

**LOCAL RULES OF PRACTICE
FOR THE
GENERAL SESSIONS COURT OF HAMILTON COUNTY, TENNESSEE
ALL DIVISIONS (CIVIL & CRIMINAL)**

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RULE 1. APPLICABILITY AND DEFINITIONS

1.01 EFFECTIVE DATE AND ABROGATION OF FORMER RULES AND ORDERS.

As set forth herein, effective October 1, 2025, the Local Rules of Practice for the General Sessions Court of Hamilton County, Tennessee, are adopted pursuant to Tenn. Code Ann. §§ 16-15-406 and 16-15-714. All former standing orders and local rules of practice, including those adopted in 2014 and those adopted during the COVID-19 pandemic in 2020 and 2021, are void, except as readopted herein.

1.02 DEFINITIONS.

(a) **GENERAL SESSIONS COURT.** The General Sessions Court of Hamilton County, Tennessee, located at 600 Market Street, Chattanooga, Tennessee 37402, is referred to as “General Sessions Court” or the “Court.” These Rules may also refer to “General Sessions Civil Court” for civil proceedings and “General Sessions Criminal Court” for criminal proceedings.

(b) **CIVIL CLERK’S OFFICE.** The General Sessions Division of the Circuit Court Clerk of the Eleventh Judicial District is referred to as the “Civil Clerk’s Office” in association with Rules affecting General Sessions Civil Court. The Civil Clerk’s Office is located at 600 Market Street, Room 110, Chattanooga, Tennessee 37402.

(c) **CRIMINAL CLERK’S OFFICE.** The General Sessions Division of the Criminal Court Clerk of the Eleventh Judicial District is referred to as the “Criminal Clerk’s Office” in association with Rules affecting General Sessions Criminal Court. The Criminal Clerk’s Office is located at 600 Market Street, Room 108, Chattanooga, Tennessee 37402.

(d) **COURTHOUSE.** The Hamilton County-Chattanooga Courts Building containing General Sessions Court and the Clerk’s Offices at 600 Market Street, Chattanooga, Tennessee 37402, is referred to as the “Courthouse.”

(e) **CJUS.** The case-management database created and maintained by Hamilton County Information Technology and used by General Sessions Court, the Sheriff’s Office and other law-enforcement agencies, the Criminal Clerk’s Office, and other county departments and agencies in connection with the local criminal-justice system is referred to as “CJUS.”

1.03 APPLICABILITY.

Each Rule applies to all court matters—civil and criminal—unless otherwise specified.

1.04 SUPPLEMENT AND SUSPENSION.

The judges of General Sessions Court may supplement and/or suspend any of these Rules by standing order.

1.05 PURPOSE.

The purpose of these Rules is to facilitate the just determination of every proceeding in Hamilton County General Sessions Court by securing consistency, simplicity in procedure, impartiality and fairness in administration, while eliminating unjustifiable expense and delay.

1.06 CITATION.

These Rules may be cited as General Sessions Local Rules or “GSLR.”

RULE 2. JUDGES AND CASE MANAGEMENT

2.01 JUDGES' COURTROOM ROTATION AND INTERCHANGE.

General Sessions Court operates multiple courtrooms on the second floor of the Courthouse. The five General Sessions Court judges may rotate between those courtrooms. From time to time, special judges and municipal judges with General Sessions jurisdiction may preside over civil or criminal cases in the absence of the presiding judge. If the parties agree and if not otherwise prohibited by law, attorneys and retired judges may also preside over certain matters in both civil and criminal court.

2.02 SENIOR JUDGE.

(a) **SENIOR JUDGE APPOINTMENT.** The General Sessions judge with the longest continual term of service is deemed "Senior Judge." The Senior Judge shall undertake to duties bestowed upon the General Sessions Court "presiding judge" as referenced in local or state law. An alternative Presiding Judge may be chosen by majority vote of the General Sessions judges.

(b) **SENIOR JUDGE RESPONSIBILITIES.** The Senior Judge works with the presiding judge of the Eleventh Judicial District as designated in Tenn. Code Ann. § 16-2-509 and endeavors to effectuate the goals outlined therein as they relate to General Sessions Court. After consultation with colleagues, the Senior Judge is responsible for administrative decisions for General Sessions Court and for duties required under state or local law. Unless delegated, the Senior Judge communicates with the public and media when court information must be disseminated. If any decision of the Senior Judge conflicts with a decision of the presiding judge of the Eleventh Judicial District, the latter controls.

2.03 SCHEDULING HEARINGS.

Scheduling is handled through the Civil Clerk's Office and the Criminal Clerk's Office on the first floor of the Courthouse. Matters should proceed in-person. With the assigned judge's permission, and if otherwise allowed by law, certain hearings may proceed by video or telephone.

2.04 SUBPOENAS.

(a) **REGULAR SUBPOENAS IN CIVIL AND CRIMINAL CASES.** Unless otherwise ordered, subpoenas shall be issued not less than seven (7) days before the trial date. It is the duty of the parties to subpoena their witnesses. Failure of subpoenaed witnesses to appear may be grounds for a continuance, and a Show Cause Order may issue ordering such witness(es) to appear on the next court date and/or face contempt.

(b) **LAW ENFORCEMENT SUBPOENAS IN CRIMINAL CASES.** Formal subpoenas are not required for law-enforcement officers who have preselected and approved court dates in CJUS. When a case is set on an officer's preselected court date, it

has the same effect as a subpoena to that officer. If no preselected date is available in CJUS, the State shall issue a subpoena to that officer.

2.05 CASE FILE.

(a) CIVIL CASE FILE (RESERVED).

(b) CRIMINAL CASE FILE. Every criminal case file shall contain a printed copy of the case cover sheet/docket information; space for entry of judgment; the arresting officer's report/affidavit of complaint; any appearance-bond information; any Hamilton County Alternative Sentencing pretrial order; any pretrial ignition-interlock order; any domestic or non-domestic conditions of release; any notation of alleged violations of orders of protection (formerly "orange sheets"); and any show-cause order.

2.06 DOCKETS.

Criminal dockets shall be posted daily in a conspicuous place in or outside of the Criminal Clerk's Office. Civil dockets shall be posted daily in a conspicuous place in or outside of the Civil Clerk's Office. As an alternative to or in addition to posting the aforementioned dockets in the Courthouse, the Criminal and Civil Clerk's Offices may post a web link or QR code for litigants to access online dockets, so long as the respective Clerk's Office provides computer access to such dockets. Civil and criminal dockets may also be accessible on Hamilton County's website (hamiltontn.gov/Courts.aspx) and/or public-facing mobile application.

2.07 EXTRAORDINARY CIRCUMSTANCES.

If allowed by law and Tennessee Supreme Court Rule, changes to courtroom capacity and to criminal and/or civil schedules may be made to accommodate health and/or safety emergencies, including hybrid and virtual hearings. When such a hearing is allowed, contact the Court's Administration Office beforehand to obtain the approved virtual courtroom information and to coordinate the hearing.

2.08 INFORMATION MADE AVAILABLE TO THE PUBLIC.

(a) The Court shall make these Rules available to the public on Hamilton County's website (hamiltontn.gov/Courts.aspx) and/or public-facing mobile application. The Court will also make available certain legal information, including forms and resources promulgated by the Tennessee Supreme Court's Access to Justice Commission (tncourts.gov/court-forms), as well as forms, notices, cover sheets, and other resources referenced throughout these Rules.

(b) The Criminal and Civil Clerk's Offices should make available to the public any and all case information required under law, as well as legal information including forms, notices, cover sheets, and other resources referenced throughout these Rules.

RULE 3. PROFESSIONAL CONDUCT

3.01 RULES OF PROFESSIONAL CONDUCT.

Ethical standards for the practice and administration of law in Court are governed by Tennessee Supreme Court Rule 8 (Rules of Professional Conduct).

3.02 OPENING COURT.

At the opening of each Court session, everyone shall rise and remain standing, if physically able, until the court officer or bailiff formally opens Court.

3.03 COURTROOM SPACE.

The area within the bar is reserved for attorneys, court personnel, officers, and participants in the case immediately before the Court. All others shall be seated outside the bar. Although the gallery is open to the public, the Court may exclude any person found disruptive, or as otherwise appropriate for safety.

3.04 COURTROOM DECORUM AND PROCEDURES.

All participants, attorneys, witnesses, and spectators shall conform to strict standards of decency, dignity, etiquette, and propriety. Hats and sunglasses shall be removed before entering the courtroom. Demonstrations, misconduct, loud talking, gum-chewing, or any disruption shall not be permitted inside or outside the courtroom.

3.05 COURTROOM CONDUCT AND ATTIRE.

Attorneys and court attendants shall wear professional business attire and conform to the professional dignity expected of officers of the Court. All persons with matters before the Court must be appropriately dressed. Prohibited attire includes shorts, mini-skirts, halter tops, bare midriffs, see-through attire, muscle shirts or tank tops, and clothing with obscenity, pornography, or profanity. Clothing that exposes undergarments or intimate body parts is not allowed. Using curse or swear words—even when quoting others—is prohibited, except with prior permission from the Court. Any offensive word necessary for proof shall be substituted using only the first letter.

3.06 ELECTRONIC DEVICES.

While in the courtroom, all electronic and/or cellular devices must be turned off and shall not be utilized by anyone except attorneys and court personnel as necessary. Only upon prior approval of the judge may audio recordings be permitted as authorized by Tenn. Code Ann. § 20-9-104.

3.07 ATTORNEY REPRESENTATION AND CONDUCT.

Attorneys representing litigants must be licensed to practice law in Tennessee pursuant to Tennessee Supreme Court Rules 7 and 9 and be in good standing with the Tennessee Board of Professional Responsibility. Appearances pro hac vice are governed by Tennessee Supreme Court Rule 19. Attorneys shall note their representation on civil summonses, criminal warrants, and/or citations, and shall appear at the client's designated court time, unless the attorney notifies the Court of his/her whereabouts. Attorneys shall rise and remain standing, if able, when addressing the Court, making a statement, argument, or objection, or questioning a witness.

3.08 PARTIES, WITNESSES, AND SPECTATORS WHILE INSIDE COURTROOM.

Parties and witnesses shall be seated at the appropriate party table, witness stand, or stand before the bench during any hearing or trial, as ordered by the judge. Spectators may use unoccupied seats on a first-come, first-served basis, and only if space is available after all parties, witnesses, attorneys, and other court-related personnel are accommodated. Standing will not be permitted in the gallery unless absolutely necessary.

3.09 COURT OFFICERS AND BAILIFFS.

The court officer, bailiff, and other officers serving the Court are responsible for enforcing courtroom rules, procedures, and decorum.

RULE 4. INTERPRETERS

4.01 APPOINTMENT OF INTERPRETERS.

Pursuant to Tennessee Supreme Court Rule 42, appointment of a language interpreter is a matter of judicial discretion. If the Court determines an interpreter is required, appointment and scheduling shall be coordinated with the Court's Administration Office.

4.02 INTERPRETER COSTS IN CIVIL CASES.

Interpreters may be provided for parties in civil cases if sufficient notification is made to the Court's Administration Office. Interpreter costs may be taxed as court costs to whichever party the Court deems appropriate. If an indigent party is taxed with costs, the Court may exercise discretion to waive such costs.

4.03 INTERPRETER COSTS IN CRIMINAL CASES.

Interpreters will be provided for parties in criminal cases if sufficient notification is made to the Court's Administration Office. The Court does not pay for post-adjudication interpretation. Interpreters are paid by the Tennessee Administrative Office of the Courts if the defendant is declared indigent. If not indigent, interpretation may be taxed with court costs; the Court may waive such costs due to indigency.

4.04 CASES INVOLVING INTERPRETER.

Cases involving an interpreter will be heard at the beginning of the docket, provided the interpreter is prepared for trial.

RULE 5. SECURITY

5.01 COURTHOUSE SECURITY.

All persons entering the Courthouse must proceed through security, are subject to search, and must discard any items that security deems reasonable. The Office of the Hamilton County Sheriff shall enforce these policies to ensure the integrity and safety of the Courthouse.

5.02 COURTROOM SECURITY AND COURT CLERK.

(a) **CRIMINAL DOCKETS.** For criminal dockets, each division of General Sessions Court shall have at least two (2) court officers, one (1) bailiff, and one (1) deputy clerk present while court is in session.

(b) **CIVIL DOCKETS.** For civil dockets, each division shall have at least one (1) court officer, one (1) bailiff, and one (1) deputy clerk present while court is in session.

5.03 JUDGES' CHAMBERS, BACK CORRIDOR AND OFFICES, KITCHEN, AND OTHER AREAS OF COURTHOUSE.

To ensure safety of judges, officers, and personnel of the General Sessions Courts, the General Sessions Court corridor and offices (including Chattanooga City Court offices) are restricted from public access or access by persons not specifically assigned to the area, except as permitted through the main corridor door with video and intercom monitoring. Access to the corridor and/or courtrooms from the side door or any back door is prohibited to unauthorized persons. Only General Sessions Court judges, administrators, and officers may use the kitchen/lunch area, except as permitted by a judge. The hallway immediately behind each courtroom may be used for plea negotiations if other designated areas are unavailable and permission is granted by the Court.

RULE 6. ELECTRONIC FILING

6.01 ELECTRONIC FILING (E-FILING) OF CASES AND OTHER PAPERS.

(a) Pursuant to Tenn. Code Ann. § 16-15-701, Tenn. R. Civ. P. 5B, and Tenn. R. Crim. P. 49.2, if the Circuit Court Clerk and/or the Criminal Court Clerk for the Eleventh Judicial District implements electronic filing in the General Sessions Division of their respective Clerk's Offices, this Court will allow filing by electronic means that comply with technological standards promulgated by the Tennessee Supreme Court.

(b) Further local Rules may be promulgated to effectuate any future electronic filing in the Criminal Clerk's Office and/or Civil Clerk's Office.

RULE 7. CRIMINAL PRACTICE

7.01 RANDOM ASSIGNMENT OF CRIMINAL CASE TO SPECIFIC COURTROOM.

Upon arrest, criminal defendants are automatically assigned by computer to one of the General Sessions Criminal Court courtrooms on a rotational basis, and remain assigned to that courtroom 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, all co-defendants will be reassigned to the courtroom with the case containing the lowest (i.e. oldest) docket number.

7.02 CRIMINAL COURT SCHEDULE.

Unless changed by the Court because of necessity or convenience, the schedules of the court dockets are:

(a) **TRIAL DOCKETS.** 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 presiding judge in each courtroom.

(b) **CRIMINAL SETTLEMENT AND COMPLIANCE REVIEW DOCKETS.** The criminal settlement and compliance review dockets are held Monday through Thursday at 1:30 p.m. in Courtrooms 1, 3, and 4, or as otherwise set by the presiding judge in each particular courtroom, or at another time set by agreement between the District Attorney's Office and the defendant or defendant's attorney, with approval of the presiding judge.

(c) **GENERAL SESSIONS MENTAL HEALTH COURT DOCKETS.** Mental Health Court dockets are held at 1:30 p.m. each Monday.

(d) **GENERAL SESSIONS RECOVERY COURT DOCKETS.** Recovery Court dockets are held at 3:00 p.m. each Monday.

(e) **GENERAL SESSIONS VETERANS' TREATMENT COURT DOCKETS.** Veterans' Treatment Court dockets are held at 1:30 p.m. each Thursday.

7.03 DEFENDANT'S RESPONSIBILITIES.

All defendants shall:

(a) Appear in court on every scheduled court date unless waived in advance by the Court. The Court schedule is available on the Court's website (hamiltontn.gov/Courts).

(b) Behave in an orderly, dignified manner and be dressed appropriately (*see* GSLR 3.05). Failure to do so may result in removal of the defendant from the courtroom pursuant to Tenn. R. Crim. P. 43, and may also result in a finding of contempt, and may constitute a separate criminal offense.

7.04 DEFENDANT'S FAILURE TO APPEAR IN COURT.

Failure to appear as set forth in 7.03 may constitute contempt of court and may constitute a separate criminal offense.

7.05 CRIMINAL CASE CONTINUANCES.

Only a judge may grant continuances. If a continuance is granted in advance of the court date, it is the responsibility of the requesting party to immediately notify the other side of said continuance so that witnesses can be timely notified as soon as possible.

(a) **FIRST REQUEST FOR CONTINUANCE.** The first time a case is set for preliminary hearing or trial, it may be continued for good reason within the judge's discretion, upon the State's or the defendant's request in open court, unless excepted by the assigned judge for good cause.

(b) **SUBSEQUENT REQUEST FOR CONTINUANCE.** The second or subsequent time a case is set for a preliminary hearing or for trial, it will be continued only for compelling reasons. The following are NOT deemed compelling reasons, but may be considered within the judge's discretion:

1. unpaid attorney fee;
2. client has not consulted counsel;
3. lack of preparation;
4. any other reason previously known or that should have been known.

(c) **DISPOSITION TIMELINE.** Notwithstanding the granting of any continuance, unless good cause is shown for further delay, all cases shall be disposed of within 120 days.

7.06 PLEA AGREEMENTS.

All plea agreements shall be accompanied by a written plea agreement which may consist of the original warrant with the appropriate disposition language and shall be signed by the defendant. This Rule does not apply to Class C misdemeanors, which may be accepted orally, under oath.

7.07 BAIL BOND.

(a) **BONDING COMPANIES.** Bonding companies that are incorporated must be represented by an attorney except as provided by Tenn. Code Ann. § 40-11-137(b)(3).

(b) **PROCEDURES.** All bail issues shall conform with the "Release from Custody and Bail Reform Act of 1978" and all amendments thereto. On any Notice of Appearance given to any defendant by any bonding company or bail bondsman, **the name of the month shall be spelled out for any court appearance date in lieu of using a numerical number to reference the date.** Any capias issued pursuant to a forfeiture, either conditional or final, shall remain in effect until the defendant is apprehended and returned to custody and a disposition is made of the case.

(c) BAIL BOND RELIEF. Bondsmen shall be released from their obligation under the Bail Bond Reform Act pursuant to Tenn. Code Ann. §§ 40-11-138 and 40-11-130. Specifically, a bondsman shall be released when the defendant's case is passed

1. on good behavior;
2. to pay costs; or
3. to do public works/community service.

Bondsmen shall be released if the defendant has fled to a state that will not extradite or if it is a case in which Tennessee will not proceed with extradition. Any surrender of a defendant by a bonding company shall be in compliance with Tenn. Code Ann. §§ 40-11-130 through -137.

7.08 FORFEITURE/PROPERTY SEIZURE WARRANTS.

Pursuant to Tenn. Code Ann. § 40-33-204, probable-cause hearings for issuance of forfeiture/property-seizure warrants will be heard in Courtrooms 1, 3, or 4 and will be recorded, filed, and maintained by the District Attorney General's Office. A certified copy of the recording may be made available upon request of any party and may be admissible as evidence in a future proceeding.

7.09 RESTRICTED DRIVER'S LICENSE.

All requests for issuance of a restricted driver's license shall be heard by the judge who adjudicated the defendant's underlying criminal charge(s), if available. All paperwork and files relating to restricted licenses shall be maintained in the Clerk's Office.

RULE 8. CIVIL PRACTICE

8.01 CIVIL CASE FILING REQUIREMENTS.

FILING AND COURT COSTS. All civil cases must be filed according to Tennessee state law and must include the required filing fee. Model civil summonses are available in the Clerk's Office or on the Court's website (hamiltontn.gov/Courts.aspx) or on the Tennessee Supreme Court's website (tncourts.gov/court-forms).

(a) DEFENDANT INFORMATION.

1. All defendants must be properly named.
2. All filings must have the address, phone number, and email address, if known.
3. If it is a consumer debt cases, original or non-original, the last four (4) digits of the social security number should be included.

(b) CLAIM. Each case must contain a short, plain statement of the claim and a specific demand for monetary judgment or other remedy. The plaintiff shall designate the case appropriately among the following:

1. Original credit collection (e.g., medical debt, credit-card debt);
2. Non-original credit collection (e.g., debt sold to another entity);
3. Contract Dispute;
4. Construction;
5. Detainer Damage/Rental;
6. Personal injury;
7. Other—describe (e.g., recovery of property; boundary-line dispute).

(c) ATTACHED DOCUMENTS. Any cases involving contracts or medical bills should include documents attached to the summons or submitted as otherwise required by law.

(d) SERVICE. All cases shall be served by the Sheriff's Office, private process server, the Tennessee Secretary of State, or as otherwise allowed by law, and will be scheduled by the Clerk's Office unless a date is specified.

1. If service is not made, the plaintiff must obtain service within nine (9) months from the return of unserved process or recommence the case within one (1) year after the return of the initial process not served;
2. Cases not prosecuted within one (1) year of filing will be dismissed.

(e) ANSWER. An answer is not necessary in General Sessions Court to refute the plaintiff's claim unless specifically required by law.

(f) COUNTERCLAIM. Any counterclaim should be filed as a separate case with a separate docket number. A counterclaim will be set with the originally-filed case.

(g) CASES FILED ON A PAUPER'S OATH. Any case filed on a pauper's oath shall be accompanied by a completed Pauper's Oath Application and corresponding Affidavit of Indigency, which is available in the Clerk's Office or on the Court's website (hamiltontn.gov/Courts.aspx). The affiant will be given a court date to appear before the Court for approval of the application.

(h) NON-ORIGINAL CREDITOR CONSUMER DEBT CIVIL CASE

COVERSHEET. In any case to collect a "Non-Original Creditor – Consumer Debt" as defined in Tenn. Code Ann. § 20-6-104 (typically loans, credit-card balances, or medical debt sold to another entity for collection), the plaintiff should file and cause to be served upon the defendant a Non-Original Creditor – Consumer Debt Civil Case Coversheet, a model of which can be found on the Court's website (hamiltontn.gov/Courts.aspx). This coversheet requirement, which is being recommended to comply with Tennessee Pub. Ch. 914 (2024) and should be substantially similar to the model coversheet on the Court's website.

1. If an original creditor sells the debt after filing and moves to change the name of the plaintiff to a non-original creditor, the Motion to Change the Plaintiff's Name must include the coversheet with all required information included as if originally filed as non-original debtor.

8.02 CIVIL COURT SCHEDULE.

Civil cases are assigned an initial appearance date by the Clerk's Office at the time of filing. If the return of service is not filed in the Clerk's Office **at least five (5) days** before the assigned initial appearance date, then it will **not** be docketed on the assigned initial appearance date and the plaintiff must file a Motion to Set the case for trial. (See 8.02(e).)

INITIAL COURT APPEARANCES FOR NON-EVICTION CASES.

(a) CASES WITH PLAINTIFF ATTORNEYS - MONDAYS (10:00 A.M.). All initial appearances for cases with plaintiff attorneys will be set on Mondays at 10:00 a.m. (or as otherwise determined by the Court/Clerk's Office), except eviction cases. The initial appearance is not the trial date.

(b) CASES WITH PRO SE PLAINTIFFS - THURSDAYS (10:00 A.M., or as reflected on the summons). The first date scheduled for prose plaintiff's (plaintiffs without attorneys) are set on Thursdays at 10:00 a.m. or otherwise reflected on the summons; determined by the court for the purpose of mediation and/or scheduling a trial date. The initial appearance date is NOT the trial date.

(c) INITIAL APPEARANCE DISPOSITIONS. The disposition of the initial appearance will be as follows:

1. If the plaintiff and the defendant appear, a trial date will be set by agreement or by the Court.
2. If the defendant fails to appear, a default judgment may be entered Against the defendant.
3. If the defendant advises the Court in advance why they cannot be present and

the Court finds the reason acceptable; the case may be set for trial but it is the responsibility of the defendant to contact the Clerk's Office to learn the trial date.

4. If a case is placed on hold, the case must be set within one (1) year of filing by motion or agreement. It is the burden of the plaintiff to prove the defendant received notice of the trial before a judgment will be entered.
5. If the plaintiff fails to appear but the defendant appears, the case may be dismissed or passed one (1) week if the plaintiff advises the Court in advance why they cannot be present and the Court finds the reason acceptable.
6. If neither plaintiff nor defendant appears, the case will be dismissed unless the plaintiff advises the Court in advance that they cannot appear.

(d) FAILURE TO APPEAR AT INITIAL APPEARANCE ON NON-EVICTION CASES.

1. **All Cases Other Than Non-Original Creditor–Consumer-Debt Cases.** In the event a defendant does not appear on the initial court appearance, a default damages hearing will be set. A default may be entered upon sworn testimony or may be submitted by filing an affidavit with proof of damages.
2. **Non-Original Creditor–Consumer-Debt Cases.** In the event a defendant does not appear at the initial court appearance date in a non-original creditor consumer debt case, a later date for a default damages hearing will be set for judgment to be entered upon sworn testimony or affidavit with proof of damages. The Court will send notice of the date for a damages hearing to both parties by mail, email and/or text, depending on the information available to the Court. However, it is the responsibility of the defendant to contact the Clerk's Office to learn the new date to appear.

(e) MOTIONS - MONDAY (11:00 A.M.). All motions will be heard Mondays at 11:00 a.m. If the moving party fails to appear for the motion docket, the motion may be stricken. If the non-moving party fails to appear on the motion docket, the motion may be granted. If the moving party is submitting an order after the motion date, it must be submitted within thirty (30) days or the motion will be stricken.

(f) CIVIL TRIALS – TUESDAY AND WEDNESDAY (9:00 A.M.). Civil trials will be heard beginning at 9:00 a.m., or at another time agreeable to the Court and all parties. The type of case, number of parties, attorneys, and witnesses should be disclosed to the Court or the Clerk's Office at the time of setting the case for trial, and failure to accurately inform the Court or Clerk's Office may result in a continuance of the case if there are multiple cases are set on the same date.

(g) UNLAWFUL DETAINER/EVICTION TRIALS - THURSDAYS. Unlawful detainer (eviction) actions will commence every Thursday in Courtroom 6. Regular non-housing-authority cases, will commence at 9:00 a.m. and Chattanooga Housing

Authority cases commence at 11:00 a.m. **The initial appearance is the trial date.** The judgment becomes final and a writ of possession may issue after ten (10) days or as otherwise prescribed by law.

(h) INVOLUNTARY COMMITMENT HEARINGS - THURSDAY. Mental health involuntary commitment hearings may be held via video or telephone conferencing whenever possible and allowed by law. Unless another time is chosen by the Court and/or Clerk's Office, the hearings will commence every Thursday at 9:00 a.m. for cases involving Parkridge Valley Hospital, 9:30 a.m. for cases involving Erlanger North Behavioral Health Hospital, 10:00 a.m. for cases involving Moccasin Bend Mental Health Institute, and 11:30 a.m. for cases involving Erlanger Behavioral Health Hospital, or as otherwise arranged.

(i) CASE CONTINUANCES. If the parties cannot agree to a continuance, a party should file a Motion to Continue well in advance of a trial to request passing a case to a later date. Pursuant to Tenn. Code Ann. § 16-15-720, cases may be continued at the discretion of the judge, if not otherwise prohibited by law.

8.03 SERVICE OF PROCESS.

(a) SERVICE OF PROCESS FORMS. Service of any civil summons, subpoena, or other paperwork filed in this Court shall be served in accordance with Title 16, Chapter 5, Part 9, or as otherwise specifically allowed by law. The Court recommends the use of a model "Affidavit of Service," which includes a detailed description of the person served and, is available on the Court's website (hamiltontn.gov/Courts.aspx).

(b) NOTICE OF LAWSUIT.

- 1. Non-Eviction Cases.** In addition to the civil summons, every process server should cause to be served upon every defendant a Notice of Lawsuit (a copy of which can be found on the Court's website (hamiltontn.gov/Courts.aspx)).
- 2. Eviction Cases.** Notice of Eviction Lawsuits can be found on the Court's website (hamiltontn.gov/Courts.aspx). An eviction may not rely on posting for service unless Tenn. Code Ann. §29-18-115 has been met and is set forth in an affidavit of service, a preferred template of which may be found on the Court's website (hamiltontn.gov/Courts.aspx).
- 3. Non-Original Creditor–Consumer-Debt Cases.** A "Consumer debt" is defined in Tenn. Code Ann. § 20-6-104 (typically involving loans, credit card balances, or medical debt). In cases where the original debt has been sold so that the plaintiff is not the original creditor (non-original creditor), the process server should serve upon the defendant a Non-Original Creditor – Consumer Debt Civil Case Coversheet (along with the Civil Summons and the Notice of Lawsuit), models of which can be found on the Court's website (hamiltontn.gov/Courts.aspx). The coversheet is to effectuate the intent behind the Tennessee Pub. Ch. 914 (2024),

and should be, or substantially similar to, the model coversheet on the Court's website (hamiltontn.gov/Courts.aspx).

(c) PROCESS SERVERS. The Clerk's Office shall issue process as provided by law and shall note the issue date on the process.

1. Process-Server Information. The Clerk's Office shall keep information, to be designated by the Court, for the purpose of contacting all private process servers in the event there is a question about the service. This includes the server's full name, address, email, and telephone number. **The plaintiff shall not serve process upon the defendant.**

2. Return of Service Affidavits – Information to be Included in Return. A service of process return affidavit, otherwise known as an "Affidavit of Service" or as a "Return," shall be filed in the Clerk's Office not less than five (5) days before the initial appearance or detainer trial date, unless otherwise provided by law. The return should have a minimum of the following legible information:

- (i) The printed name and signature of the process server (and, if the process server is a sheriff's deputy, the sheriff deputy's badge number);
- (ii) Printed name and description of the party served;
- (iii) Notation of additional documents that were served, such as the Notice of Lawsuit or Consumer Debt Civil Case Coversheet;
- (iv) Date of service;
- (v) If all required parties were not served, the printed names of person(s) the server was not able to serve; a brief reason for non-service; and
- (vi) Court date and time.

3. Late-Filed Returns. Served returns filed in the Clerk's Office less than five (5) days Before the initial appearance date will be placed on "hold" until the plaintiff files a Motion to Set or the parties advise the Clerk's Office of the agreed date, which must also be agreed to by the Court. The party filing the Motion to Set must also indicate to the Clerk's Office through a Certificate of Service or via mail or personal service with sufficient time for the opposing party to learn of the motion hearing date. If the Motion to Set is granted, the case will be set on a trial docket. If the opposing party fails to appear on the motion date, it is their responsibility to contact the Clerk's Office to learn the trial date.

4. Training Course. Beginning January 1, 2026, the Court will make available a training course for anyone wishing to serve process for cases filed in General Sessions Court. Anyone who serves process on more than two (2) cases in any given year will be required to attend the course. If possible, the Court will make the course available online. More information concerning this course will be made available on the Court's website (hamiltontn.gov/Courts.aspx).

8.04 ATTORNEY REPRESENTATION – NOTICES OF APPEARANCE.

Any attorney representing a party in a civil dispute must indicate their appearance as attorney of record on the civil summons or may file a separate Notice of Appearance. All notices must contain current contact information, including email addresses.

8.05 ATTORNEY REPRESENTATION – BUSINESSES.

Individuals may represent themselves and/or a business they individually own, so long as said business is not incorporated. Other businesses and entities, including most corporations, companies, limited-liability companies (LLCs), partnerships, nonprofit organizations, and cooperative, must be represented by a Tennessee licensed attorney at all court appearances as required by law.

8.06 DEFAULT JUDGMENTS.

A plaintiff should not include court costs in their claim for damages; which are automatically added by the Clerk's Office. If a default judgment includes attorney's fees, the contract provision allowing attorney fees should be highlighted and submitted to the Court.

8.07 WRITS OF POSSESSION IN DETAINER ACTIONS.

Unless otherwise ordered by the Court, the Clerk's Office may issue a writ of possession any time after the judgment becomes final up to sixty (60) days from the date of the judgment. After sixty (60) days, the landlord must file a Motion for Writ of Possession explaining the delay in proceeding.

8.08 MOTIONS TO SET ASIDE OR CORRECT CASE DISPOSITION AND APPEALS TO CIRCUIT COURT.

(a) **MOTION TO SET ASIDE JUDGMENTS.** Unless otherwise provided by law, if a case is not heard at trial on the merits, either party may file for the case disposition to be set aside if a motion is filed in the Clerk's Office within ten (10) calendar days. If the tenth day falls on a date the Clerk's Office is closed, then the party will have until the end of the following business day to file the motion to set aside the disposition. The burden is on the moving party to establish good cause that the judgment should be set aside, and this decision is within the discretion of the judge.

(b) **MOTIONS TO CORRECT JUDGMENT.** A motion to correct a judgment may be filed pursuant to Tenn. Code Ann. § 16-15-727.

(c) **APPEALS.** Unless otherwise provided by law, either party may appeal a case disposition within ten (10) calendar days. If the tenth day falls on a date the Clerk's Office is closed, then the party will have until the end of the following business day to appeal the case. In addition to any appeal filing fee, the Court may also require a party to post an appeal bond pursuant to state law, which includes bond for one (1) year's rent on tenant's eviction appeals.

(d) **GARNISHMENTS.** Judgments are final after ten (10) days unless an appeal or motion to set aside has been granted. Once a judgment becomes final, a garnishment may be issued.

1. **Garnishment Application.** An execution may be issued only on the written garnishment application by the judgment creditor (plaintiff), their attorney or agent of record. Garnishment applications must:
 - (i) Be completely filled out to be accepted by the Clerk's Office;
 - (ii) Indicate the amount of the unpaid judgment for each case;
 - (iii) Indicate any accrued interest; and
 - (iv) Indicate payments already received by the creditor.
2. **Payments and Garnishment Costs.** All monies received through garnishments shall be paid to the Clerk's Office, and then forwarded to the judgment creditor or their attorney after all pending garnishment costs have been paid.
3. **Releasing Garnishments.** Garnishments shall be released upon authorization of a judge or by Agreed Order. Unless bankruptcy has been filed, garnishments will only be released after payment of a \$25 filing fee as well as payment of all outstanding court costs. It is the responsibility of the defendant to provide their employer with the documentation to release the garnishment.
4. **Slow Pay Motions/Motions to Stay Execution of Garnishment Definition.** A "Slow Pay Motion" is otherwise known as a "Motion for Installment Payments," a "Petition to Pay Installment," a "Motion to Set Installment Payments," or a "Request to Make Payments." A "Motion to stay Execution of Garnishment" is a request for relief if the petitioner's wages and/or bank accounts are currently being garnished by the judgment creditor and must provide as follows:
 - (i) **Approved Forms.** Model Slow Pay Motions and other garnishment-related forms are available in the Clerk's Office or online at (tncourts.gov/court-forms / hamiltontn.gov/courts.aspx).
 - (ii) **Filing.** Any Slow Pay Motion and Motion to Stay Execution of Garnishment shall be filed in duplicate by the petitioner or petitioner's counsel, signed by the petitioner and sworn to before a notary or the Clerk's Office. The petitioner or petitioner's counsel must immediately send a copy of the motion with the hearing date to the opposing party.
 - (iii) **Hearing.** Any Slow Pay Motion or Motion to Stay Execution of Garnishment shall be set for a court hearing to determine good cause. The Clerk's Office shall not issue any Stay of Garnishment until the Court determines good cause and approves the Slow Pay Motion. The hearing will be set not less than five (5) days after the filing date, and a copy of the motion must be immediately mailed to the opposing party by the petitioner or petitioner's counsel.

- The petitioner must show all proof of income and expenses (e.g., tax returns, pay stubs; bills) for the Court to determine a payment plan, if any, to be paid within a reasonable period of time, typically within at least thirty-six (36) months
- The petitioner must provide a budget with supporting documents of income (tax returns and pay stubs) and itemized expenses with supporting documentation (bills).
- It is the defendant's responsibility to provide their employer with the documentation to release any garnishment.

8.09 JUDGMENTS – POST-JUDGMENT INTEREST RATE.

Parties seeking a post-judgment interest rate above the statutory post judgment interest rate allowed by state law must provide a sworn affidavit of the contractual post judgment interest rate, or otherwise attach the contract allowing for such a rate with the appropriate contractual post judgment interest rate provision highlighted. Otherwise, the Tennessee state posted statutory rate may apply.

8.10 DISMISSAL OF DORMANT CASES.

If no action is taken within one (1) year of initial filing of a case, the Court may dismiss the case for failure to prosecute. If a case is placed on hold, a date will be given by which the case must be adjudicated. It is the plaintiff's responsibility to prosecute the case or file a motion to restore the case to the docket before dismissal.

RULE 9. MODEL FORMS

9.01 FORMS APPROVED BY SUPREME COURT.

Forms and resources approved by the Tennessee Supreme Court's Access to Justice Commission that may be used in this court may be accessed online (tncourts.gov/court-forms).

9.02 MODEL FORMS.

The Court will make certain forms and other papers available on Hamilton County's public facing mobile application and/or website (hamiltontn.gov/Courts.aspx), including model notices, affidavits, and coversheets referenced throughout these Rules. The Court may change the format or content of these forms from time to time, or make additional forms available for use. Therefore, parties should consult the website for the latest version of the forms.

RULE 10. ORDER ADOPTING REVISED RULES

These revised Local Rules are hereby adopted, effective October 7, 2025, for the General Sessions Court of Hamilton County, Tennessee, as evidenced by the signatures of all five (5) General Sessions Court judges below. Any future revisions to these rules may be implemented by standing order or following notice to the local bar and otherwise pursuant to state law.

Christie Sell
First Division

Tori Smith
Second Division

Larry Ables
Third Division

Lila Statom
Fourth Division

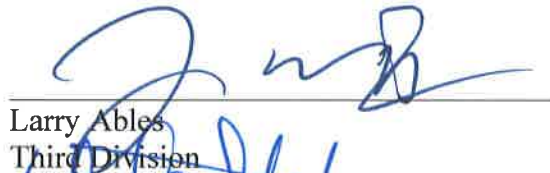
Gary Starnes
Fifth Division

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Fourth Division


Gary Starnes
Fifth Division

FILED IN OFFICE
DATE/TIME 10/9/25 12:25pm
LARRY L. HENRY, CLERK
BY AN D.C.

FILED IN OFFICE:
DATE: 10/9/25 TIME: 12:22pm
VINCE DEAN CLERK
BY [Signature] DEPUTY CLERK