

**IN THE CIRCUIT AND CHANCERY COURTS FOR
HAMILTON COUNTY, TENNESSEE
ORDER**

FILED IN OFFICE
2020 MAR 18 AM 10:11
LARRY L. HARRY, CLERK
BY *ku*

Circuit and Chancery Protocols During the Suspension Period of March 13 – March 31, 2020.

If you have a motion on the Motion Dockets the weeks of March 23 or March 30, 2020, you are to call the Courtroom Clerk for the judge or chancellor scheduled to hear the motion. When you call the Courtroom Clerk, advise her of whether you have:

1. Reached an agreement on the motion and will submit an agreed order.
2. Agree that the motion can be decided on the pleadings. If the judge or chancellor wants to hear argument, the Court will contact you.
3. Whether you want to schedule a telephone hearing on the motion.
4. If you think an “in-person” hearing is necessary in a case that fits under one of the exceptions delineated below. If this is the option, the Clerk will arrange a telephone conference with the judge or chancellor to determine whether an “in-person” hearing is in fact, necessary and to schedule that hearing, if necessary.
5. Agree to pass your motion to a motion docket after April 6, 2020.

In addition to motions, other pleadings will be filed during the Suspension Period. In deciding how to proceed with your pending motions or other pleadings, please be aware of the following language in the Supreme Court’s Order of March 13, 2020.

“All in-person proceedings in all state and local courts in Tennessee, including, but not limited to, municipal, juvenile, general sessions, trial and appellate courts are suspended from the close of business on Friday, March 13, 2020, through Tuesday, March 31, 2020, subject to the exceptions below.” (emphasis added)

(Note, the following exceptions are those applicable to Circuit and Chancery Courts.)

- Proceedings related to relief from abuse, including, but not limited to, order of protection.
- Proceedings related to emergency child custody orders.
- DCS emergency matters related to child protection.
- Proceedings related to petitions for temporary injunctive relief.

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- Proceedings related to emergency mental health orders.
- Proceedings related to emergency protection of elderly or vulnerable persons (all emphasis added)
- Surrender of parental rights.

There may be additional exceptions approved by the Chief Justice later.

If you have an uncontested matter, such as an irreconcilable differences divorce, or an agreed modification of a parenting plan, call the Clerk to arrange a telephone conference. Some of these cases can be submitted with affidavits.


It is the intent of the Circuit and Chancery courts to be open and available to the greatest extent possible under the Supreme Court's Order and the situation caused by the "Corona virus." Telephone and video conferences are encouraged during the Suspension Period. If an emergency arises, do not hesitate to seek the relief required from the Courts.

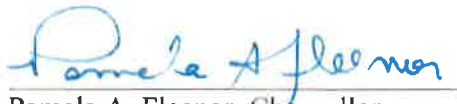
ENTERED this 18th day of March, 2020.



 J. B. Bennett, Judge
 Circuit Court, Division I *with permission*


 W. Jeffrey Hollingsworth, Judge
 Circuit Court, Division II



 L. Marie Williams, Judge
 Circuit Court, Division III


 Kyle Hedrick, Judge
 Circuit Court, Division IV


 Pamela A. Fleenor, Chancellor
 Chancery Court, Part 1


 Jeffrey M. Atherton, Chancellor
 Chancery Court, Part 2

IN THE CIRCUIT AND CHANCERY COURTS FOR
HAMILTON COUNTY, TENNESSEE
ORDER

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LARRY L. HENRY, CLERK
BY 

In compliance with the Order of the Supreme Court suspending most in person hearings through April 30, 2020, the call of the motion dockets of the Circuit and Chancery Courts in Hamilton County has been cancelled. However, an Order was issued by the judges and chancellors on March 18, 2020, outlining procedures to follow in regard to the handling of motions.

It has come to our attention that many attorneys and pro se litigants have not followed those procedures. Therefore, it is Ordered that, during the Suspension Period, which is currently set to run through April 30, 2020,

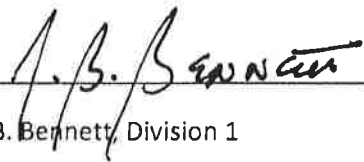
“For any motion set on the Court’s motion docket, counsel or pro se litigants have until 4:00 p. m. on the Wednesday following the motion docket call to notify the courtroom clerk for the judge or chancellor before whom the motion is pending of whether the motion is withdrawn, set for telephone or video hearing, or continued. If the clerk does not receive such notice by 4:00 p. m. on the Wednesday following the motion docket call, the motion is subject to being struck. For the purpose of this Order, leaving a voice mail message or sending an email to the appropriate clerk is considered proper notification. This Order takes effect starting with motion dockets set on April 6, 2020.”


To illustrate, if a party has a motion on the April 6, 2020 docket, the party has until 4:00 p. m. on Wednesday, April 8, 2020 to notify the clerk of how the motion is to be handled. If that does not occur, the motion may be stricken.


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J. B. Bennett, Division 1


Jeff Hollingsworth, Division 2


L. Marie Williams, Division 3


Kyle Hendrick, Division 4


Pamela Fleenor, Part 1


Jeffrey Atherton, Part 2