

STATE OF TENNESSEE

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Opinion No. 01-054

Authority of Supreme Court to Require Collection of Case-Related Data

QUESTIONS

1. Whether the Tennessee Supreme Court has the authority to require general sessions courts to collect and report statistical and other data to the Administrative Office of the Courts concerning filing and disposition of driving while intoxicated cases.
2. Whether the Tennessee Supreme Court has authority to require general sessions courts to make such information available to the Department of Safety or to any other department or agency of state government.

OPINIONS

1. and 2. Both measures are within the Court's statutory and inherent authority as supervisor of lower courts and of the administration of justice.

ANALYSIS

The first question is whether the Tennessee Supreme Court has the authority to require general sessions courts to collect and report statistical and other data to the Administrative Office of the Courts concerning filing and disposition of driving while intoxicated cases. The Tennessee Supreme Court has broad authority to supervise the courts of this State. This authority is both conferred by statute and inherent under the Tennessee Constitution. Tenn. Code Ann. § 16-3-501 provides:

In order to ensure the harmonious, efficient and uniform operation of the judicial system of the state, the supreme court is hereby granted and clothed with general supervisory control over all the inferior courts of the state.

Tenn. Code Ann. § 16-3-501. Tenn. Code Ann. § 16-3-502 provides:

In addition to other constitutional, statutory and inherent power, but not restrictive thereof, the supreme court may:

(1) Designate the administrative director of the courts as the chief administrative officer of the courts of the state;

(2) Direct the administrative director of the courts to take all such action *or to perform such duties as are necessary for the orderly administration of justice within the state, whether or not herein or elsewhere enumerated;*

* * * *

Tenn. Code Ann. § 16-3-502(1) and (2) (emphasis added). The General Assembly also acknowledges that the powers the statutes confer are “declaratory of the common law as it existed at the time of the adoption of the constitution of the state of Tennessee, and of the power inherent in a court of last resort.” Tenn. Code Ann. § 16-3-503. Tenn. Code Ann. § 16-3-504 provides:

This part shall constitute a broad conference of full, plenary and discretionary power upon the supreme court.

The Administrative Office of the Courts was created under Tenn. Code Ann. § 16-3-801. The Administrative Director of the Courts serves as the director of that Office. The powers and duties of the Administrative Director of the Courts are outlined in more detail in Tenn. Code Ann. §§ 16-3-801, *et seq.* Tenn. Code Ann. § 16-3-803 provides in relevant part:

(a) The administrative director of the courts shall work under the supervision and direction of the chief justice and shall, as the chief administrative officer of the state court system, assist the chief justice in the administration of the state court system to the end that litigation may be expedited and the administration of justice improved.

* * * *

(g) The administrative director of the courts shall continuously survey and study the operation of the state court system, the volume and condition of business in the courts of the state, whether of record or not, the procedures employed by those courts, and the quality and responsiveness of all of the courts with regard to the needs of civil litigants and the needs of the criminal justice system throughout the state. The administrative director of the courts shall also provide liaison and staff support to the judicial council with regard to the responsibilities of the judicial council in the above areas.

(h) The administrative director of the courts shall establish criteria, develop procedures and implement a Tennessee court information system (TnCIS).

The system shall provide an integrated case management and accounting software system addressing the statutory responsibilities of the clerks of the general sessions, chancery, circuit, and juvenile courts. The system shall also provide state-wide reporting and data transfer capabilities for the administrative office of the courts (AOC), department of human services, Tennessee bureau of investigation, department of safety and such other state agencies as may be determined by the AOC or as statutorily mandated.

(i) For the purposes of monitoring the operation of the state court system, reducing unnecessary delay, and assessing the responsiveness of the state court system to the needs of litigants, victims of crime, and the citizens of the state, the administrative director of the courts shall have the responsibility for annually collecting, compiling, analyzing, and publishing caseload statistics pertaining to the state court system. It is the responsibility of the administrative director of the courts to develop, define, update, and disseminate standard, uniform measures, definitions, and criteria for collecting statistics pertaining to the state court system. These standards and reporting requirements shall be used for uniform statistical data collection in all of the courts throughout the state as established by the rules of the supreme court.

(1) Prior to the November annual meeting of the Tennessee judicial council, the administrative director of the courts shall report to the chair of the judicial council, the chair of the judiciary committee of the senate, and the chair of the judiciary committee of the house of representatives the failure of any judge, district attorney general, district public defender, or court clerk to substantially comply with the reporting requirements.

(2) The office of the comptroller of the treasury, as part of its annual county audit function, shall review for compliance with the reporting requirements.

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Tenn. Code Ann. § 16-3-803(a), (g), (h), & (i). We think requiring general sessions courts to collect and report statistical and other data to the Administrative Office of the Courts concerning filing and disposition of driving while intoxicated cases clearly falls within this authority.

The second question is whether the Tennessee Supreme Court has authority to require general sessions courts to make the information compiled for the Administrative Office of the Courts available to the Department of Safety or to any other department or agency of state government. We think this requirement falls within the broad authority of the Tennessee Supreme Court — acknowledged by state statutes — to supervise the court system and the administration of justice. Further, Tenn. Code Ann. § 16-

3-803(h), quoted above, appears to anticipate some exchange of information between courts and various state agencies. For this reason, we think the Tennessee Supreme Court has the authority to require general sessions courts to make this information available to state agencies, including the Department of Safety.

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