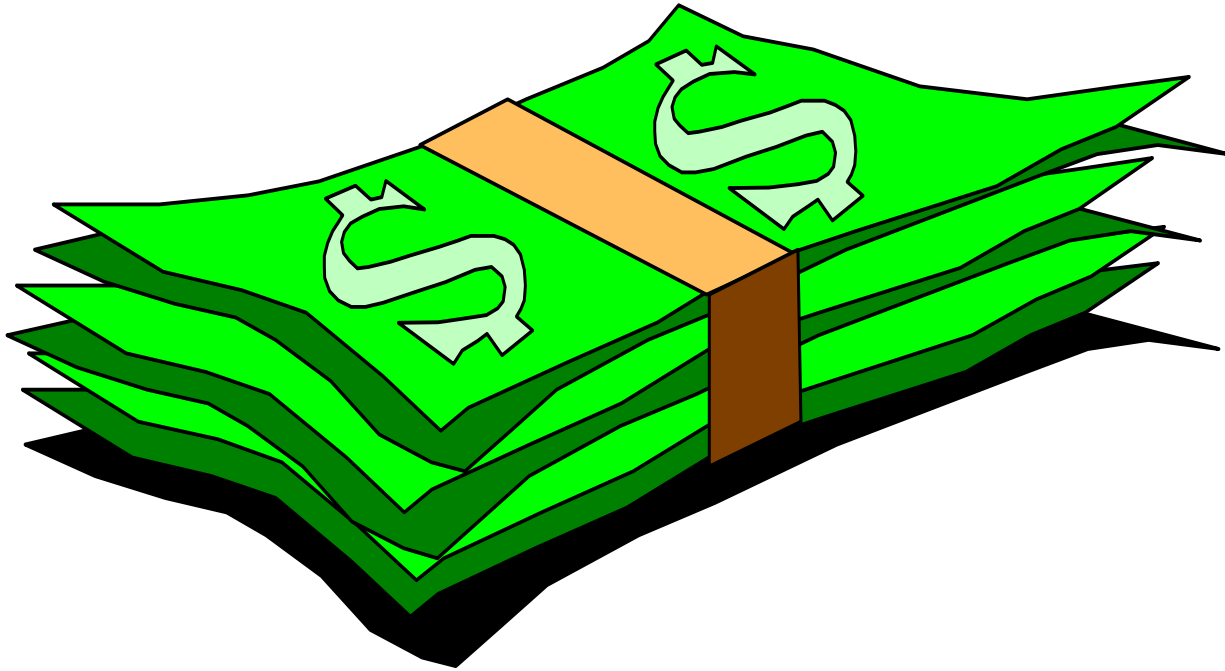
The **Garnishment Unit** issues garnishments against defendants who are employed and whose accounts are sixty days delinquent.

The **Bankruptcy Unit** maintains files and collects money from those defendants who have filed for bankruptcy.

Cost Analysis 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 2004

	BUDGET AS APPROVED	ACTUAL	VARIANCE
REVENUE:			
Elected Official's Fines and Fees	4,246,084	4,285,045	(38,961)
Other Revenue	25,000	39,106	(14,106)
Total Revenue	4,271,084	4,324,151	(53,067)
EXPENDITURES:			
Salaries and Labor	3,119,117	3,125,717	(6,600)
Other Compensation	6,691	-	6,691
Fringe Benefits	800,918	813,406	(12,488)
Supplies	93,353	101,398	(8,045)
Services	49,653	51,078	(1,425)
Professional/Contract Services	1,339	1,779	(440)
Rent, Utilities, and Maintenance	111,612	117,391	(5,779)
Asset Acquisitions	-	-	-
Total Expenditures	4,182,683	4,210,769	(28,086)
Net Operations-Excess of Rev. over Exp.	88,401	113,382	(24,981)

Fiscal Year 2005

	BUDGET AS APPROVED	ACTUAL	VARIANCE
REVENUE:			
Elected Official's Fines and Fees	4,032,500	3,876,301	156,199
Other Revenue	13,000	27,566	(14,566)
Total Revenue	4,045,500	3,903,867	141,633
EXPENDITURES:			
Salaries and Labor	3,207,801	3,181,689	26,112
Other Compensation	-	638	(638)
Fringe Benefits	921,402	904,591	16,811
Supplies	193,641	179,813	13,828
Services	63,787	57,009	6,778
Professional/Contract Services	3,000	1,223	1,777
Rent, Utilities, and Maintenance	123,391	100,626	22,765
Asset Acquisitions	11,929	11,929	-
Total Expenditures	4,524,951	4,437,518	87,433
Net Operations-Excess of Rev. over Exp.	(479,451)	(533,651)	54,200

FINES

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

		FY2003	FY2004	FY2005
Drug Fines	Bartlett Police Department	2,147	1,798	5,211
	City Of Bartlett	6,769	4,095	8,262
	Collierville Police Department	33,256	6,744	16,003
	Town of Collierville	9,650	11,936	20,985
	Germantown Police Department	54	185	1,554
	City Of Germantown	1,412	1,148	2,690
	Memphis Police Department	164,149	76,630	80,740
	City of Memphis	116,893	114,710	118,766
	Millington Police Department	237	1,330	1,633
	City of Millington	617	1,674	2,036
	Shelby County Sheriff's Department	45,431	30,409	22,159
	Shelby County Government	48,111	59,637	41,234
	Tennessee Highway Patrol	0	1,870	0
	Arlington Police Department	0	0	0
Total Drug Fines		428,726	312,166	321,273
Other Felony Fines		165,071	156,199	151,767
DUI and Other Misdemeanor Fines		460,375	483,314	454,272
Other Driving Offense Fines		122,986	161,831	153,120
TOTAL FINES RECEIVED		1,177,158	1,113,510	1,080,432

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.

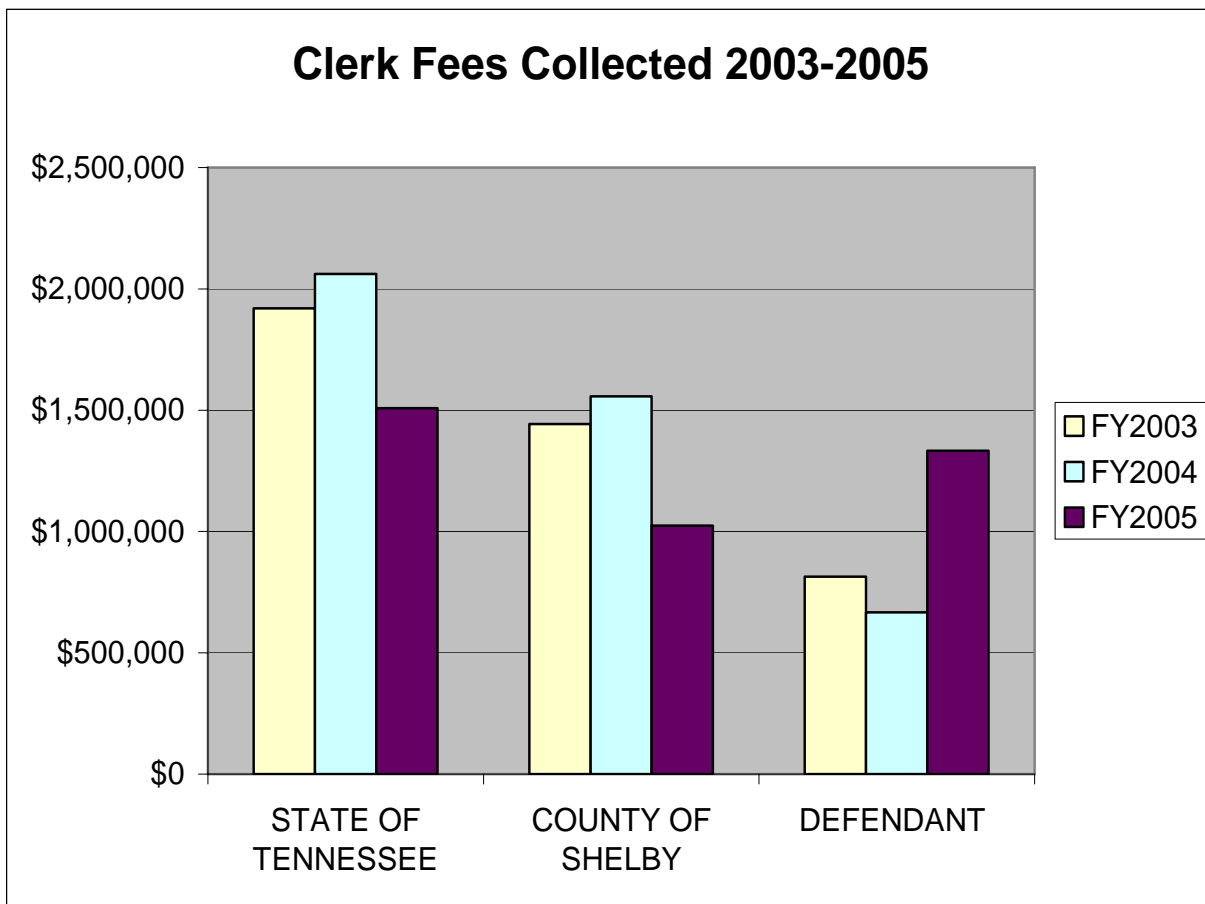
The largest amount of excess revenue collected is through commissions. The Clerk retains a commission for collecting the cost due to other agencies after a case is disposed. Agencies include the Memphis Police Department, Shelby County Sheriff's Department, General Sessions Court Clerk and other local/municipal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

Total Commissions		415,238	463,525	415,864
Interest Earned		26,385	12,891	27,566
Fees	Clerk's Collection Fee	212,584	239,759	212,362
	Clerk's Miscellaneous Fees		125,435	700
	Continuance Fee			273,953
	Credit Card Fees			1,366
	Escrow Collection Fee	119,180	122,272	112,555
	Expungement Fee	15,374	9,742	9,835
	Garnishment Fee	0	0	0
	Driver's License Reinstatement Fee	10,620	6,608	9,928
	Bond Service Fee	11,135	9,127	7,230
	Fax Fee	626	155	349
	Driver's License Certification Fee	2,144	2,625	2,235
Total Fees		371,663	515,723	630,513
Other Fees	Bond Petitions	53,254	39,766	37,251
	Petitions	59,814	51,871	48,737
	Copies	6,597	6,960	7,166
	Record Checks	6,831	2,881	1,930
	Felony Appeals	23,526	21,333	20,985
	Bond Forfeitures	27,594	25,135	21,126
Total Other Fees		177,616	147,946	137,195

ESCROW COLLECTIONS

2003-2005

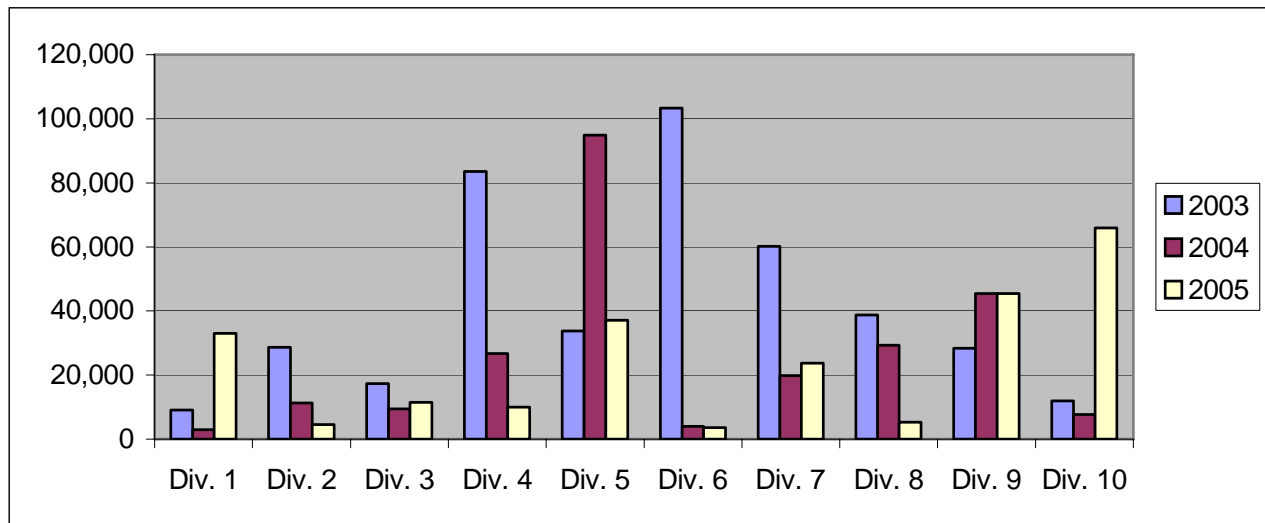
RECEIVED FROM:	STATE OF TENNESSEE	COUNTY OF SHELBY	DEFENDANT
FY2003	\$1,919,916	\$1,442,456	\$814,732
FY2004	\$2,061,459	\$1,556,712	\$666,874
FY2005	\$1,508,817	\$1,023,858	\$1,332,628



FINAL JUDGMENTS PAID BY BONDING COMPANIES

2003 - 2005

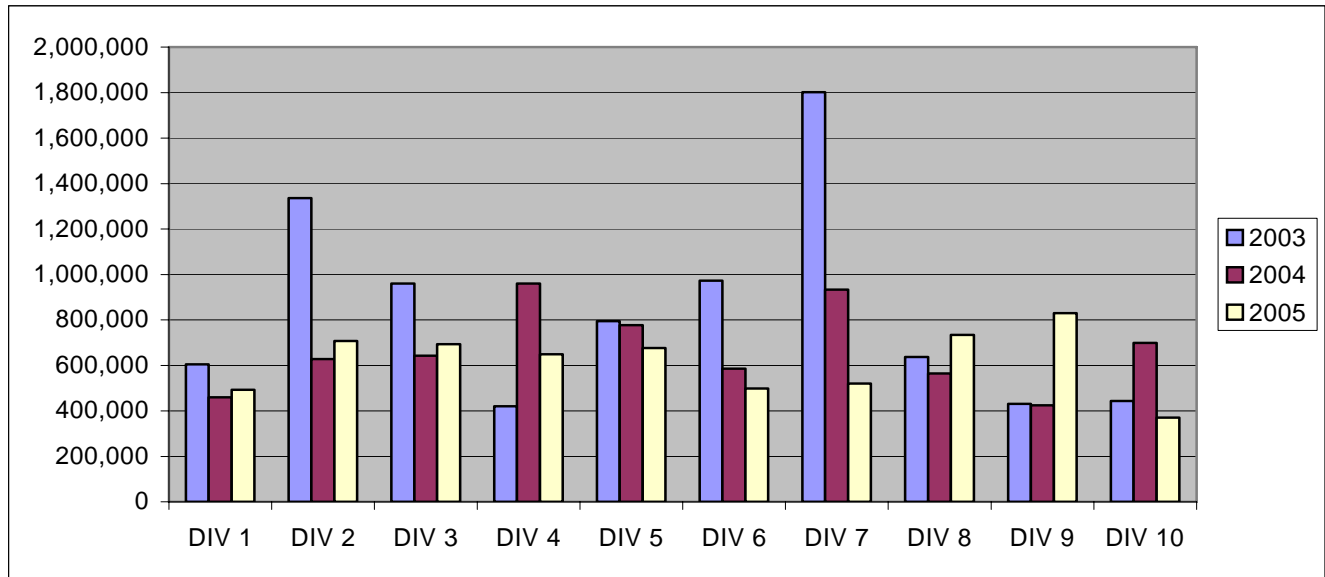
	2003	2004	2005
Div. 1	9,050	2,900	33,050
Div. 2	28,700	11,300	4,500
Div. 3	17,350	9,450	11,450
Div. 4	83,500	26,750	10,000
Div. 5	33,800	94,850	37,100
Div. 6	103,350	4,050	3,600
Div. 7	60,150	19,800	23,750
Div. 8	38,750	29,350	5,350
Div. 9	28,300	45,500	45,500
Div. 10	11,900	7,700	65,950
Total	414,850	251,650	240,250



BOND EXONERATIONS BY DIVISION

2003 – 2005

	2003	2004	2005
DIV 1	604,500	459,500	492,500
DIV 2	1,336,300	628,000	707,600
DIV 3	960,500	642,500	693,300
DIV 4	420,250	960,000	649,500
DIV 5	795,000	777,000	675,750
DIV 6	972,100	585,750	498,500
DIV 7	1,802,000	933,100	519,200
DIV 8	637,000	564,000	733,400
DIV 9	430,750	423,600	830,250
DIV 10	443,750	699,500	370,000
TOTALS	8,402,150	6,672,950	6,170,000



MISCELLANEOUS DATA

- *HOW MANY INMATES ARE INCARCERATED IN ADULT INSTITUTIONS IN TENNESSEE?*
On August 31, 2005, there were 18,219 males and 1,138 females assigned to TDOC facilities, for a total of 19,367 inmates, incarcerated in Tennessee's adult institutions.
- *HOW MANY OFFENDERS ARE ON PROBATION IN TENNESSEE?*
On July 31, 2005, there were 35,987 offenders on regular and intensive probation.
- *HOW MANY OFFENDERS IN TENNESSEE ARE IN COMMUNITY CORRECTION PROGRAMS?*
On July 31, 2005, the Community Correction population was 6,142.
- *HOW MANY OFFENDERS ARE ON PAROLE IN TENNESSEE?*
On July 31, 2005, the parole caseload was 8,596.
- *WHAT PERCENT OF THE TENNESSEE PRISON POPULATION IS INCARCERATED ON A HOMICIDE OR ATTEMPTED HOMICIDE CHARGE?*
In May, 2005, the percent of the Tennessee prison population incarcerated for the crime of homicide or attempted homicide was 18.3%.
- *WHAT PERCENT OF THE TENNESSEE PRISON POPULATION ARE SEX OFFENDERS?*
In May, 2005, the percent of the Tennessee prison population incarcerated for a sex offense was 14.3%.
- *WHAT PERCENT OF THE TENNESSEE PRISON POPULATION ARE DRUG OFFENDERS?*
In May, 2005, the percent of the Tennessee prison population incarcerated for a drug offense was 14.1%.
- *HOW MUCH DOES IT COST PER DAY TO HOUSE A TDOC INMATE?*
In Fiscal Year 2004/2005, the average cost-per-day to house a TDOC inmate was \$50.50. The cost to house a death row inmate was \$69.47.
- *HOW MANY INMATES ARE ON DEATH ROW IN TENNESSEE?*
On July 31, 2005, there were 100 males and 2 females on death row in Tennessee.
- *HOW MANY INMATES UNDER 18 YEARS OF AGE ARE IN ADULT INSTITUTIONS?*
On August 31, 2005, there were 8 juvenile offenders incarcerated in Tennessee adult prisons.
- *WHAT METHOD OF EXECUTION IS USED IN TENNESSEE?*
Lethal injection is now the primary method of execution in Tennessee. Legislation enacted in March 2000 specifies 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 April 19, 2000. Robert Glen Coe was put to death by lethal injection for the crimes of first degree murder, aggravated rape, and aggravated kidnapping.

GLOSSARY OF TERMS

A

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

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

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

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

ADJUDICATION – A judgment or decree.

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

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

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

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

APPELLEE – The party against whom an appeal is filed.

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

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

AS PROSEQUENDAM – To prosecute.

B

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

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

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

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

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

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

C

CASELOAD – The number of cases a judge handles.

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

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

CIVIL LAW – All law that is not criminal law.

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

CODE – A collection of laws promulgated by legislative authority.

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

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

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

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

appeals or review directed to another court; the words “coram nobis”, meaning “our court”, as compared to the common-law writ of coram vobis, meaning “your court”, clearly point this up.

D

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

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

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

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

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

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

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

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

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

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

E

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

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

ET AL – “And others”.

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

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

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

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

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

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

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

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

F

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

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

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

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

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

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

FORENSIC – Belonging to courts of justice.

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

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

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

G

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

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

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

H

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

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

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

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

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

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

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

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

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

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

I

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

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

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

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

INTERROGATORIES – Written questions that must be answered under oath.

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

J

JUDGMENT – Final determination by a court.

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

JURIS – Lat. Of right; of law.

JURISPRUDENCE – The science of law.

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

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

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

L

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

LITIGANT – Person or group engaged in a lawsuit.

M

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

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

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

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

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

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

MOOT – Unsettled or undecided.

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

N

NEGLIGENCE – The absence of ordinary care.

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

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

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

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

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

O

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

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

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

P

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PRO BONO – Legal services provided without attorney fees.

PRO SE – Legal representation of oneself.

PRO TEM – “Temporary”.

Q

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

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

R

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

REMAND – To send back.

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

S

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

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

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

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

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

STATUTE – A law created by the Legislature.

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

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

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

T

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

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

TOXICOLOGY – The science of poisons; that department of medical science which treats poisons, their effect, their recognition, their antidotes, and generally of 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 are satisfied 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.