

Minutes of the Advisory Task Force on Composition of Judicial Districts

April 29, 2019

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

Chairman Forgety welcomed guests in Nashville who introduced themselves. In attendance was Rep. Mike Carter, as well as Deborah Tate, Rachel Harmon, Ceesha Lofton and Michelle Consiglio-Young from the Administrative Office of the Courts.

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. Craig Fickling moved to approve the minutes from the March 25, 2019 meeting, the motion was seconded by JB Cox, and carried upon a full roll call vote.

There was no new report from the AOC.

Chairman Forgety discussed the March 15, 2019 public hearing held in Jackson, TN. He noted that everything went smoothly and expressed thanks to Judge Morgan and the court staff for their hospitality. Chairman Forgety asked if any members had ideas for improving the next hearing. JB Cox wondered whether we needed to plan for extra time based on the number of "add on" speakers in Jackson. As to the substance of the comments, Chairman Forgety noted that everything appears to be running smoothly in West Tennessee.

Chairman Forgety noted that the effort to create a 32nd Judicial District failed in the Tennessee Senate Judiciary Committee. Rep. Carter also mentioned that a bill is pending to add a judge to the 23rd Judicial District. Discussion followed about the weighted caseload study which addresses judicial resources and how to consider information contained in the study. Senate Judiciary Chair Mike Bell and Senator Lundberg submitted a letter to the Task Force requesting the group consider the allocation of resources. Discussion followed as to whether the statute included the allocation of resources in its charge to the Task Force. Rep. Carter expressed his opinion that an allocation of resources would be helpful, including a review of District Attorney and Public Defender resources. Recognizing that no database for those resources is readily available, Russell Johnson and Craig Fickling agreed to gather numbers from the DAs and PDs conferences, respectively. The goal would be to review the last five years of data.

Craig Fickling moved to include the allocation of judicial resources, including Asst. DAs and PDs, as well as support and ancillary staff as part of our criteria. The motion was seconded by Russell Johnson and approved by a vote of ten ayes and one nay.

Chairman Forgety mentioned a letter received from the Henry County Bar Association via online comment.

Chairman Forgety raised the question of moving the start time for the Middle Tennessee Public Hearing in June because of a scheduling conflict with the judicial conference. A motion was made by JB Cox and seconded by Craig Fickling to change the time to 2:30 p.m. The motion passed unanimously.

In preparation for the May 20, 2019 public hearing, Chairman Forgety reviewed statistics about East Tennessee. Noted were the travel times within the 12th District, which can reach 88 minutes as well as the 8th District with a travel time of 73 minutes. District 11 (Hamilton County) showed the highest growth.

Brief discussion followed regarding the trial court judge's look at redistricting, which suggested moving Lauderdale County to the 29th District and Henry County to the 27th District. The Task Force has made no decisions at this time.

With no further business, the Task Force meeting adjourned at 2:48 p.m. CDT.

Respectfully Submitted:

Kim Helper