

## **Minutes of the Advisory Task Force on Composition of Judicial Districts**

**September 16, 2019**

The meeting was called to order on September 16, 2019 at 10:10 am Central Time by Chairman Telford Forgety.

Chairman Forgety joined Russell Johnson and John Fine via video conference from Knoxville, TN. J.B. Cox, Craig Fickling and Kim Nelson participated at the AOC in Nashville. Jim Kyle, Mark Davidson, Bo Burk, and Kim Helper joined the group via teleconference. John Ryder was unable to attend. Chairman Forgety also welcomed guests. Rep. Mike Carter was present, as well as Chase Johnson and John Gleason from the Legislature. Rep. Griffey participated via phone. Chelsea Curtis with the PDs Conference was also present, along with Rachel Harmon and Ceesha Lofton from the AOC.

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

Chairman Forgety recognized that the Task Force has completed its public hearings and moved to the deliberative stage, but still accepts comments in writing and via the website. The Chairman also thanked members for their thoughts during a recent family matter.

Minutes from the August 19, 2019 and August 26, 2019 meetings were approved following a full roll call vote.

The AOC did not have any remarks – Reps. Carter and Griffey thanked the Task Force members for their efforts.

Discussion focused on a recent letter from the NAACP Legal Defense and Educational Fund, Inc. regarding redistricting in the Western Counties of Tennessee. The Task Force members discussed the questions raised in the letter. Chairman Forgety will write a response and share with members prior to responding to the NAACP.

JB Cox proposed that a new district be created – the 32<sup>nd</sup> –comprised of Hickman, Lewis and Perry Counties. As part of his motion, he moved that the current staffing would remain with the 21<sup>st</sup> Judicial District and additional positions would be created for the new district. Russell Johnson seconded the motion. Discussion followed as to whether Wayne County should be added to the proposed 32<sup>nd</sup> District. Craig Fickling moved to amend the motion to break it into two parts – one dealing with staffing and the second addressing the composition of the 32<sup>nd</sup> District.

JB Cox accepted the amendment. Accordingly, the Task Force voted 10-0 via full roll call to recommend that current staffing levels for all staff in the 21<sup>st</sup> Judicial District remain with the 21<sup>st</sup> Judicial District. The Task Force members then discussed whether Wayne County should

be included in the proposed 32<sup>nd</sup> Judicial District and recognized that a district including only Hickman, Lewis and Perry Counties would be among the smallest in the State. A roll call vote was taken on creating the 32<sup>nd</sup> District with only Hickman, Lewis and Perry Counties. The proposal passed 9 -1 following a full roll call vote.

The Task Force then discussed the makeup of East Tennessee. Based on the data collected and sentiment during the public hearings, Craig Fickling moved to make no changes. His motion was seconded by John Fine and was approved 10-0 following a full roll call vote.

The Task Force considered the need to increase judicial resources based on the weighted caseload study and other collected data. Craig Fickling moved, seconded by J.B. Cox, to add three new Circuit Court positions by January 1, 2021 for the 19<sup>th</sup>, 22<sup>nd</sup>, and 23<sup>rd</sup> Judicial Districts. Task Force members approved the proposal by a full roll call vote of 10-0. As the Task Force compiles its final report, members believed it appropriate to include language that legislators should be aware that additional judges may be necessary in the future.

The Task Force broke for lunch at 12:05 pm Central Time.

Upon reconvening at 1:05 pm, the group discussed the needs of both the Offices of the Public Defenders and District Attorneys across the state. Craig Fickling and Russell Johnson agreed to provide as much information/data as possible on those needs at the next meeting.

With no further business, the Task Force meeting adjourned until September 30, 2019 at 10 am.

Respectfully Submitted:

Kim Helper