

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**IN RE: AMENDMENT TO SUPREME COURT RULE 11,  
SUPERVISION OF THE JUDICIAL SYSTEM**

**Filed June 28, 2001**

**ORDER**

Supreme Court Rule 11, Section II, is hereby amended by deleting the section in its entirety and by substituting in its stead the following:

**II. Functional improvement of judicial system - Uniform procedures for data collection in civil and criminal matters in circuit, criminal, chancery, probate, and general sessions courts.** – a. The judicial system of this State henceforth will function as an integrated unit under the direction and supervision of the Supreme Court.

b. Pursuant to its statutory duty to assist the Chief Justice of the Tennessee Supreme Court in improving the administration of justice, the Administrative Office of the Courts (AOC), working with a committee of representatives from the District Attorneys' General Conference, the Public Defenders' Conference, the Tennessee Judicial Conference, and the Clerks of Court Conference, has developed a procedure for the collection of uniform statistical data on matters filed in the Circuit, Criminal, and Chancery Courts of this state.

c. The Court finds that the data collection procedure designed by the Administrative Office of the Courts, in conjunction with the above-named committee, will aid in the accomplishment of the AOC's statutory duties, (T.C.A. § 16-3-803(g)), that the collection of statistical data by the AOC is specifically authorized by statute (T.C.A. § 16-3-803(i)); and that all judges, clerks of court, district attorneys general, district public defenders, other officers or employees of the courts, and all staff of offices or employees related to and serving the courts, are charged with complying with all requests for information from the Administrative Director of the Courts. Further, to ensure that comparable data is collected from all of the courts, data collection shall follow the standard definition of a case as set forth in T.C.A. § 16-1-117.

(1) **Reporting Forms; Responsibility for Submission.** Each clerk of a circuit, criminal, chancery, probate, general sessions, or municipal court with general sessions jurisdiction is responsible for submitting the forms required by this rule to the Technology Services Division of the Administrative Office of the Courts. Submission of forms specified by this rule shall be filed with the AOC not later than fifteen (15) days after the close of the month in which the case was

filed and also the month in which it was disposed. Pursuant to the procedure, the AOC will provide a supply of the Civil Case Cover Sheets and the Criminal Case Cover Sheets, FORM NOS. TJIS/CI1 and TJIS/CR1, to the clerks of the Circuit, Criminal, Chancery, and Probate Courts. General Sessions Courts and Municipal Courts with general sessions jurisdiction will be provided with copies of FORM NOS. TJISGSCR1 and TJISGCCV1.

Clerks for courts of record other than juvenile court shall require that any complaint and summons filed to commence, reopen, or reinstate a civil action shall be accompanied by a Civil Case Cover Sheet for reopened cases, FORM NO. TJIS/CI3, which has been completed by the initiating party or his/her representative. The clerks shall also require a new Civil Case Cover Sheet (Reopened Cases) to be completed upon the grant of a new trial. Upon issuance of a final order disposing of the case, the clerk of court shall complete the disposition portion of the Civil Case Cover Sheet in full. A portion of the cover sheet containing this disposition information shall then be forwarded to the AOC on a monthly basis.

In addition, the clerks of courts of record other than juvenile shall require that any indictment, presentment or criminal information that initiates a criminal action in circuit or criminal court shall be accompanied by a Criminal Case Cover Sheet which has been completed by the district attorney general or his/her office. The clerks shall complete a new Criminal Case Cover Sheet upon the grant of a new trial, upon a case appealed from a lower court, or upon any petition to re-open or reinstate a criminal action. Upon issuance of a final order or judgment disposing of the case, the clerk of the court shall complete the disposition portion of the Criminal Case Cover Sheet for each docket number and all related charges. When all charges on the form have been disposed of, these forms shall be forwarded by the clerk of court, on a monthly basis, to the AOC.

Effective July 1, 2002, clerks' offices that are automated shall report statistical information monthly to the AOC by computer diskette or electronic mail attachment. In the event that a clerk is unable to do so due to technical difficulties, the clerk may report by sending the completed Criminal Case Cover Sheets and/or Civil Case Cover Sheets to the AOC.

**(2) Administrative Director; Reports Public Record When Filed.** All reports specified by these rules shall be public records. The Administrative Director of the Courts shall publish an annual compilation of the reports. All judges, court clerks, district attorneys general, district public defenders, and officers of the court shall cooperate with the Administrative Director to ensure the accuracy of the reports. As required by statute, the Administrative Director of the Courts shall annually report to the Chair of the Judicial Council, the Chair of the Judiciary Committee of the Senate, the Chair of the Judiciary Committee of the House of Representatives, and the Office of the Comptroller Division of Research and Accountability as to the failure of any judge, district attorney

general, district public defender, or court clerk to comply with any of the reporting requirements.

Compliance with the reporting requirements includes, but is not limited to, submitting cover sheets within the fifteen (15) day time frame, submitting data every month, submitting data according to Implementation Manual guidelines, and using correct case numbering and definitions.

The Administrative Office of the Courts will provide written notification to any responsible reporting party found not to be in compliance with the statute or reporting guidelines. Written notification will detail the type of non-compliance and recommend the corrective action to be taken. If compliance is not achieved during the subsequent reporting period following notification, the Administrative Office of the Courts will no longer accept data from the office not in compliance, until such time as the error(s) are corrected. Notification of this action will be sent to all judges, district attorneys general, district public defenders, and court clerks within the district that the non-complying office is located in. Notification will also be sent to the District Attorney General Conference, the District Public Defender Conference, the Administrative Office of the Courts, and the County Officials Association of Tennessee. Any periods of non-compliance will also be reported in the annual report to the Judicial Council and the chairs of the House and Senate Judiciary Committees.

The Technology Services Division of the AOC shall provide an Implementation Manual that contains commentary and explanatory material pertaining to these rules and the report forms required by these rules. The Implementation Manual shall also contain a dictionary of terms to be used for case reporting, and how the terms will be defined for reporting purposes.

**(3) Case Numbering.** For purposes of this rule, the term "docket number" is defined as the separate and distinct identification number used for a case once it is filed in criminal, circuit, chancery, or probate court.

An incident is defined as all criminal activity occurring in a twenty-four (24) hour period, committed by a single defendant.

Charges of a related nature shall be defined as charges against a single defendant that may have more than one victim and that are similar such as, but not limited to, burglaries, drug offenses, or serial rape.

A court proceeding is defined as all court activity relating to a case from initial filing through disposition at a single level of court, *i.e.* general sessions, circuit, appellate, or Supreme Court.

A criminal case in a court of record, except juvenile court, is defined as a single charge or set of charges, arising out of a single incident involving the same victim(s), concerning a single defendant in one court proceeding. Accordingly, all charges consolidated into a single proceeding shall be included

under one case number. In no instance should separate docket numbers be assigned to each charge when multiple charges are filed against a single defendant when said charges are intended to be handled in the same court proceeding. An appeal, probation revocation, or other post judgment proceeding is considered a separate case.

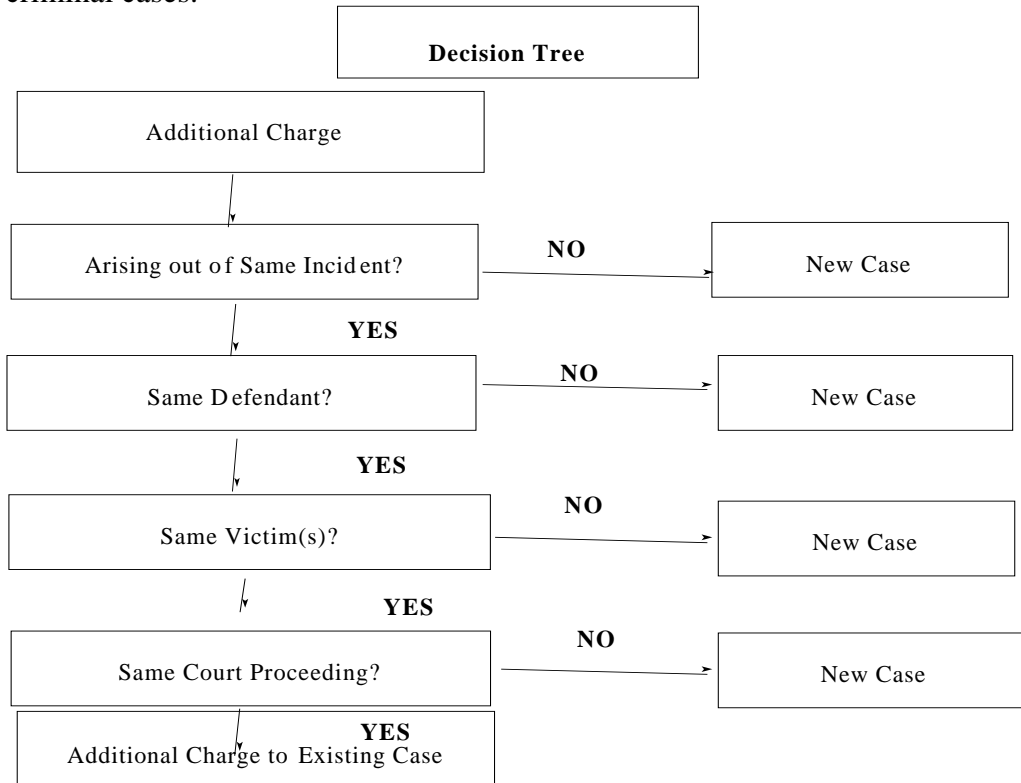
Worthless check cases shall be defined as all worthless checks filed by the same affiant against the same defendant within a twenty-four (24) period with each check as a separate charge under one docket number.

In criminal cases, each defendant shall be assigned a separate case (docket) number. In the alternative, separate defendant identifiers (such as letters) shall be added to the end of the original docket number to reflect co-defendants listed in a single case or charge. In instances where multiple defendants are identified by appending a letter to the docket number, all dispositions must be filed in an identical manner.

District attorneys general shall treat multiple incidents as a single incident for purposes of this rule when the charges are of a related nature and it is the district attorney general's intention that all of the charges be handled in the same court proceeding.

Nothing in this rule is intended to alter or change in any way the Rules of Criminal Procedure governing severance and joinder.

The following diagram is provided as a guidance to properly number criminal cases.



A civil case shall be defined as all motions, petitions, claims, counter claims, or proceedings between the parties resulting from the initial filing until the case is disposed. A docket number will be assigned to a civil case upon filing. Until said cases are disposed all subsequent motions, petitions, claims, counter claims, or proceedings between the parties resulting from the initial filing will be handled under the assigned docket number and will not be assigned a new docket number. Once a civil case has been disposed and further actions occur on the case, the original case will be reopened using the same docket number under which it was originally filed. All subsequent motions, petitions, claims, counter claims, and proceedings relating to the reopened case will be handled under the one reopened case docket number until disposed. Any subsequent reopenings will still use the original docket number.

**(4) General Sessions Reporting** - Effective July 1, 2003, or sooner if practical, all general sessions courts and municipal courts with general sessions jurisdiction shall collect and report to the AOC all civil and criminal case data in accordance with the definitions provided under Part (3) above and guidelines published by the AOC.

Clerks of general sessions and municipal courts with general sessions jurisdiction shall file monthly reports with the AOC using FORM NOS. TJISGSCR1 and TJISGSCV1. Forms shall be submitted no later than the fifteenth (15) day of month following the month for which data is being reported.

General sessions courts and municipal courts with general sessions jurisdiction having an automated case management system shall report the collected data in accordance with the guidelines by diskette or e-mail submission.

FOR THE COURT:

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Riley Anderson, Chief Justice