

From: "Judge David R. Duggan" [REDACTED]
To: <judicialdistricttaskforce@tncourts.gov>
Date: 8/21/2019 2:45 PM
Subject: TN Courts: Submit Comments to Advisory Task Force on Composition of Judicial Districts

Submitted on Wednesday, August 21, 2019 - 2:44pm

Submitted by anonymous user: [207.65.99.8]

Submitted values are:

Title/Organization: Judge, Blount County Circuit Court, Division II

Name: Judge David R. Duggan

Email: [REDACTED]

Please add your comment here if 100 words or less. For lengthier comments see below.:

Please Attach Lengthier Comments Here.:

https://www.tncourts.gov/sites/default/files/webform/task_force_statement.docx

The results of this submission may be viewed at:

<https://www.tncourts.gov/node/5499732/submission/26341>

It is my understanding that the Tennessee Trial Judges Association and its Executive Committee have taken the position that because there have been no calls for changes in the judicial districts in Tennessee, therefore there should be no changes, except to take care of making Williamson County a single-district, with the remaining counties in the 21st to be made a separate district.

Until today, I have taken no position on the matter, and I do not oppose the Association's position.

In the past few days, however, I have learned of a budding position that there should be no changes in Tennessee judicial districting except to make the Williamson County modification, *and*, to undo the chancery court arrangement involving the fourth and fifth judicial districts.

If that is true, I oppose it, and for these reasons:

1. If there have been no calls for changes (except for the 21st), then that would include the fourth and fifth district chancery court arrangement.
2. While I understand the questions and issues concerning our chancery arrangement—and I have through the years had my own discussions with various persons about the matter—with all of the districting irregularities in Tennessee (including two small Middle Tennessee districts that do not support, in terms of weighted caseload or population, being separate districts; a district in West Tennessee where judges drive from Alabama to Kentucky to hold court, etc.), it would be patently absurd to suggest that the only thing in Tennessee that needs to be changed is our chancery arrangement. If there is a call for changes in other districts as

well, then so be it. But if our chancery arrangement is it, that smacks of pure politics. Why would anyone want to change only that and nothing else?

3. Furthermore, no consideration has been given in this matter to our clerk and master's office which provides clerk services not only to chancery court, but to the circuit and sessions courts, and especially with respect to domestic cases. If the law is changed to undo the arrangement whereby the fourth district chancellor serves the fifth district court, what will happen to our chancery court? Will the state give us a new chancellor? Will the court be abolished? If it's abolished, will the clerk and master's office be abolished? What will happen to all of those files? None of these questions have been addressed.

I can support no changes.

I can support undoing our chancery arrangement if other needed changes are made elsewhere in this state. I cannot support singling out Blount County and its chancery court.