

Minutes of the Advisory Task Force on Composition of Judicial Districts

July 29, 2019

The meeting was called to order on July 29, 2019, at 1 p.m. CDT by Chairman Telford Forgety. Chairman Forgety joined Russell Johnson and John Fine via video conference from Knoxville, TN. J.B. Cox, Bo Burk, and Craig Fickling appeared in person at the AOC in Nashville. John Ryder and Kim Nelson joined the group via teleconference from Memphis. Mark Davidson and Jim Kyle joined by teleconference. Kim Helper was absent.

Chairman Forgety welcomed the following guests in attendance: the Honorable Chancellor Tony Childress, 29th Judicial District, TTJA President; the Honorable Representative Bruce Griffey, from the 75th Legislative District; Mr. John Gleason analyst, House Judiciary; Mr. James Held, analyst, House Judiciary; and Mr. Charlie Baldwin with the AOC.

Also present were Patrick Frogge and Chelsea Curtis with the Public Defender's Conference; Juan Napoles with the Comptroller's Office; and Lisa Niles, President of the Clerk's Conference.

J.B. Cox moved to allow electronic participation by Task Force Members under Tenn. Code Ann. §8-44-108. The motion was seconded by Craig Fickling and carried upon a full roll call vote.

Item 4: Craig Fickling moved to approve the minutes from the June 4, 2019 meeting. The motion was seconded by Bo Burk, and carried upon a roll call vote.

Chairman Forgety took comments from legislators, analysts, etc., as follows:

Honorable Bruce Griffey, Legislative District 75:

- No one has advocated changing the 24th. All support is opposed to any change.
- Hardin County is unique. GJ Judge hears divorces. Skewed analysis relative to that change. If jurisdiction changed it would change the number. Circuit and General Sessions courts function together.
- Don't change us. It works. There are no issues he was aware of and change will create a different problem rather than a solution.
- The Honorable Charles Creed McGinley, Circuit Judge, is OK with whatever is done.
- The Honorable Donald E. Parish, Circuit Judge, is not in favor of redistricting.
- Hard to believe we have excess judicial resources. Busy all the time.
- No other comments.

Item 5: Chairman Forgety took remarks from the AOC. They had no comments.

Item 6: Chairman Forgety had the following Remarks:

- Only 1 meeting in August/September/ October. This may not be enough meetings. Going to see where to go today.

- Letter from NAACP Defense Fund
John Ryder commented that he liked the Chairman's letter.
Russell Johnson moved to send Chairman Forgety's letter in response to the NAACP Defense Fund letter, J.B. Cox seconded and the motion carried upon a full roll call vote.

Item 7: Consideration of Comments Received Online, by Mail, etc.

Chairman Forgety thanked Ceesha Lofton for her work on index list. He reported that we have received at least 38 written comments, and we have heard from 70-80 speakers, excellent participation.

Item 8: Review of Memphis Public Hearing

- Thanked Ceesha Lofton. Thanked Jim Kyle for coordinating.
- Very informative remarks at hearing about Shelby County's local contributions to District Attorney General staff and Public Defender staff money. Outlined the amounts provided.
- J.B. Cox mentioned probate courts.
- No other comments

Item 9: Numbers from the District Attorney's General and the District Public Defenders

Chairman Forgety called upon District Public Defender Fickling and District Attorney General Johnson to report upon the status of the numbers they were both working to obtain. They reported as follows:

1. Craig Fickling
 - PD Conference has sent #
 - Re-staffing also from Nashville and Memphis as well.
 - Both Davidson and Shelby are separate and apart from us.
 - Last year, new case management software.
 - Some numbers may be a tad low based on this change.
 - 2019 numbers
 - Plan to put information into a spreadsheet later this week
 - Shelby and Davidson counties – no information from those 2 counties

2. Russell Johnson
 - DA's have formed a committee, which is meeting Wednesday to form a plan
 - Staffing by population and cases by county; 13 %; 348 state funded ADA
 - Shelby County - 46.93; 63 positions County funded; should take the big 4 out
 - We have it all on a map. Do not have it available yet for everyone. Four (4) positions July 1, to be assigned October 1
 - Can send map and spreadsheets to everyone
 - Data from General Sessions Court not accurate and reliable, but we are going to consider it in formulating our plan.

Item 10: Deliberation as to Redistricting.

Chairman Forgety opened the discussion concerning redistricting in Middle Tennessee: The group spent a substantial amount of time in a thorough discussion of Middle Tennessee. Several topics were discussed and the group discussed several working propositions concerning areas of Middle Tennessee. During the discussion the group not only heard from members of the Task Force, but Representative Bill Beck of the 51st Legislative District and Senator Lundberg, who joined by phone, added to the discussion.

No formal votes were taken, but in a series of non-binding straw votes the Task Force arrived at the following working propositions:

- (1) Williamson County would be a single-county Judicial District.
- (2) Hickman, Lewis, Perry and Wayne Counties would be made a new District (Wayne County to be removed from the existing 22nd district).
- (3) The 31st District, currently consisting of Van Buren and Warren Counties would be reconfigured so as to include DeKalb County (which would be removed from the 13th District).
- (4) No working proposition was reached as to Rutherford County.
- (5) No working proposition was reached as to Coffee County.
- (6) No working proposition was reached as to Cannon County.

Discussion was had as to the need for additional meetings and the need for the meetings to be longer as well as a need for a face to face meeting. As a result of the discussions, Chairman Forgety set the following dates for additional meetings August 26, September 30, October 11, October 21.

With no further business, John Ryder moved to adjourn the Task Force meeting and the motion carried on a voice vote.

Respectfully Submitted:

J. B. Cox