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ANNUAL REPORT
2010

CRIMINAL COURT OF MEMPHIS AND SHELBY COUNTY

201 Poplar – Suite 401
Memphis, Tennessee 38103

Kevin P. Key, Criminal Court Clerk

Thirtieth Judicial District
At
Memphis

CRIMINAL COURT JUDGES

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

TABLE OF CONTENTS

Clerk's Profile	4
Clerk's Photo	5
Appointed Officials	8
Organizational Chart	11
State Trial Courts	14
Tennessee Court Structure	16
Operations Division Supervisory Staff	18
Operations Statistical Information	21
Administrative Services Division Supervisory Staff	59
Administrative Services Division Statistical Information	61
Finance Division Supervisory Staff	68
Finance Division Statistical Information	71
Miscellaneous Data	77
Glossary	79

KEVIN P. KEY

Criminal Court Clerk Thirtieth Judicial District at Memphis

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

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

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

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

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

Memberships

Shelby County I.T. Steering Committee

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

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

Shelby County Unified Personnel Policy Committee

Tennessee State Court Clerk's Association

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

County Officials Association of Tennessee (COAT)

International Association of Clerks, Recorders, Election Officials and Treasurers



In my past 30 years with the Shelby County Courts, we have witnessed many changes regarding personnel, policy & procedures, statistical demographics and the volume of cases. With these changes, the Court Clerk's fundamental responsibilities have remained consistent. We are charged with maintaining the records, collecting court fines and fees, hiring, and overseeing qualified and dependable staff.

Our world has seen dramatic improvements with the advent of new technology and the internet. We have witnessed huge leaps in communication and the storage and retrieval of records. As a general note, the local courts have not been on the electronic "cutting edge," however great initiatives are currently in place in moving us into this new age.

The Criminal Court Clerk's office and the other Shelby County Justice entities are working hard toward implementing new systems. This partnership will improve communications with other local and state agencies. Some of the benefits of Court E-filing will result in permanent electronic records storage, less government overhead, and improved justice for all.

These are exciting times for our Courts. It is amazing how far we have come since my young days in 1980 at The Juvenile Court. I really look forward in positioning our Courts in transitioning into the 20th Century and beyond.

With warm regards,

Kevin Key

THE CLERK OF THE CRIMINAL COURT

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

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

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

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

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

In the operation of the Tennessee Court System, the Criminal Court Clerk serves a vital role. The Clerk (or his deputies) must attend each session of court with all the papers for the cases on the docket. The Clerk must administer the oaths to parties and witnesses who testify in a case. The Clerk keeps the minutes of the court in a well-bound book or may keep this information in electronic format, so long as certain safekeeping rules are followed. Storage and retention of documents are important considerations

for the Criminal Court Clerk because of the voluminous amount of paperwork handled. If a case is appealed from the Criminal Court, the Clerk compiles the record needed for the appeal.

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

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

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

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

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

ADMINISTRATIVE STAFF

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

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

Mrs. Maerne Bernard
Director of Operations

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

Mrs. Janis Dunavant
Director of Administrative Services

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

Mr. Billy Stewart
Director of Finance

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

Mrs. Marie Finney
Director of Client Services

Mrs. Finney began her career in April, 1983 at Memphis and Shelby County Juvenile Court as a "detention officer". In February, 2006 her job position was reclassified to Youth Services Bureau Manager, overseeing the day to day operation of the Court's "home confinement program" and the Re-entry program, allowing her to expand the Court's programs to include GPS (Global Positioning Services) services for all juvenile offenders. She has served on various boards and committees along the way. Ms. Finney joined the Criminal Court Clerk's office in 2010 and her duties currently include being the chief liaison between the Clerk's office and the public.

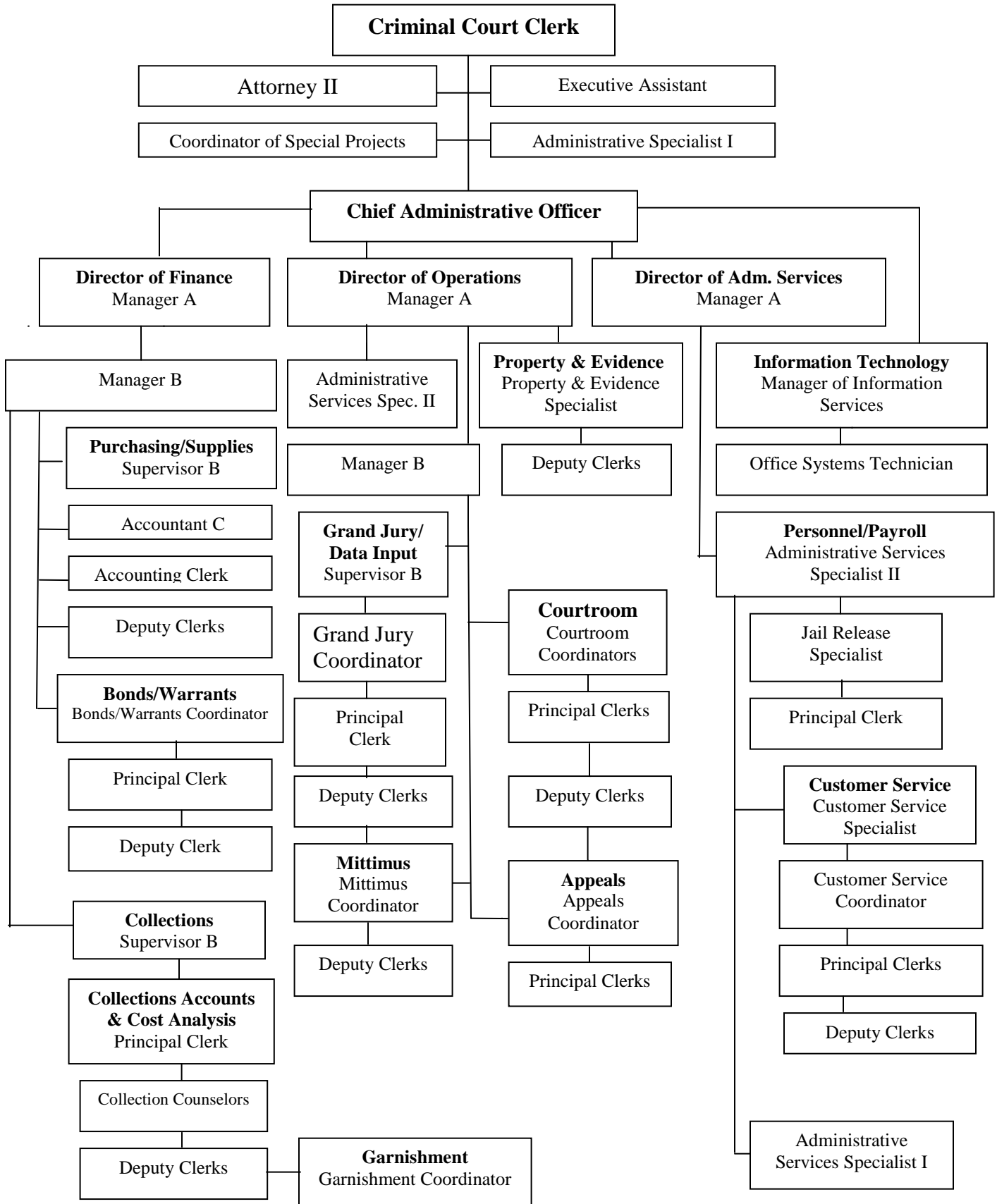
Ms. Doris Swauncy
Executive Assistant

Under the direction of the Criminal Court Clerk, the Executive Assistant performs various designated administrative, secretarial, and confidential duties requiring a high degree of judgment and tact. The Executive Assistant also receives, transmits and informs division heads and of the operating personnel of policies established, administrative decisions reached, and problems solved. The Executive Assistant takes initiative in planning work, solving office problems and expediting the flow of work in the Clerk's office. The Executive Assistant plans special activities and varied projects by interacting with all staff members to assure completion of successful plans. Ms. Swauncy is also responsible for preparing requisitions for purchase orders. Ms. Swauncy prepares and forwards goods and services that have been received to specific sections in house. All check requests for goods and services obtained by invoice are prepared, signed, and forwarded to the Shelby County Finance Department. When goods and services are received for a purchase order, the receiving report is completed and forwarded to the Finance Department for payment.

Mrs. Debra Wilkes
Administrative Specialist

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

ORGANIZATIONAL CHART



TENNESSEE COURTS

SUPREME COURT

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

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

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

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

INTERMEDIATE APPELLATE COURTS

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

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

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

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

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

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

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

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

STATE TRIAL COURTS

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

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

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

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

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

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

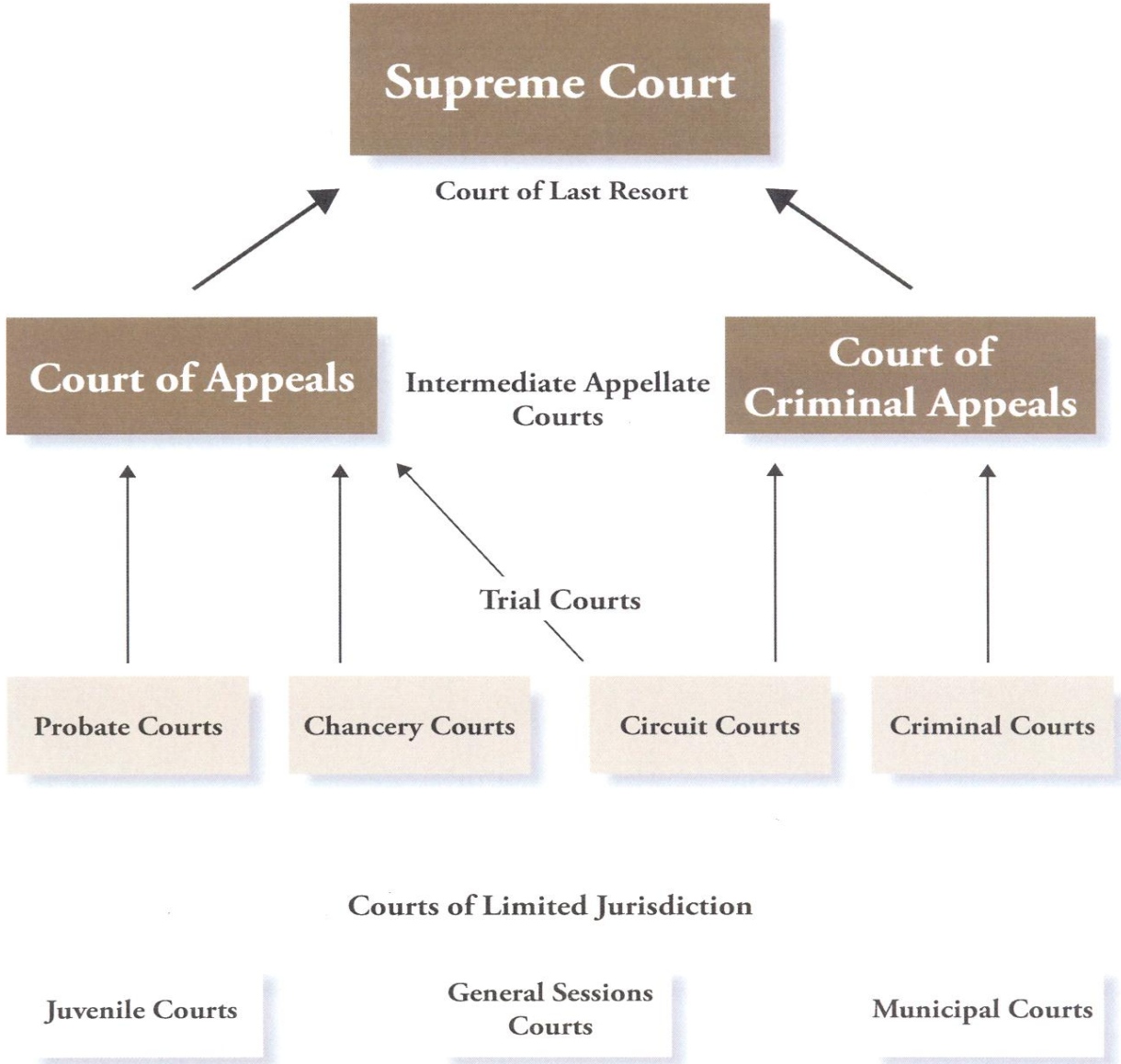
COURTS OF LIMITED JURISDICTION

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

JUVENILE COURT jurisdiction is vested in General Sessions Courts in all counties except those in which the law establishes special Juvenile Courts. Juvenile Courts have exclusive jurisdiction in proceedings involving minors alleged to be delinquent, unruly dependent and neglected. Juvenile Courts 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 COURT SYSTEM



OPERATIONS

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



OPERATIONS DIVISION

Maerne Bernard, Director
Sandra Cross Peterson, Deputy Director

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

APPEALS SECTION
Tim Lewis, Supervisor

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

COURTROOM CLERKS
Sandra Brown, Supervisor
Sandra Sandidge, Supervisor

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

GRAND JURY SECTION

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

MITTIMUS SECTION

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

PROPERTY AND EVIDENCE SECTION

Carl Townsend, Supervisor

The Property and Evidence Department is responsible for property received from the Memphis Police Department property room and all other sources of property used by the Criminal Courts for evidence. This allows an expedient process of presenting evidence in the criminal courts until time of court presentation and final disposition. A state of the art security system, monitored by Homeland Security, is used to secure these items until needed in court.

OPERATIONS STATISTICAL INFORMATION



CRIMINAL FILINGS

	2008	
FELONY TRUE BILLS OF INDICTMENT		14,405
MISDEMEANOR TRUE BILLS OF INDICTMENT		6,612
PETITIONS & MOTIONS ¹		4,391
NOT TRUE BILLS OF INDICTMENT		33
TOTAL BILLS OF INDICTMENT ²		25,441
	2009	
FELONY TRUE BILLS OF INDICTMENT		16,796
MISDEMEANOR TRUE BILLS OF INDICTMENT		5,340
PETITIONS & MOTIONS ¹		3,204
NOT TRUE BILLS OF INDICTMENT		35
TOTAL BILLS OF INDICTMENT ²		25,375
	2010	
FELONY TRUE BILLS OF INDICTMENT		16,213
MISDEMEANOR TRUE BILLS OF INDICTMENT		5,159
PETITIONS & MOTIONS ¹		6,775
NOT TRUE BILLS OF INDICTMENT		11
TOTAL BILLS OF INDICTMENT ²		28,158

CRIMINAL INFORMATION CASES

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

2008	2009	2010
2241	2041	1763

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

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

COMMON TYPES OF MISDEMEANOR CASES

OFFENSES AGAINST PERSON

ASSAULT OFFENSES

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

SEXUAL OFFENSES

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

KIDNAPPING & FALSE IMPRISONMENT

- §39-13-302 False Imprisonment

OFFENSES AGAINST PROPERTY

THEFT

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

ANIMALS

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

BURGLARY & RELATED OFFENSES

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

COMPUTER OFFENSES

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

OFFENSES AGAINST ADMINISTRATION OF THE GOVERNMENT

FALSE IMPERSONATION

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

OBSTRUCTION OF JUSTICE

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

INTERFERENCE WITH GOVERNMENT OPERATIONS

- §39-16-502 False Offense Reports

OFFENSES AGAINST PUBLIC HEALTH, SAFETY, AND WELFARE

DISORDERLY CONDUCT AND RIOTS

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

DRUGS

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

GAMBLING

§39-17-502 Gambling

INTOXICATING LIQUORS

§39-17-713 Storage of Liquor for Sale

WEAPONS

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

MOVING TRAFFIC VIOLATIONS

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

GENERAL PROVISIONS

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

TOTAL DISPOSITION OF MISDEMEANOR INDICTMENTS

2008

GENERAL PROVISIONS

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

GENERAL OFFENSES

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

OFFENSES AGAINST PERSON

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

OFFENSES AGAINST PROPERTY

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

TOTAL DISPOSITION OF MISDEMEANOR INDICTMENTS

2008

OFFENSES AGAINST THE FAMILY

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

OFFENSES AGAINST THE ADMINISTRATION OF THE GOVERNMENT

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

OFFENSES AGAINST THE PUBLIC HEALTH, SAFETY, AND WELFARE

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

MOTOR TRAFFIC VIOLATIONS

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

TOTAL DISPOSITION OF MISDEMEANOR INDICTMENTS

2009

GENERAL PROVISIONS

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

GENERAL OFFENSES

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

OFFENSES AGAINST PERSON

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

OFFENSES AGAINST PROPERTY

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

TOTAL DISPOSITION OF MISDEMEANOR INDICTMENTS

2009

OFFENSES AGAINST THE FAMILY

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

OFFENSES AGAINST THE ADMINISTRATION OF THE GOVERNMENT

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

OFFENSES AGAINST THE PUBLIC HEALTH, SAFETY, AND WELFARE

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

MOVING TRAFFIC VIOLATIONS

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

TOTAL DISPOSITION OF MISDEMEANOR INDICTMENTS

2010

GENERAL PROVISIONS

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTIONS AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	0	0	0	0	0	0	0	1	1	0	2
GUILTY PLEA	3	4	11	4	3	6	3	1	2	1	38
OTHER	0	0	0	1	0	0	0	0	0	0	1
TOTAL	3	4	11	5	3	6	3	2	3	1	41

GENERAL OFFENSES

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

OFFENSES AGAINST PERSON

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	5	0	0	0	1	1	7
CONVICTIONS AFTER TRIAL	1	1	0	0	31	1	2	3	4	1	44
DISMISS/NOLLE PROSEQUI	40	30	32	42	58	31	24	24	28	31	340
GUILTY PLEA	74	59	75	74	4	37	79	42	64	58	566
OTHER	10	6	2	4	0	4	0	3	5	3	37
TOTAL	125	96	109	120	98	73	105	72	102	94	994

OFFENSES AGAINST PROPERTY

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTIONS AFTER TRIAL	0	0	0	0	0	1	1	2	2	0	6
DISMISS/NOLLE PROSEQUI	8	9	17	9	7	5	11	20	11	9	106
GUILTY PLEA	19	21	28	37	41	45	45	24	24	15	299
OTHER	1	7	0	1	2	0	0	3	3	1	18
TOTAL	28	37	45	47	50	51	57	49	40	25	429

TOTAL DISPOSITION OF MISDEMEANOR INDICTMENTS

2010

OFFENSES AGAINST THE FAMILY

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

OFFENSES AGAINST THE ADMINISTRATION OF THE GOVERNMENT

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTIONS AFTER TRIAL	0	0	0	0	0	0	1	0	0	1	2
DISMISS/NOLLE PROSEQUI	9	10	21	15	6	5	8	10	12	8	104
GUILTY PLEA	12	11	20	16	12	24	23	18	14	18	168
OTHER	1	0	1	0	0	1	0	0	1	0	4
TOTAL	22	21	42	31	18	30	32	28	27	27	278

OFFENSES AGAINST THE PUBLIC HEALTH, SAFETY, AND WELFARE

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTIONS AFTER TRIAL	0	0	0	0	0	0	4	0	0	0	4
DISMISS/NOLLE PROSEQUI	35	30	44	30	34	12	30	43	32	24	314
GUILTY PLEA	88	72	99	108	104	83	86	71	87	63	861
OTHER	4	8	4	5	1	5	3	2	6	2	40
TOTAL	127	110	147	143	139	100	123	116	125	89	1219

MOVING TRAFFIC VIOLATIONS

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

COMMON TYPES OF FELONY CASES

GENERAL PROVISIONS

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

GENERAL OFFENSES

PREPARATORY OFFENSES

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

OFFENSES AGAINST PERSON

ASSAULT OFFENSES

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

CRIMINAL HOMICIDE

§39-13-202	First Degree Murder
§39-13-210	Second Degree Murder
§39-13-211	Voluntary Manslaughter
§39-13-212	Criminal Negligent Homicide
§39-13-213	Vehicular Homicide
§39-13-215	Reckless Homicide
§39-2-202	M1D/Murder in Perpetration of a Felony
§39-2-211	Murder Second Degree
§39-2-221	Involuntary Manslaughter
§39-13-504	Aggravated Sexual Battery

KIDNAPPING/FALSE IMPRISONMENT

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

ROBBERY

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

SEXUAL OFFENSES

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

COMMON TYPES OF FELONY CASES

OFFENSES AGAINST PROPERTY

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

ARSON – EXPLOSIVES

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

BURGLARY & RELATED OFFENSES

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

OFFENSES AGAINST THE FAMILY

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

COMMON TYPES OF FELONY CASES

OFFENSES AGAINST ADMINISTRATION OF THE GOVERNMENT

BRIBERY

§39-16-102 Bribery of a Public Servant

CONTRABAND IN PENAL INSTITUTIONS

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

FALSE PERSONATION OBSTRUCTION OF JUSTICE

§39-16-302 Impersonation of Licensed Professional

MISCONDUCT INVOLVING PUBLIC OFFICIALS AND EMPLOYEES

§39-16-402 Official Misconduct

§39-16-403 Official Oppression

INTERFERENCE WITH GOV. OPS.

§39-16-502 False Bomb Report

§39-16-503 Tampering With or Fabricating
Evidence

§39-16-507 Coercion of Witness

§39-15-402 Retaliation for Past Action

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

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

PERJURY

§39-16-703 Aggravated Perjury

OFFENSES AGAINST PUBLIC HEALTH, SAFETY, & WELFARE

DRUGS

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

§39-17-425 Manufacturing/Delivering Drug
Paraphernalia

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

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

WEAPONS

§39-17-1302 Possession of Prohibited
Weapon

§39-17-1306 Carrying Weapons
during Judicial Proceedings

§39-17-1309 Carrying Weapons on School
Property

MISCELLANEOUS

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

MOVING TRAFFIC VIOLATIONS

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

TOTAL DISPOSITION OF FELONY INDICTMENTS

2008

GENERAL PROVISIONS

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

GENERAL OFFENSES

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

OFFENSES AGAINST PERSONS

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

OFFENSES AGAINST PROPERTY

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

TOTAL DISPOSITION OF FELONY INDICTMENTS

2008

OFFENSES AGAINST THE FAMILY

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

OFFENSES AGAINST ADMINISTRATION OF THE GOVERNMENT

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

OFFENSES AGAINST PUBLIC HEALTH, SAFETY, & WELFARE

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

MOVING TRAFFIC VIOLATIONS

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

TOTAL DISPOSITION OF FELONY INDICTMENTS

2009

GENERAL PROVISIONS

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

GENERAL OFFENSES

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

OFFENSES AGAINST PERSONS

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

OFFENSES AGAINST PROPERTY

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

TOTAL DISPOSITION OF FELONY INDICTMENTS

2009

OFFENSES AGAINST THE FAMILY

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

OFFENSES AGAINST ADMINISTRATION OF THE GOVERNMENT

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

OFFENSES AGAINST PUBLIC HEALTH, SAFETY, AND WELFARE

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

MOVING TRAFFIC VIOLATIONS

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

TOTAL DISPOSITION OF FELONY INDICTMENTS

2010

GENERAL PROVISIONS

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTION AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	5	2	3	3	2	10	3	2	32	1	63
GUILTY PLEA	6	1	2	3	3	11	24	3	7	6	66
OTHER	0	1	0	1	1	0	0	0	0	0	3
TOTAL	11	4	5	7	6	21	27	5	39	7	132

GENERAL OFFENSES

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTION AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	2	0	2	0	0	0	2	1	3	1	11
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	2	0	2	0	0	0	2	1	3	1	11

OFFENSES AGAINST PERSONS

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

OFFENSES AGAINST PROPERTY

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

TOTAL DISPOSITION OF FELONY INDICTMENTS

2010

OFFENSES AGAINST THE FAMILY

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTION AFTER TRIAL	0	0	0	0	0	0	0	0	0	0	0
DISMISS/NOLLE PROSEQUI	5	1	0	2	2	1	5	0	7	3	26
GUILTY PLEA	6	3	3	4	2	2	14	2	3	2	41
OTHER	0	0	0	0	0	0	0	0	0	0	0
TOTAL	11	4	3	6	4	3	19	2	10	5	67

OFFENSES AGAINST ADMINISTRATION OF THE GOVERNMENT

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	2	0	4	0	0	0	6
CONVICTION AFTER TRIAL	0	1	0	0	3	0	3	0	0	0	7
DISMISS/NOLLE PROSEQUI	43	29	42	58	38	35	19	29	43	33	369
GUILTY PLEA	41	38	31	24	14	22	32	36	30	21	289
OTHER	2	3	0	0	0	0	0	0	0	0	5
TOTAL	86	71	73	82	57	57	58	65	73	54	676

OFFENSES AGAINST PUBLIC HEALTH, SAFETY, AND WELFARE

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

MOVING TRAFFIC VIOLATIONS

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
ACQUITTAL	0	0	0	0	0	0	0	0	0	0	0
CONVICTION AFTER TRIAL	1	0	0	0	0	0	1	0	0	2	4
DISMISS/NOLLE PROSEQUI	6	2	2	5	5	3	3	0	4	2	32
GUILTY PLEA	19	23	39	27	32	26	23	15	22	19	245
OTHER	0	0	0	0	2	0	0	0	0	0	2
TOTAL	26	25	41	32	39	29	27	15	26	23	283

COMMON TYPES OF UNINDICTED PETITIONS/MOTIONS

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

PETITION/MOTION DISPOSITIONS

2008

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

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

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

TYPE OF CASE: PETITION FOR POST CONVICTION RELIEF

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

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

TYPE OF CASE: PETITION TO DECLARE HABITUAL MOTOR VEHICLE OFFENDER

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

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

PETITION/MOTION DISPOSITIONS

2009

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

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

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

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

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

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

PETITION/MOTION DISPOSITIONS

2010

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

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
PETITION GRANTED	268	409	402	380	462	370	232	317	350	392	3582
DISMISS/NOLLE PROSEQUI	311	352	381	272	216	404	191	198	255	287	2867
GUILTY PLEA	2	1	0	0	0	4	2	3	0	1	13
OTHER	3	1	18	7	0	2	1	1	0	4	37
TOTAL	584	763	801	659	678	780	426	519	605	684	6499

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

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
PETITION GRANTED	0	0	0	0	0	1	1	3	1	0	6
DISMISS/NOLLE PROSEQUI	7	15	24	9	12	36	4	16	9	2	134
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	2	0	3	5	5	0	12	2	10	3	42
TOTAL	9	15	27	14	17	37	17	21	20	5	182

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

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
PETITION GRANTED	2	7	7	7	7	10	10	10	7	9	76
DISMISS/NOLLE PROSEQUI	0	0	0	0	0	1	0	0	0	1	2
GUILTY PLEA	0	0	0	0	0	0	0	0	0	0	0
OTHER	2	3	5	1	2	0	1	2	0	0	16
TOTAL	4	10	12	8	9	11	11	12	7	10	94

2008

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

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

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

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

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

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

2009

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

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

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

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

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

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

2010

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

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
FELONIES	9	4	4	4	10	13	11	11	12	9	87
MISDEMEANORS	1	0	2	0	1	0	2	1	1	1	9
POST CONVICTION RELIEF	5	5	10	4	5	15	3	8	3	2	60
WRIT OF HABEAS CORPUS	0	1	1	0	2	1	0	1	0	1	7
TOTAL	15	10	17	8	18	29	16	21	16	13	163

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

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
FELONIES	10	9	4	3	9	17	15	14	20	8	109
MISDEMEANORS	2	0	2	0	0	0	1	1	1	2	9
POST CONVICTION RELIEF	6	8	10	4	8	15	2	7	5	1	66
WRIT OF HABEAS CORPUS	0	1	1	0	2	1	1	0	0	1	7
TOTAL	18	18	17	7	19	33	19	22	26	12	191

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

COURT DIVISIONS	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
AFFIRMED	18	9	12	11	21	23	12	24	17	15	162
AFFIRMED & MODIFIED	0	0	1	0	1	0	0	1	0	1	4
REVERSED & REMANDED	2	2	0	1	0	1	2	0	0	2	10
AFFIRMED IN PART/ REVERSED & REMANDED	1	1	0	1	1	1	0	0	0	1	6
AFFIRMED IN PART/ REVERSED & DISMISSED	0	0	0	0	0	0	0	0	0	0	0
VACATED & REMANDED	0	0	0	0	0	0	0	0	0	0	0
REMANDED	0	0	0	0	0	0	0	0	0	0	0
APPEAL DISMISSED	3	0	0	2	0	0	0	2	1	0	8
MODIFIED & REMANDED	0	0	0	0	0	0	0	0	0	0	0
MODIFIED	0	0	0	0	0	0	0	0	0	0	0
REVERSED IN PART	0	0	0	0	0	0	0	0	0	0	0
TOTAL	24	12	13	15	23	25	14	27	18	19	190

2008

**END OF YEAR DISPOSITION CASELOAD
STATISTICAL REPORT**

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

TOTALS BY TYPE

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
Total Felony Trial Cases	20	10	37	15	33	37	25	33	21	36	267
Total Misdemeanor Trial Cases	5	2	3	2	13	4	5	4	8	6	52
Total Trial Cases	25	12	40	17	46	41	30	37	29	42	319
Total Acquittals	13	2	10	4	12	13	11	5	1	8	79
Total Convictions After Trials	12	10	30	13	34	28	19	32	28	34	240
Total Dism./N.P.	694	964	985	942	747	867	963	919	996	835	8,912
Total G.P. as Charged	916	864	991	1075	1086	988	1113	1190	975	919	10,117
Total Other Cases	59	43	57	65	54	155	48	54	62	26	623
Total Felonies Disposed	1160	1355	1574	1526	1416	1375	1555	1683	1440	1423	14,507
Total Misdemeanor Disposed	534	528	499	573	517	676	599	517	622	399	5,464
Total Pet./Motions Disposed	659	798	609	667	599	802	445	664	559	642	6,444
TOTAL CASES DISPOSED	2353	2681	2682	2766	2532	2853	2599	2864	2621	2464	26,415

2009

**END OF YEAR DISPOSITION CASELOAD
STATISTICAL REPORT**

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

TOTALS BY TYPE

DIVISION OF COURT	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
Total Felony Trial Cases	17	20	19	9	34	30	15	42	27	26	239
Total Misdemeanor Trial Cases	5	2	4	4	0	12	4	5	5	2	43
Total Trial Cases	22	22	23	13	34	42	19	47	32	28	282
Total Acquittals	10	0	5	7	11	9	4	2	6	6	60
Total Convictions After Trials	12	22	18	6	23	33	15	45	26	22	222
Total Dism./N.P.	860	883	1033	894	888	1078	804	854	963	890	9,147
Total G.P. as Charged	916	817	1042	922	983	1161	883	953	878	979	9,534
Total Other Cases	49	31	83	63	65	42	62	59	57	56	567
Total Felonies Disposed	1376	1281	1635	1377	1413	1699	1291	1438	1404	1468	14,382
Total Misdemeanor Disposed	471	472	546	515	557	624	477	475	526	485	5,148
Total Pet./Motions Disposed	625	825	684	587	707	964	458	577	697	498	6,622
TOTAL CASES DISPOSED	2472	2578	2865	2479	2677	3287	2226	2490	2627	2451	26,152

2010

**END OF YEAR DISPOSITION CASELOAD
STATISTICAL REPORT**

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

TOTALS BY TYPE

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

DISPOSITION BY CASE TYPE

2008

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

2009

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

2010

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

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.

2008

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

2009

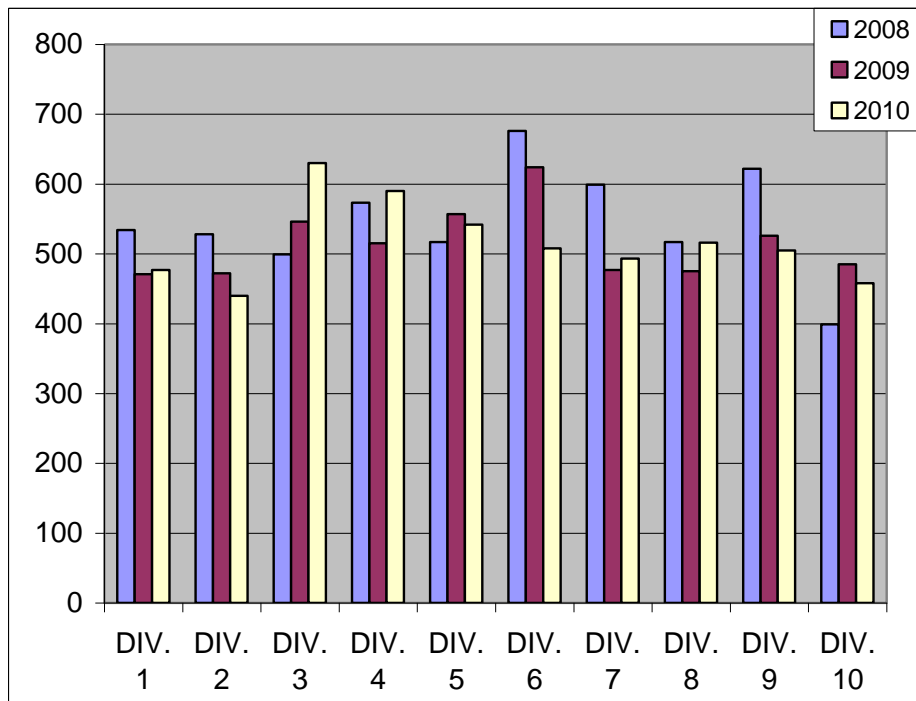
DIVISION OF COURT PROBATION SERVICE	I	II	III	IV	V	VI	VII	VIII	IX	X	TOTAL
CORRECTIONAL ALTERNATIVES	15	13	196	18	35	0	24	5	75	44	425
JUSTICE NETWORK	15	30	31	40	32	55	30	24	40	26	323
NATIONAL PROB. OF AMERICA	0	8	2	2	5	9	2	1	5	4	38
PROBATION MGMT. GROUP	9	5	43	10	9	92	17	17	17	47	266
PROBATION SERVICES	3	1	14	0	5	6	2	0	3	7	41
PROBATION WORKS	7	9	23	27	12	43	8	14	17	9	169
STATE OF TENNESSEE	137	260	375	323	303	117	223	333	412	254	2737
TENNESSEE CORRECTIONS	2	1	2	0	4	5	0	2	0	1	17
TOTAL CASES	188	327	686	420	405	327	306	396	569	392	4016

2010

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

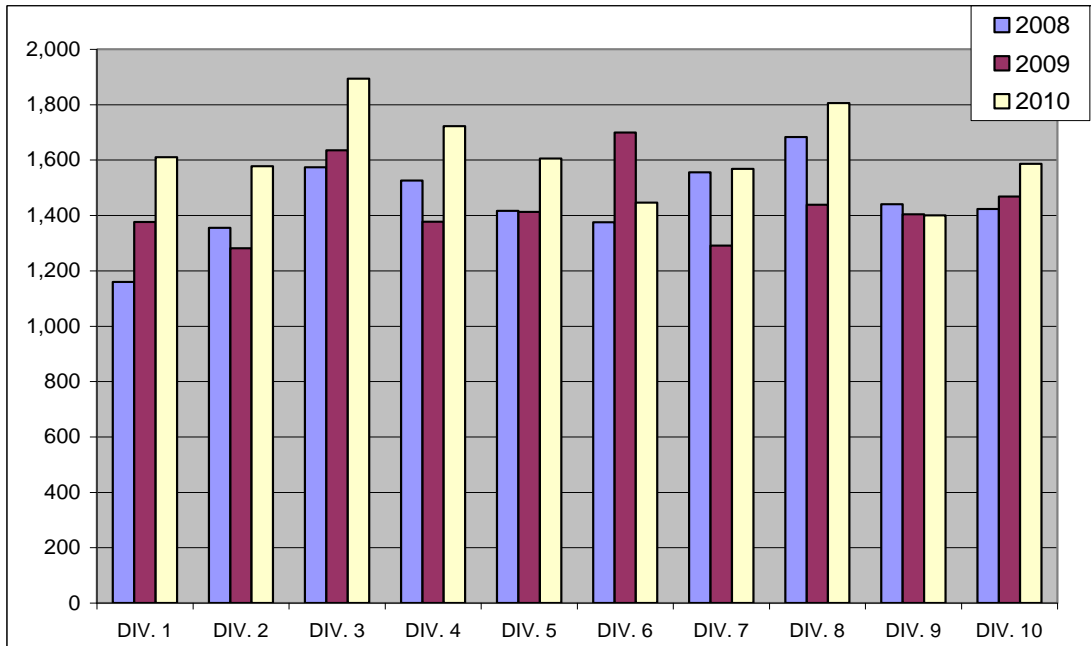
2008-2010 MISDEMEANOR CASES DISPOSED BY DIVISION

	2008	2009	2010
DIV. 1	534	471	477
DIV. 2	528	472	440
DIV. 3	499	546	630
DIV. 4	573	515	590
DIV. 5	517	557	542
DIV. 6	676	624	508
DIV. 7	599	477	493
DIV. 8	517	475	516
DIV. 9	622	526	505
DIV. 10	399	485	458
Total Cases Disposed	5464	5148	5159



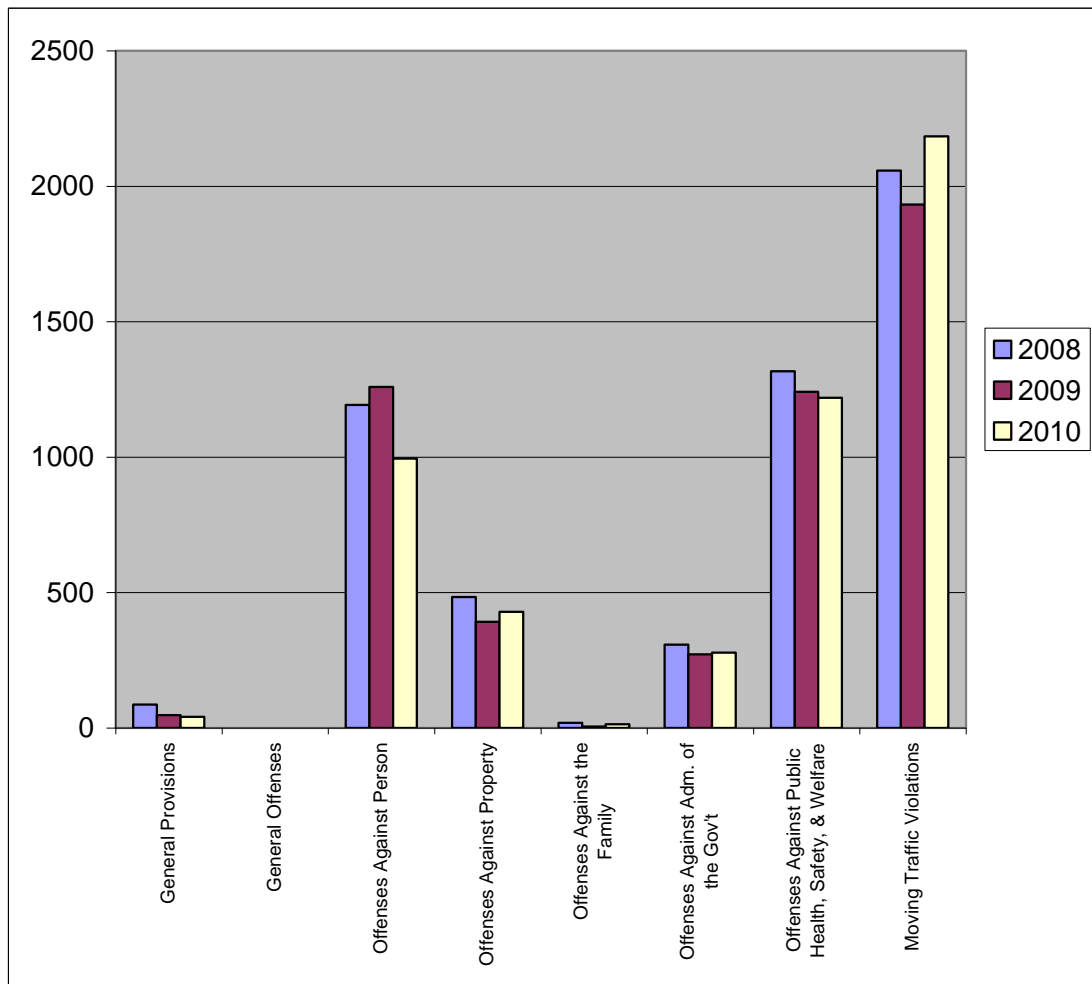
2008-2010 FELONY CASES DISPOSED BY DIVISION

	2008	2009	2010
DIV. 1	1,160	1,376	1,610
DIV. 2	1,355	1,281	1,577
DIV. 3	1,574	1,635	1,894
DIV. 4	1,526	1,377	1,722
DIV. 5	1,416	1,413	1,605
DIV. 6	1,375	1,699	1,446
DIV. 7	1,555	1,291	1,568
DIV. 8	1,683	1,438	1,805
DIV. 9	1,440	1,404	1,400
DIV. 10	1,423	1,468	1,586
Total Cases Disposed	14,507	14,382	16,213



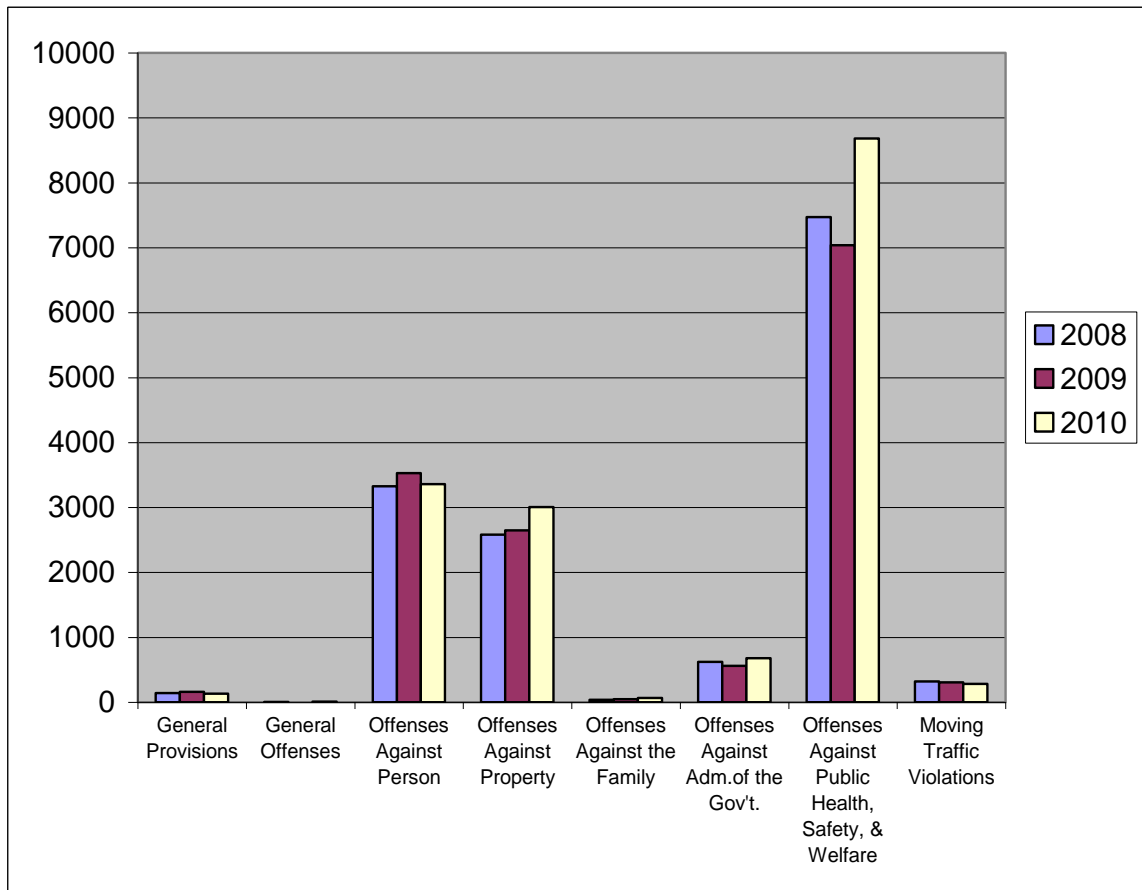
2008-2010 MISDEMEANOR CASES DISPOSED BY TYPE

	2008	2009	2010
General Provisions	86	47	41
General Offenses	0	0	0
Offenses Against Person	1193	1259	994
Offenses Against Property	484	392	429
Offenses Against the Family	19	5	14
Offenses Against Adm. of the Gov't	308	272	278
Offenses Against Public Health, Safety, & Welfare	1317	1241	1219
Moving Traffic Violations	2057	1932	2184
Total Cases Disposed	5,464	5,148	5,159



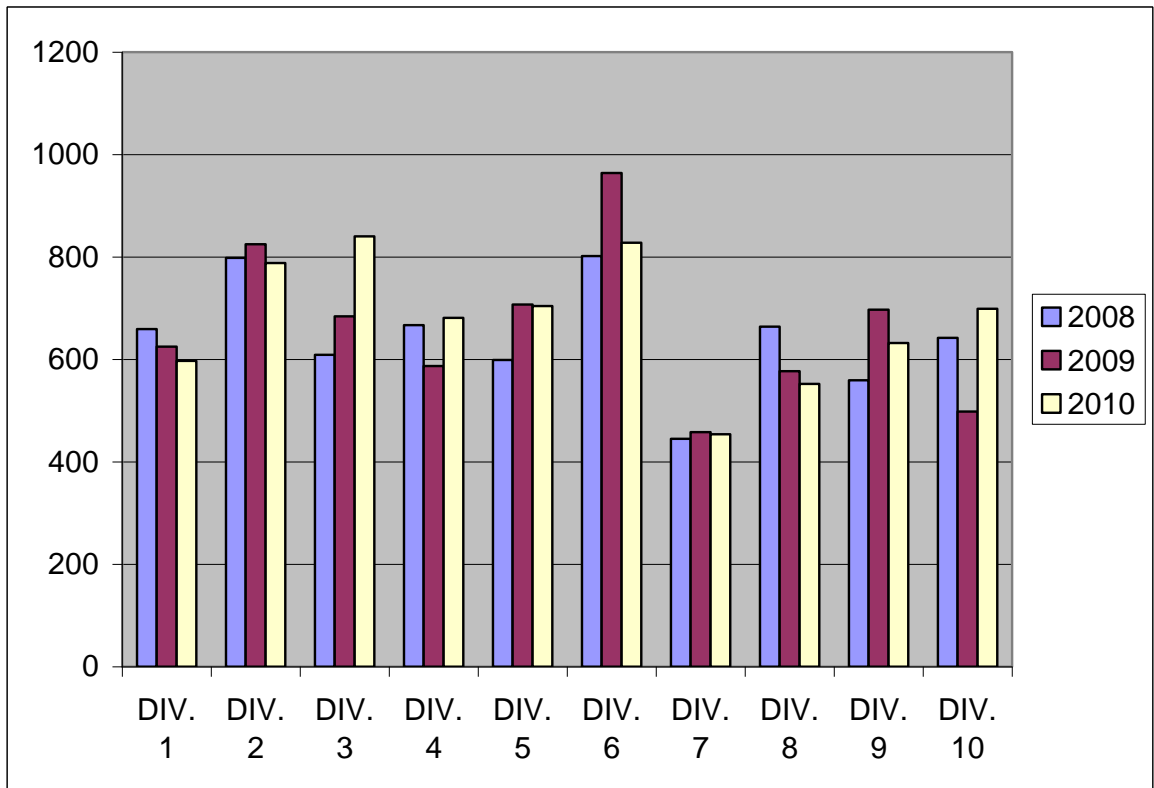
2008-2010 FELONY CASES DISPOSED BY TYPE

	2008	2009	2010
General Provisions	139	161	132
General Offenses	3	1	11
Offenses Against Person	3,327	3,529	3,358
Offenses Against Property	2,583	2,649	3,003
Offenses Against the Family	40	47	67
Offenses Against Adm.of the Gov't.	623	560	676
Offenses Against Public Health, Safety, & Welfare	7,471	7,037	8,683
Moving Traffic Violations	319	306	283
Total Cases Disposed	14,505	14,290	16,213



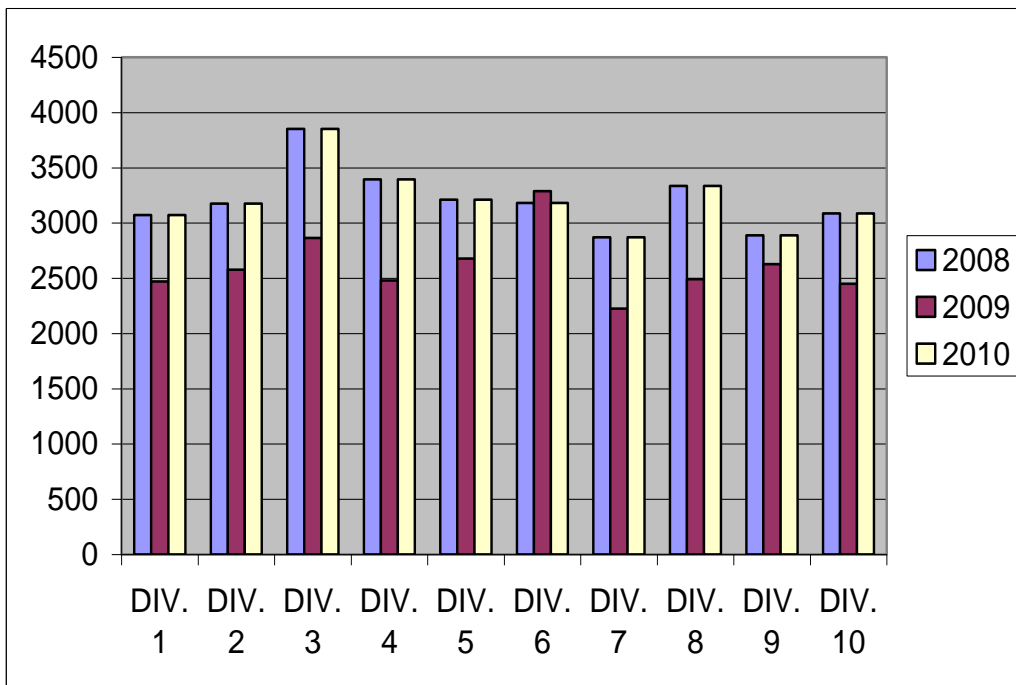
2008-2010 UNINDICTED PETITIONS/MOTIONS DISPOSED BY DIVISION

	2008	2009	2010
DIV. 1	659	625	597
DIV. 2	798	825	788
DIV. 3	609	684	840
DIV. 4	667	587	681
DIV. 5	599	707	704
DIV. 6	802	964	828
DIV. 7	445	458	454
DIV. 8	664	577	552
DIV. 9	559	697	632
DIV. 10	642	498	699
Total Cases Disposed	6,444	6,622	6,775



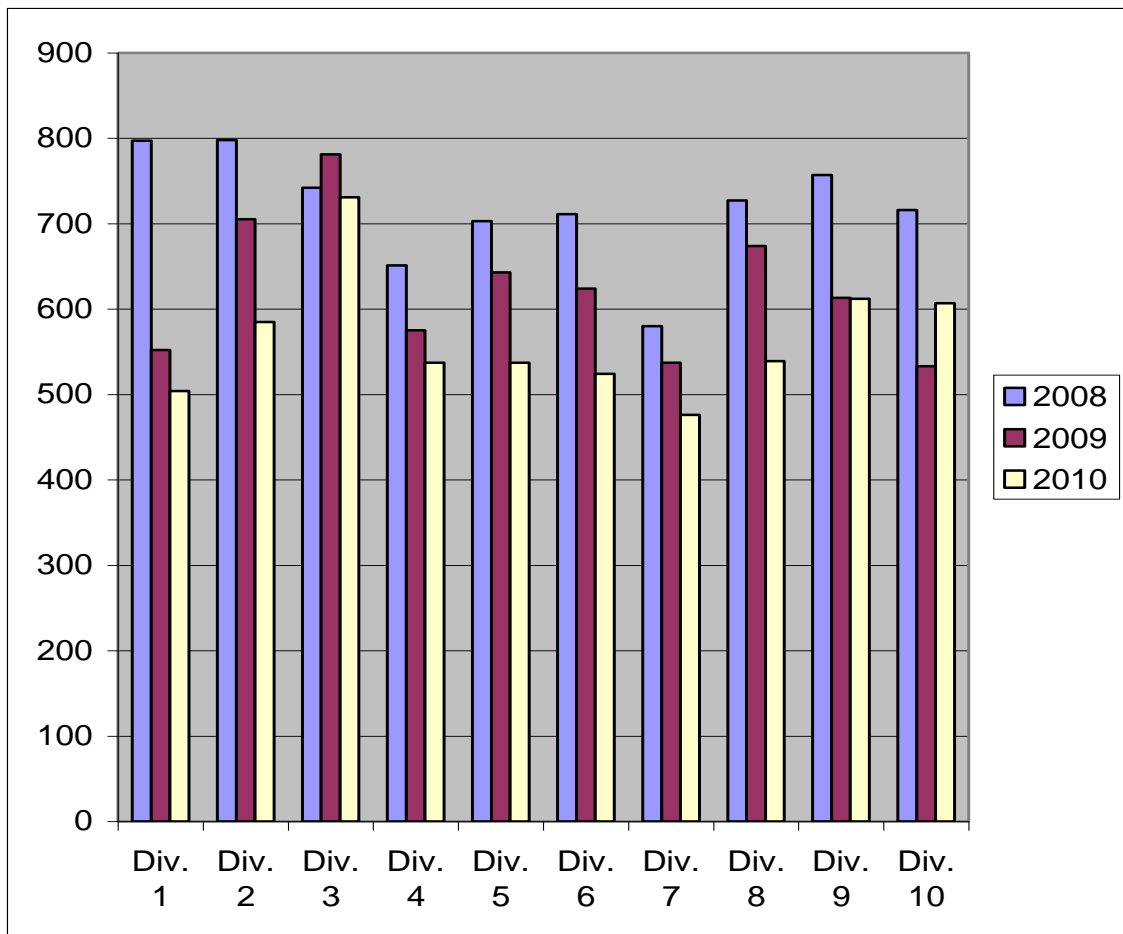
TOTAL CASES DISPOSED BY DIVISION (2008-2010)

	2008	2009	2010
DIV. 1	2353	2472	3072
DIV. 2	2681	2578	3177
DIV. 3	2682	2865	3852
DIV. 4	2766	2479	3394
DIV. 5	2532	2677	3211
DIV. 6	2853	3287	3182
DIV. 7	2599	2226	2872
DIV. 8	2864	2490	3336
DIV. 9	2621	2627	2887
DIV. 10	2464	2451	3087
Total Cases Disposed	26,415	26,152	32,070



WARRANTS ISSUED BY DIVISION (2008 – 2010)

	2008	2009	2010
Div. 1	797	552	504
Div. 2	798	705	585
Div. 3	742	781	731
Div. 4	651	575	537
Div. 5	703	643	537
Div. 6	711	624	524
Div. 7	580	537	476
Div. 8	727	674	539
Div. 9	757	613	612
Div. 10	716	533	607
Total	7182	6237	5652



ADMINISTRATIVE SERVICES



ADMINISTRATIVE SERVICES DIVISION

Janis Dunavant,
Director of Administrative Services

Mrs. Dunavant began her career with Shelby County thirty one (31) years ago with the Shelby County Trustee. Her court experience includes Shelby County Probate and Juvenile Courts, with the last eleven (11) years here in the Criminal Court Clerk's office. Along with developing policies and procedures for the Clerk's office, the *Director of Administrative Services* is responsible for the Personnel and Payroll Section, and the Customer Service Department. These sections are supervised and coordinated in accordance with the policies and directives of the Clerk's office.

PERSONNEL AND PAYROLL SECTION

Patti Morton, Supervisor

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

CUSTOMER SERVICE SECTION

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

ADMINISTRATIVE SERVICES STATISTICS



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

FISCAL YEAR	SALARIES	EMPLOYEES	COMMENTS
2006-07	\$3,263,300.21	95	Our staffing compliment continues to decrease in relation to our increased use of newly available technology. Salary costs increased by just over 2% despite a 3% general increase for all county employees.
2007-08	\$3,381,918.02	88	Through a cooperative effort to decrease costs, the Criminal Court Clerk’s staff was reduced by seven (7) positions. The increase in salary dollars is a result of a county wide increase in pay for all county employees within the <i>clerk</i> classification. No other staff received pay increases.
2008-09	\$3,307,496.11	87	Through attrition the Criminal Court Clerk's office was able to reduce staff and salary dollars while continuing to serve the citizens of Shelby County with the same courtesy and efficiency for which our staff is known.
2009-10	\$3,189,658.03	86	Utilization of new technological advances has allowed our service levels to increase as our personnel budget decreases. All reductions in staffing haven achieved through attrition.

CRIMINAL COURT CLERK'S OFFICE

STAFF COMPLIMENT (FILLED POSITIONS) 2010

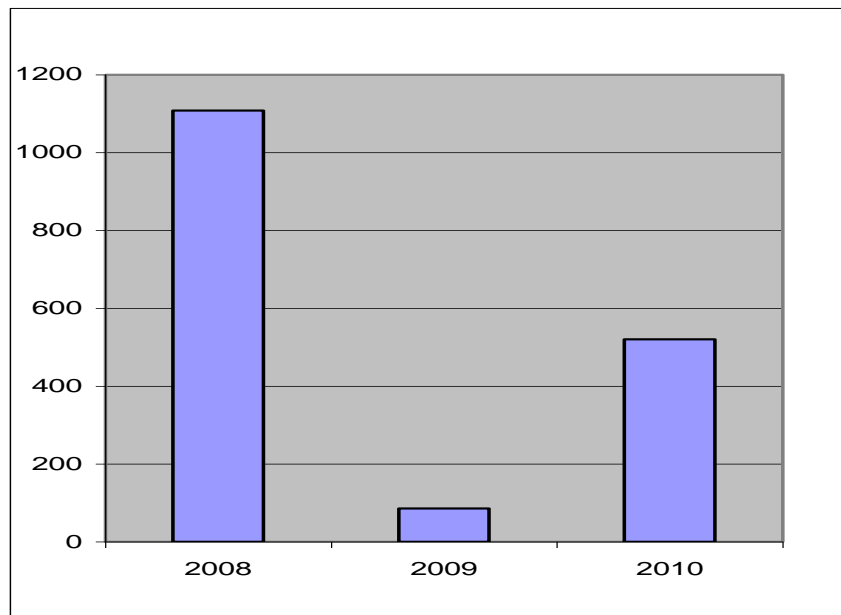
	MALE				FEMALE				TOTAL
	W	B	H	A	W	B	H	A	
Officials/Administration	9	2	0	0	6	9	0	0	26
Professionals	1	0	0	0	0	0	0	0	1
Technicians	0	1	0	0	0	0	0	0	1
Administrative Support	6	3	1	0	10	35	0	1	56
TOTAL	16	6	1	0	16	44	0	1	84
PERCENTAGE	19.1%	7.1%	1.2%	0.0%	19.1%	52.4%	0.0%	1.2%	100.0%

% MALE 27.0%
 % FEMALE 73.0%
 % BLACK 60.0%
 % WHITE 38.0%
 % HISPANIC 1.0%
 % ASIAN 1.0%

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

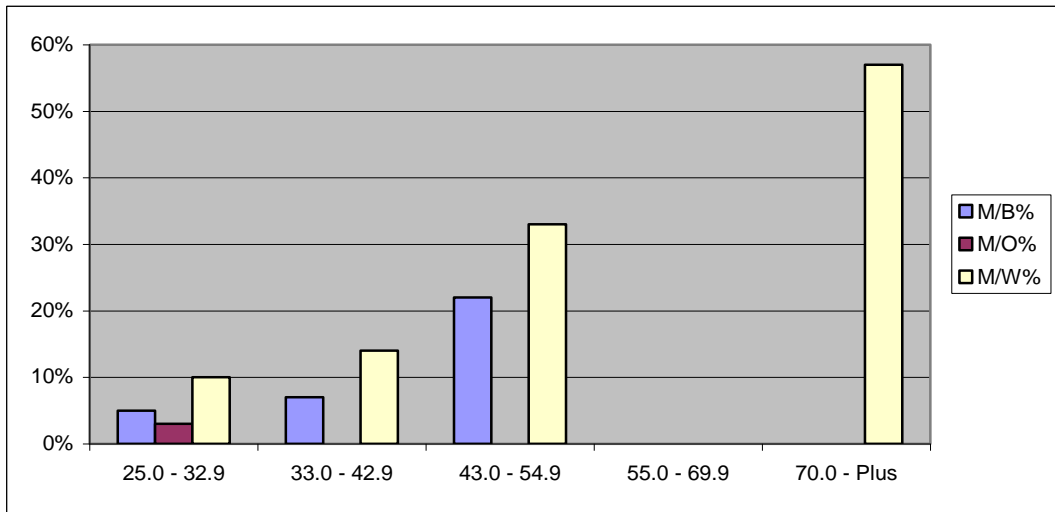
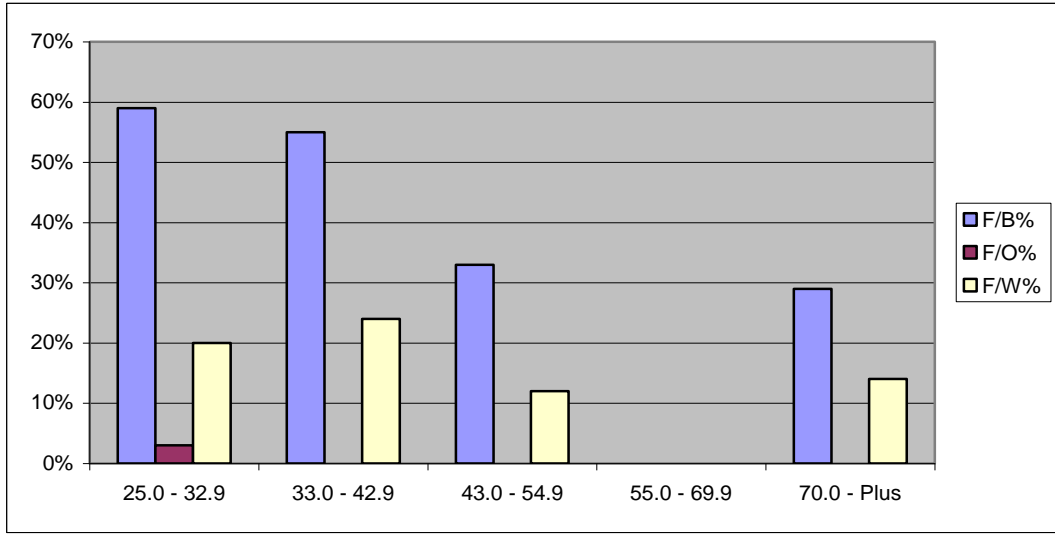
RECORD CHECK FEES PER MONTH

	2008	2009	2010
JANUARY	88	4	8
FEBRUARY	103	4	12
MARCH	128	10	26
APRIL	141	7	95
MAY	118	4	218
JUNE	82	4	102
JULY	96	5	31
AUGUST	72	6	17
SEPTEMBER	67	8	3
OCTOBER	71	3	4
NOVEMBER	78	7	1
DECEMBER	64	24	3
TOTAL	1108	86	520



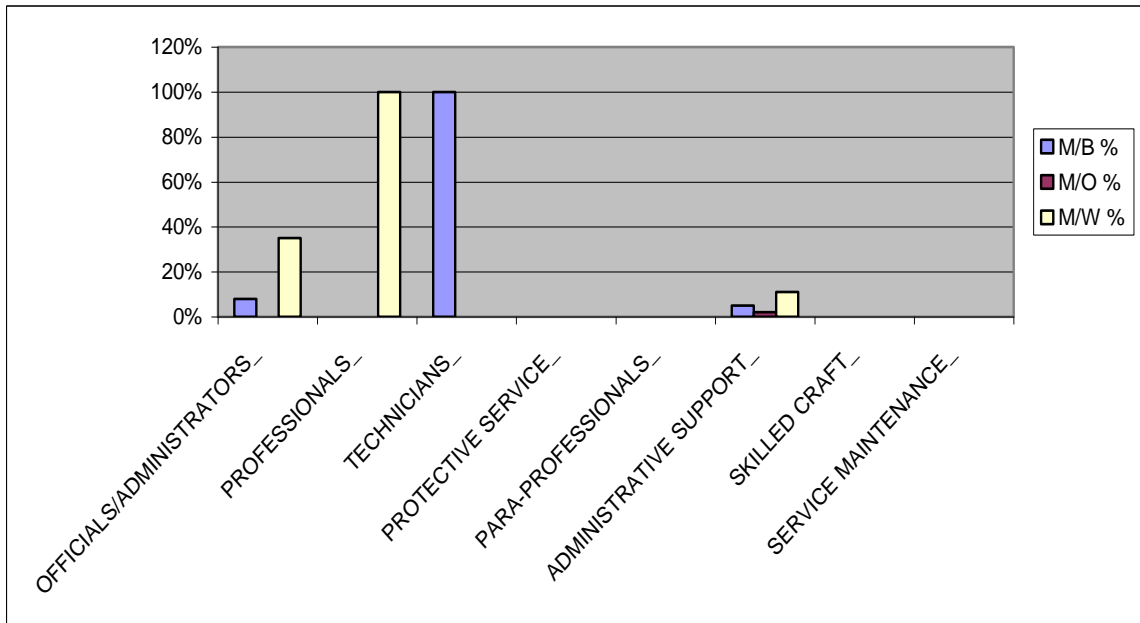
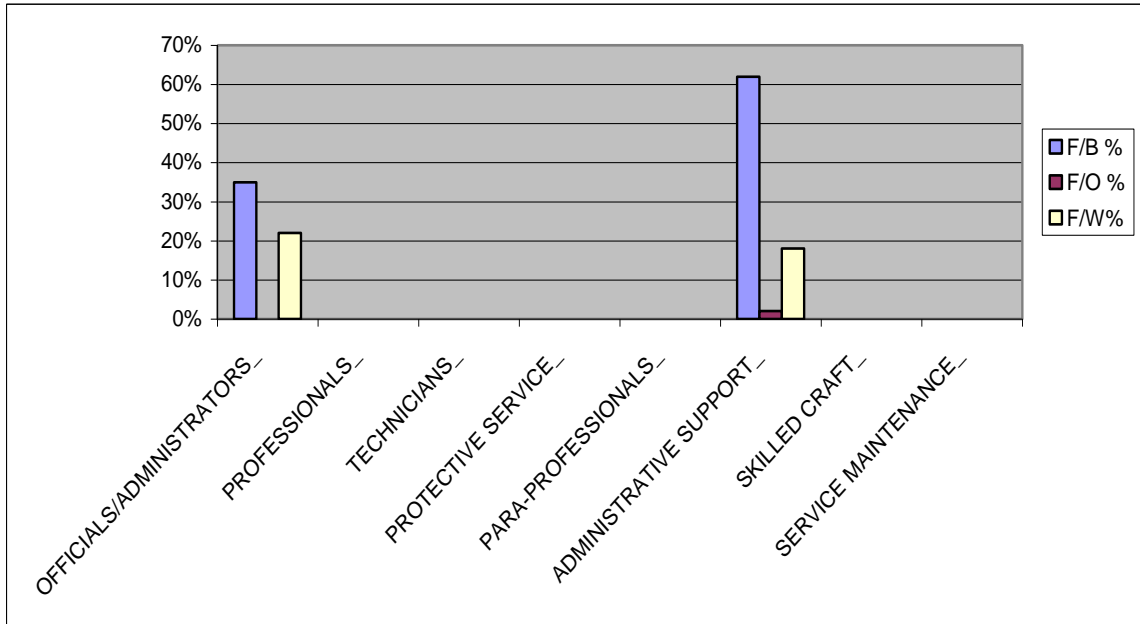
2010 EMPLOYEE UTILIZATION ANALYSIS

ANNUAL SALARY RANGE (IN THOUSANDS)	FEMALE			MALE		
	F/B%	F/O%	F/W%	M/B%	M/O%	M/W%
25.0 - 32.9	59%	3%	20%	5%	3%	10%
33.0 - 42.9	55%		24%	7%		14%
43.0 - 54.9	33%		12%	22%		33%
55.0 - 69.9						
70.0 - Plus	29%		14%			57%



2010 EMPLOYEE UTILIZATION ANALYSIS

OCCUPATIONAL CATEGORY	FEMALE			MALE		
	F/B %	F/O %	F/W%	M/B %	M/O %	M/W %
OFFICIALS/ADMINISTRATORS_	35%		22%	8%		35%
PROFESSIONALS_						100%
TECHNICIANS_				100%		
PROTECTIVE SERVICE_						
PARA-PROFESSIONALS_						
ADMINISTRATIVE SUPPORT_	62%	2%	18%	5%	2%	11%
SKILLED CRAFT_						
SERVICE MAINTENANCE_						

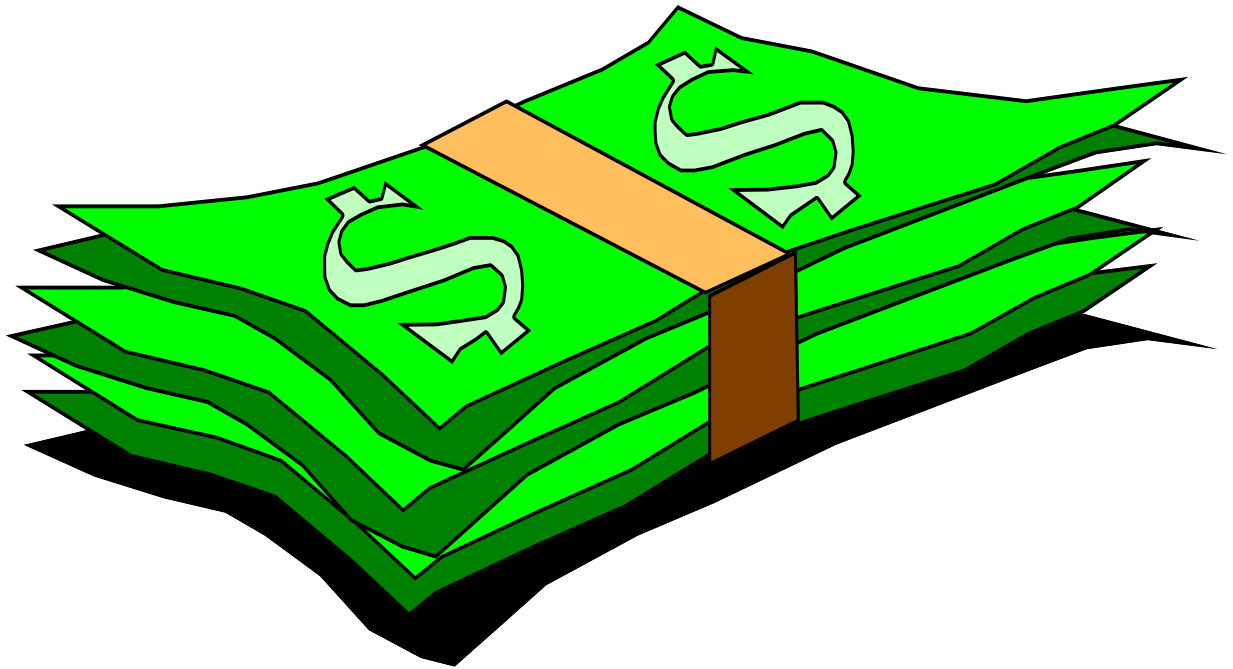


MISCELLANEOUS CASES

TOTAL FILED

	2008	2009	2010
UNINDICTED MOTION CASES			
Motion To Dismiss Prosecution	254	304	283
Motion To Set Bail/Bond	6	7	5
Motion For Bail/Bond Reduction	79	77	65
Motion For Speedy Indictment & Fast and Speedy Trial	380	360	267
Miscellaneous Motions	115	76	26
TOTAL UNINDICTED MOTIONS FILED	834	824	646
UNINDICTED PETITION CASES			
Petition For Writ of Habeas Corpus	73	68	66
Petition For Post Conviction Relief	150	246	182
Petition For Out of State Witness	13	14	6
Petition Declare Def. Habitual Offender Under Motor Veh. Habitual Off. Act	51	67	94
Petition For Hearing On Governor's Warrant	6	6	2
Petition For Reduction or Suspension of Sentence	834	863	863
Petition For Restoration of Driving Privileges	132	122	124
Petition For Writ of Error Coram Nobis	28	16	6
Petition To Suspend Remainder of Sentence	807	847	705
Petition To Revoke Suspended Sentence	2918	3,238	3,013
Petition To Revoke Suspended Weekend Sentence	55	35	45
Miscellaneous Petitions	543	159	115
TOTAL UNINDICTED PETITIONS FILED	5610	5681	5221

FINANCE DIVISION



Billy Stewart, Director

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

ACCOUNTING SECTION Ned Franks, Deputy Director of Finance

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

PURCHASING SECTION

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

BONDS/WARRANTS SECTION

Estellita Jamison, Supervisor

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

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

COLLECTION SECTION

Billy Mulligan, Supervisor

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

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

FINANCE DIVISION

STATISTICAL INFORMATION



Fiscal Year 2009

	BUDGET AS APPROVED	ACTUAL	VARIANCE
REVENUE:			
Elected Official's Fines and Fees	4,825,000	4,412,980	(412,020)
Other Revenue	81,000	21,135	(59,865)
Total Revenue	<u>4,906,000</u>	<u>4,434,115</u>	<u>(471,885)</u>
EXPENDITURES:			
Salaries and Labor	3,402,753	3,357,694	45,059
Other Compensation	12,000	4,393	7,607
Fringe Benefits	1,100,851	981,643	119,208
Supplies	108,568	74,561	34,007
Services	36,060	25,594	10,466
Professional/Contract Services	2,300	1,035	1,265
Rent, Utilities, and Maintenance	45,970	29,830	16,140
Interdepartmental Expenditures	127,850	107,865	19,985
Total Expenditures	<u>4,836,352</u>	<u>4,582,615</u>	<u>253,737</u>
Net Operations-Profit / (Loss)	69,648	(148,500)	(218,148)

Fiscal Year 2010

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

FINES

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

		FY2008	FY2009	FY2010
Drug Fines	Bartlett Police Department	5,595	3,381	1,314
	City Of Bartlett	6,071	3,560	946
	Collierville Police Department	4,544	8,093	1,097
	Town of Collierville	4,717	8,093	1,184
	Germantown Police Department	76	0	175
	City Of Germantown	286	0	305
	Memphis Police Department	61,597	90,291	26,118
	City of Memphis	79,223	81,323	26,516
	Millington Police Department	4,125	1,221	1,328
	City of Millington	4,425	1,262	1,328
	Shelby County Sheriff's Department	37,165	79,879	16,581
	Shelby County Government	42,197	81,936	22,333
	Tennessee Highway Patrol	8,251	770	75,613
Total Drug Fines		258,272	359,809	174,838
Other Felony Fines		103,388	245,192	213,753
DUI and Other Misdemeanor Fines		429,808	284,689	218,094
Other Driving Offense Fines		94,685	88,713	62,044
TOTAL FINES RECEIVED		886,153	978,403	668,729

EXCESS FEES

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

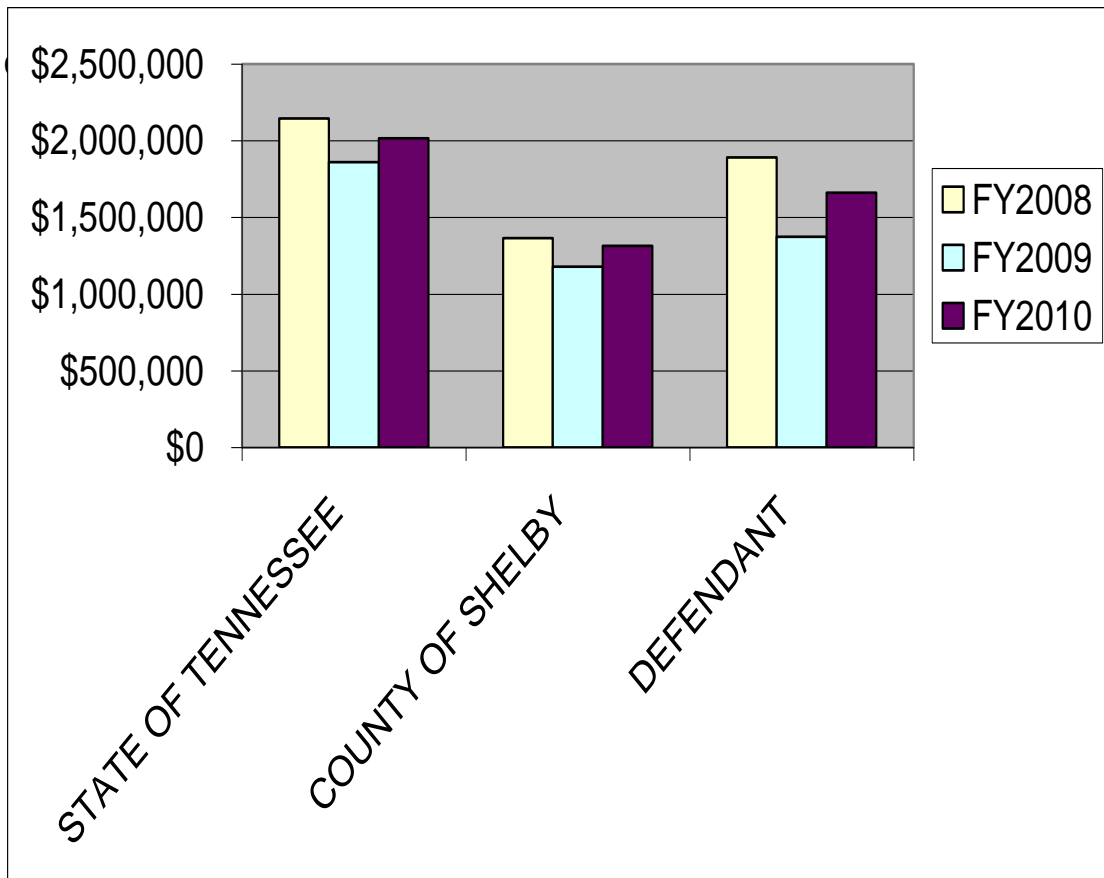
The largest amount of excess revenue collected is through commissions. The Clerk retains a commission for collecting the cost due to other agencies. Agencies include the Memphis Police Department, Shelby County Sheriff's Department, General Sessions Court Clerk and other local/municipal government agencies.

		2008	2009	2010	
Commissions	Miscellaneous	209,958	189,194	178,554	
	State. of Tennessee	48,794	74,486	61,530	
	Shelby County	152,815	115,692	92,150	
	Dept. of Safety	10,337	8,998	6,569	
Total Commissions		421,904	388,370	338,803	
Interest Earned		70,100	21,134	4,628	
Fees	Clerk's Collection Fee	331,033	754,746	868,137	
	Clerk's Fees From Pd. Cases	504,677	314,147	369,559	
	Continuance Fee	508,351	358,456	378,541	
	Credit Card Fees	3,737	4,104	3,725	
	Escrow Collection Fee	51,822	34,200	26,056	
	Expungement Fee	21,800	25,525	27,750	
	Garnishment Fee	9,811	4,113	4,917	
	Driver's License Reinst. Fee	16,040	6,400	0	
	Bond Service Fee	6,405	6,614	7,396	
	Fax Fee	69	0	3,309	
	Driver's License Cert. Fee	4,635	3,764	2,842	
	Court Room Security Fees	14,972	12,503	11,814	
	Subpoena Fees	7,736	6,381	5,966	
	Victim Assistance Fees	42,750	38,725	38,665	
	Return Check Fees	135	23	20	
	Capias Forfeiture Fees	13,529	10,480	10,315	
	Delinquent Payment Fees	13	10	40	
	Record Check Fees	2,314	429	2,602	
	Bond Petitions	30,600	27,450	29,925	
	Petitions	294,184	195,682	204,067	
	Copies	2,349	2,248	2,248	
	Bartlett Arrest Fees	5,551	4,938	4,198	
	Collierville Arrest Fees	1,770	1,355	928	
	Germantown Arrest Fees	404	350	338	
	Memphis Arrest Fees	22,744	17,753	17,546	
	Millington Arrest Fees	1,776	1,153	716	
	Tenn. Hwy. Patrol Arrest Fees	160	286	127	
	Felony Appeals Fees	20,203	11,729	19,714	
	Total Fees		1,919,570	1,843,564	2,041,461

ESCROW COLLECTIONS

2008 – 2010

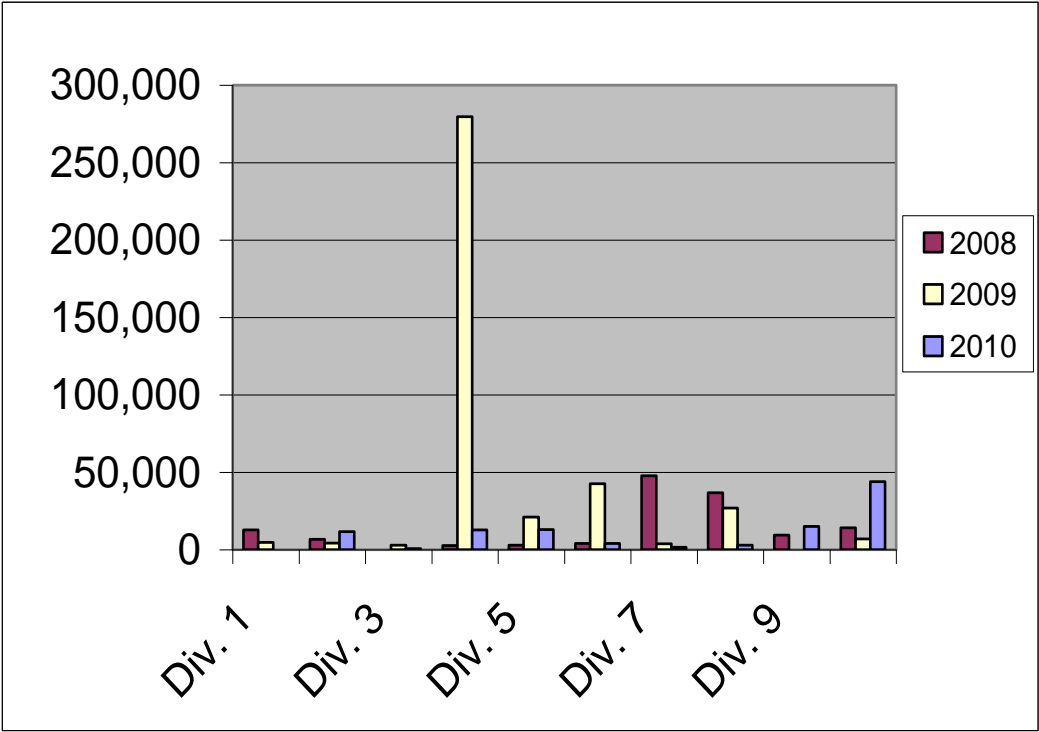
RECEIVED FROM:	STATE OF TENNESSEE	COUNTY OF SHELBY	DEFENDANT
FY2008	\$2,146,008	\$1,365,928	\$1,890,132
FY2009	\$1,861,119	\$1,178,307	\$1,373,553
FY2010	\$2,015,287	\$1,313,724	\$1,660,500



FINAL JUDGMENTS PAID BY BONDING COMPANIES

2008 – 2010

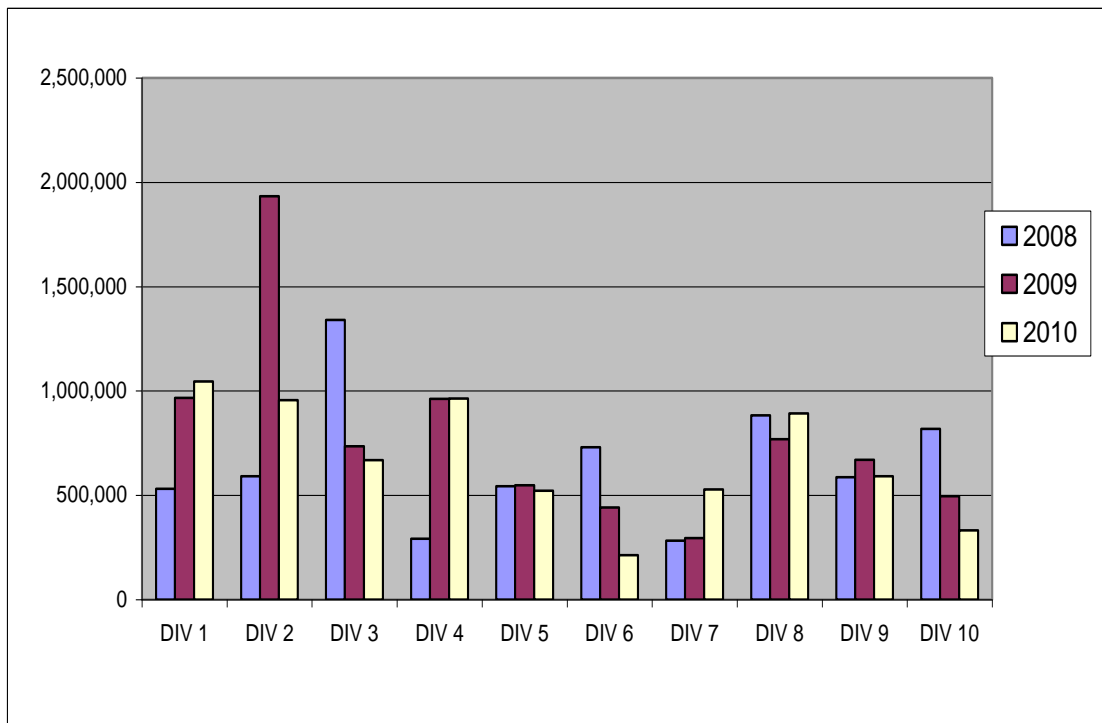
	2008	2009	2010
Div. 1	12,750	4,750	0
Div. 2	6,650	4,250	11,750
Div. 3	0	3,000	600
Div. 4	2,750	279,500	12,750
Div. 5	3,000	21,000	13,000
Div. 6	4,100	42,650	4,000
Div. 7	47,750	3,850	1,500
Div. 8	36,850	27,000	3,000
Div. 9	9,500	0	15,000
Div. 10	14,100	7,000	44,000
Total	137,450	393,000	105,600



BOND EXONERATIONS BY DIVISION

2008 – 2010

	2008	2009	2010
DIV 1	531,500	966,500	1,046,000
DIV 2	591,600	1,933,500	956,000
DIV 3	1,340,250	734,750	668,000
DIV 4	292,000	962,750	963,500
DIV 5	544,250	548,500	522,000
DIV 6	731,000	442,000	212,500
DIV 7	282,500	295,500	527,500
DIV 8	883,000	769,500	893,000
DIV 9	587,500	670,000	591,500
DIV 10	818,000	495,500	331,500
TOTALS	6,601,600	7,818,500	6,711,500



MISCELLANEOUS DATA

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

On July 9, 2010, there were 19,040 males and 1,193 females assigned to TDOC facilities, for a total of 20,233 inmates, incarcerated in Tennessee's adult institutions.

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

On June 30, 2010, there were 51,766 probationers under supervision of Probation/Parole Officers.

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

On June 30, 2010, the Community Corrections offender population was 7,268.

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

On June 30, 2010, the parole caseload was 11,987.

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

As of July 9, 2010, the percent of the Tennessee prison population incarcerated for the crime of homicide was 24.14%. This figure includes charges of Murder 1, Murder 2, Accessory to Murder, and other homicides.

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

As of July 9, 2010, the percent of the Tennessee prison population incarcerated for a sex offense was 14.61%. This figure includes charges of Rape, Aggravated Rape, Aggravated Sexual Battery, and other sexual offenses.

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

As of July 9, 2010, the percent of the Tennessee prison population incarcerated for drug offenses was 15.83%.

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

In Fiscal Year 2008/2009, the average cost-per-day to house a TDOC inmate was \$64.93. The cost to house a death row inmate was \$93.33.

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

On October 22, 2010, there were 85 males and 1 female on death row in Tennessee totaling 86 inmates.

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

On July 9, 2010, there were 28 juveniles incarcerated in Tennessee facilities.

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

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

- *WHEN WAS THE LAST EXECUTION IN TENNESSEE?*

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

- *HOW MANY INMATES ARE SERVING LIFE SENTENCES?*

As of July 27, 2010, there were 1,798 offenders serving life sentences (i.e., life, life minimum and habitual) and 287 are serving life sentences without parole.

GLOSSARY OF TERMS

A

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

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

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

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

ADJUDICATION – A judgment or decree.

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

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

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

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

APPELLEE – The party against whom an appeal is filed.

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

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

AS PROSEQUENDAM – To prosecute.

B

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

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

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

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

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

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

C

CASELOAD – The number of cases a judge handles.

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

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

CIVIL LAW – All law that is not criminal law.

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

CODE – A collection of laws promulgated by legislative authority.

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

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

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

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

D

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

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

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

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

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

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

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

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

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

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

E

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

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

ET AL – “And others”.

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

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

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

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

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

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

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

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

F

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

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

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

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

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

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

FORENSIC – Belonging to courts of justice.

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

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

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

G

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

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

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

H

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

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

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

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

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

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

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

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

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

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

I

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

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

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

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

INTERROGATORIES – Written questions that must be answered under oath.

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

J

JUDGMENT – Final determination by a court.

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

JURIS – Lat. Of right; of law.

JURISPRUDENCE – The science of law.

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

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

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

L

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

LITIGANT – Person or group engaged in a lawsuit.

M

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

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

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

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

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

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

MOOT – Unsettled or undecided.

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

N

NEGLIGENCE – The absence of ordinary care.

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

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

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

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

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

O

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

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

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

P

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PRO BONO – Legal services provided without attorney fees.

PRO SE – Legal representation of oneself.

PRO TEM – “Temporary”.

Q

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

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

R

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

REMAND – To send back.

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

S

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

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

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

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

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

STATUTE – A law created by the Legislature.

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

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

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

T

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

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

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

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

V

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

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

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

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

W

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

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