

**IN THE GENERAL SESSIONS COURT OF HAMILTON COUNTY, TENNESSEE  
CRIMINAL & CIVIL – ALL DIVISIONS**

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01 GS ORDER 07-24-2020

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**ORDER AMENDING RULE 3 OF THE GENERAL SESSIONS COURT LOCAL RULES OF PRACTICE**

The Court previously issued 01 GS ORDER 07-14-2020. After review and comments from the local bar and the civil and criminal clerks' offices, the Court revises its order and issues the following pursuant to the Court's inherent power and discretion to adopt additional or supplemental rules of procedure not inconsistent with or in conflict with the rules prescribed by the Tennessee Supreme Court, and in response to the COVID-19 pandemic and the resulting Tennessee Supreme Court Order Continuing Suspension of In-Court Proceedings and Extension of Deadlines, No. ADM2020-00428 ("Supreme Court Order"):<sup>1</sup>

**Rule 3. General Sessions Court Assignments and Dockets**

Hamilton County General Sessions Court operates five courtrooms, all of which are located on the second floor of the Hamilton County-City Courts Building ("Courts Building"). The five General Sessions Court judges rotate each week to one of the five courtrooms, as indicated on the dockets.

**A.** Upon arrest, criminal defendants are automatically assigned by computer to one of the five judges on a rotational basis, and remain assigned to that judge so long as that defendant's case(s) are pending or otherwise subject to a probationary period. Where two or more defendants are co-defendants on a matter, the co-defendants will be reassigned to the judge who was first assigned to a co-defendant, i.e. the lowest docket number. For safety purposes and in light of the COVID-19 pandemic, inmates at the County Workhouse (Silverdale) and County Jail (downtown) may appear for court via video conference. As such, judges assigned to those particular courtrooms on any given week may hear and decide cases assigned to a different judge.

**B.** The dockets for the Criminal Division of General Sessions Court shall be posted daily in a conspicuous place at the office of the Clerk of Court of General Sessions, Criminal Division, in the Courts Building. The dockets for the Civil Division of General Sessions Court shall also be posted daily in a conspicuous place at the office of the Clerk of Court of General

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<sup>1</sup> Revisions to General Sessions Local Rule 3 effectuated by this Order are underlined for reader clarity.

Sessions, Civil Division. Both civil and criminal dockets can be found online at the following website: [www.hamiltontn.gov/courts/sessions/default.aspx](http://www.hamiltontn.gov/courts/sessions/default.aspx).

C. Docket scheduling shall be done through the offices of the General Sessions Court Clerks, Criminal and Civil Divisions, both of which are located on the first floor of the Courts Building. It is preferred that all matters be resolved via video or telephone conferencing whenever possible and allowed by law.

Unless changed by the presiding judge because of necessity or convenience, the schedules of the courts are:

**(1) CRIMINAL GENERAL SESSIONS:**

(a) Cases commence in Courtrooms 1, 3 and 4 at 8:30 a.m. Monday through Friday, except as closed for holidays and as otherwise set forth by Court order. A lunch recess may be taken as determined by the sitting judge in each courtroom.

(b) The criminal settlement and compliance dockets are held Monday through Thursday at 1:30 p.m. in Courtrooms 1, 3 and 4 or as otherwise set by the judge or agreement between the District Attorney's office and the defendant's attorney.

(c) Treatment Court (Recovery Court and Mental Health Court) dockets may be held via video or telephone conferencing whenever possible and allowed by law.

(i) Recovery Court dockets are held at 2:00 p.m. each Tuesday.

(ii) Mental Health Court dockets are held at 1:30 p.m. each Monday.

**(2) CIVIL GENERAL SESSIONS:**

(a) All civil matters commence in Courtroom 6 unless reassigned by the sitting judge.

(b) There will no longer be a Monday 11:00 a.m. "call docket."

(c) Cases filed shall be served by private process or the sheriff's office. Initial court appearances and motion hearings will be set by the General Sessions Court Civil Clerk's Office pursuant to Section (e) below. Detainers will be set pursuant to Section (f) below. Other trials will be set pursuant to Section (g) below. Mental health involuntary commitment probable cause hearings will be set pursuant to Section (h) below.

(d) The Clerk's Office shall seek to minimize numbers of cases set for any given motion, detainer or trial docket pursuant to Supreme Court Order. In the event an initial court appearance is not specifically set by the Clerk's Office, a process server may set the date prior to service. However, a process server MUST RECEIVE APPROVAL FROM THE CLERK'S OFFICE TO SET A CASE FOR A SPECIFIC DATE/TIME. In the event the defendant does not appear at a scheduled court

date, a default judgment may be entered against the defendant. In the event a plaintiff does not appear at a scheduled court date, the case may be dismissed.

**(e) Initial Court Appearances & Motions**

All initial court appearances will be heard on Mondays and Fridays pursuant to the schedule below, with a maximum number of 50 cases per docket. A motion must be filed by 4:00 p.m. on the Tuesday prior to the following Monday motion docket. Again, the Clerk's Office must approve a specific initial setting or motion hearing date/time. Although subject to change by the Clerk's Office, the initial appearance and motion dockets are as follows:

- (i) **Mondays 9:00 a.m. Docket**
  - INITIAL APPEARANCES – local plaintiff attorneys
- (ii) **Mondays 10:00 a.m. Docket**
  - INITIAL APPEARANCES – local plaintiff attorneys
- (iii) **Mondays 11:00 a.m. Docket**
  - ALL MOTIONS
- (iv) **Mondays 11:30 a.m. Docket**
  - INITIAL APPEARANCES – pro se plaintiffs
- (v) **Fridays 9:00 a.m. Docket**
  - INITIAL APPEARANCES – non-Hamilton Co. plaintiff attorneys
- (vi) **Fridays 10:00 a.m. Docket**
  - INITIAL APPEARANCES – non-Hamilton Co. plaintiff attorneys
- (vii) **Fridays 11:00 a.m. Docket**
  - INITIAL APPEARANCES – non-Hamilton Co. plaintiff attorneys

**(f) Detainer Actions**

Detainer actions may be held via video or telephone conferencing whenever possible and allowed by law. The hearings will commence every Thursday at the following times:

- (i) Detainers filed by private attorneys shall commence at 9:00 a.m.
- (ii) Detainers filed by Chattanooga Housing Authority shall commence at 10:30 a.m.
- (iii) Detainers filed by pro se parties shall commence at 1:00 p.m.

**(g) All Other Civil Trials**

Civil trials will be heard beginning at 9:00 a.m. on Tuesdays and Wednesdays, or at a time and date agreed to by the parties and the Court. The number of parties, attorneys and witnesses shall be disclosed to the Court or Clerk's Office at the time of setting in order to minimize the number of persons in the Courts Building and in a particular courtroom. Failure to accurately inform the Court or Clerk's Office may result in a continuance of the case should the health and safety of persons at the Courts Building be at issue.

**(h) INVOLUNTARY COMMITMENT PROBABLE CAUSE HEARINGS**

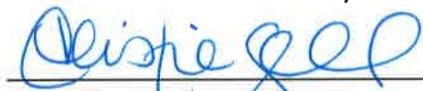
Mental health involuntary commitment probable cause hearings may be held via video or telephone conferencing whenever possible and allowed by law. The hearings will commence every Thursday at the following times:

- (i) Hearings involving Parkridge Valley Hospital shall commence at 9:00 a.m.
- (ii) Hearings involving Moccasin Bend Mental Health Institute shall commence at 10:00 a.m.
- (iii) Hearings involving Erlanger Behavioral Health Hospital shall commence at 1:30 p.m.

The rules and procedures set forth in this Order shall supersede any other rules or standing orders of this Court that are in conflict therewith (in particular, General Sessions Court Local Rule 8 and/or Rule 12). A summary of the new civil docket schedule is attached to this Order, and applies to all pleadings filed on or after the date of this Order. Cases currently set for a particular date and time shall remain as previously scheduled.

It is hereby **ORDERED, ADJUDGED AND DECREED**, that Hamilton County General Sessions Court, Criminal and Civil Divisions, will hereby operate under the rules and procedures set forth in this Order until further notice.

ENTER this 24<sup>th</sup> day of July, 2020.

  
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Christie Sell – Division I

  
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Alexander McVeagh – Division II

  
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Gerald Webb – Division III

  
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Lila Statom – Division IV

  
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Gary Starnes – Division V

**HAMILTON COUNTY  
GENERAL SESSIONS COURT  
CIVIL – ALL DIVISIONS**

**\*\*New 2020 Docket Schedule\*\***

**FOR ALL FILINGS ON OR AFTER JULY 24, 2020**

*You Must Receive Initial Appearance/Motion/Trial Date Approval  
From Clerk's Office Prior to Service/Filing*

<b>DAY</b>	<b>TIME</b>	<b>DOCKET</b>
Monday	9:00 a.m.	<b>INITIAL APPEARANCES</b> – Local (Plaintiff) Attorneys
Monday	10:00 a.m.	<b>INITIAL APPEARANCES</b> – Local (Plaintiff) Attorneys
Monday	11:00 a.m.	<b>ALL MOTIONS</b>
Monday	11:30 a.m.	<b>INITIAL APPEARANCES</b> – <i>Pro Se</i> Plaintiffs
Tuesday	9:00 a.m.	<b>CIVIL TRIALS</b> (non-detainers)
Wednesday	9:00 a.m.	<b>CIVIL TRIALS</b> (non-detainers)
Thursday	9:00 a.m.	<b>DETAINER TRIALS</b> – Private (Plaintiff) Attorneys
Thursday	9:00 a.m.	<b>INVOLUNTARY COMMITMENT HEARINGS</b> – Parkridge Valley
Thursday	10:00 a.m.	<b>INVOLUNTARY COMMITMENT HEARINGS</b> – Moccasin Bend
Thursday	10:30 a.m.	<b>DETAINER TRIALS</b> – Chattanooga Housing Authority
Thursday	1:00 p.m.	<b>DETAINER TRIALS</b> – <i>Pro Se</i> Plaintiffs
Thursday	1:30 p.m.	<b>INVOLUNTARY COMMITMENT HEARINGS</b> – Erlanger
Friday	9:00 a.m.	<b>INITIAL APPEARANCES</b> – Non-Hamilton Co. (Plaintiff) Attorneys
Friday	10:00 a.m.	<b>INITIAL APPEARANCES</b> – Non-Hamilton Co. (Plaintiff) Attorneys
Friday	11:00 a.m.	<b>INITIAL APPEARANCES</b> – Non-Hamilton Co. (Plaintiff) Attorneys

**\*\*Other dates/times available to schedule motions or trials with permission of the Court or Clerk's Office\*\***