

**IN THE CIRCUIT COURT AND CHANCERY COURT
FOR THE ELEVENTH JUDICIAL DISTRICT OF THE STATE OF TENNESSEE
HAMILTON COUNTY**

IN RE: EMAIL FILING

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FILED IN OFFICE
2025 DEC 19 AM 10:07
BY LARRY L. HENRY, CLERK
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**ORDER AND PROTOCOLS FOR IMPLEMENTING EMAIL FILING
PURSUANT TO TENNESSEE SUPREME COURT RULE 46(B)**

This matter is before Hamilton County's Circuit Court and Chancery Court, *sua sponte*, to implement protocols to effectuate Tennessee Supreme Court Rule 46(B), which was recently adopted to allow the filing of documents by electronic mail ("email filing").

Pursuant to 2025 Public Chapter 94, as of January 1, 2026, notwithstanding the language of Tenn. R. Civ. P. 5A, facsimile filing of pleadings, motions and similar court documentation may no longer comply with certain filing requirements. As such, effective November 24, 2025, the Tennessee Supreme Court adopted Supreme Court Rule 46B, which specifically authorizes the adoption of Local Rules that would allow for acceptance of court filings via email and, further, authorizes clerks of courts to adopt reasonable service charges applicable to such filings.

Pending formal adoption of an amendment to the Local Rules of the Eleventh Judicial District, **IT IS HEREBY ORDERED** that the Clerks of the Circuit Court and Chancery Court of Tennessee's Eleventh Judicial District are authorized to accept filings via email, subject to applicable service requirements, effective January 1, 2026.

IT IS FURTHER ORDERED that this order be made available to the local bar and to the public on the County's website (<https://www.hamiltontn.gov/Courts.aspx>).

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IT IS FURTHER ORDERED that the following protocols be followed to effectuate email filing in Hamilton County's Circuit Court and Chancery Court, which are substantially similar to those currently in place concerning facsimile filing as set forth in Tenn. R. Civ. P. 5A:

A. GENERAL PROCESS OF EMAIL FILING

- (1) The trial court clerk shall accept papers for email filing as provided in this order. The trial court clerk shall maintain at least one dedicated email address for email filing. The current email filing addresses are available on the County's website (<https://www.hamiltontn.gov/Courts.aspx>). Subject to change, all email filings should be sent to the following email addresses:
 - a. **CIRCUIT COURT:** CircuitPleadings@HamiltonTN.gov
 - b. **CHANCERY COURT:**
 - Equity – ChanceryEquityFilings@HamiltonTN.gov
 - Probate – ChanceryProbateFilings@HamiltonTN.gov
 - Guardianship/Conservatorship – ChanceryGuardianshipFilings@HamiltonTN.gov
 - Tax – ChanceryTaxFilings@HamiltonTN.gov
- (2) For the purposes of this order, "email filing" means only email attachments (the body of an email will not be considered as part of the email filing). All email filings must be saved in portable document ("pdf") format. Words or images within the body of an email, or an email attachment that is not saved in .pdf format, will not be considered as part of an email filing.
- (3) Any email filing shall be accompanied by the uniform cover sheet set forth in Section D below, stating: the caption of the case; the trial court docket number; the title of the email filing; the number of pages of the email filing (including the cover sheet); the sender's name, address, voice telephone number, and email address; and the date of the email filing. The cover sheet may also contain clear and concise instructions or additional comments to the clerk concerning the email filing.
- (4) The filing of the original document shall not be required after email filing. If an original document is scanned as part of the email filing, the sender shall retain the original document in the sender's possession or control during the pendency of the action and shall produce such document upon request by the Court or any party to the action. Upon failure to produce such document, the Court may strike the document filed by email filing. The sender shall also retain their "sent email" during the pendency of the action in the event proof of the sent email is requested by the Court or any party to the action.
- (5) If any pro se party or attorney avails itself to email filing pursuant to this order, the pro se party or attorney must serve the email filing upon any opposing party by including the email address of any opposing attorney or pro se party in the "TO" or "CC" line of the email.

- (6) The following documents shall NOT be filed in the trial court by email, unless otherwise approved for email filing by the Court:
- a. A complaint commencing a civil action;
 - b. An appeal from a lower court to a trial court;
 - c. An appeal to a trial court from an inferior tribunal, board or officer;
 - d. Any notice of appeal;
 - e. A summons;
 - f. A will or codicil to a will;
 - g. Any pleading or document requiring an official seal;
 - h. A confidential document that the Court previously ordered filed under seal; or
 - i. Any other document that the Court orders not to be filed by email, including any document prohibited by Hamilton County local rule or appendix thereto.
- (7) No email filing shall exceed fifty (50) pages in length, including the cover sheet, unless authorized by the Court; absent such authorization, an email filing exceeding fifty (50) pages, including the cover sheet, shall not be filed by the clerk. An email filing may not be split into multiple email filings to avoid this page limitation. All email filings shall comply with all applicable rules of court, including, without limitation, rules governing the content and form of pleadings and other papers; the signing of pleadings, motions and other papers; and the service of all papers.
- (8) The email filing will be printed by the clerk on standard letter-sized paper (8 ½ by 11 inches). The email filing should be dark enough and formatted appropriately to be legible on the copy printed by the clerk.
- (9) The clerk is not required to notify the sender by return email or voice telephone call that the email filing has been received by the clerk or that the email filing has not been received in its entirety. This provision shall not relieve the clerk of any notice requirements imposed by law or by the Court.

B. EFFECT OF EMAIL FILING

- (1) An email filing received by the clerk before midnight, clerk's local time, on a day the clerk's office is open for filing shall be deemed filed as of that business day.
- (2) An email filing received after midnight but before 8:00 a.m., clerk's local time, on a business day, or an email filing received by the clerk on a Saturday, Sunday, legal holiday, or other day on which the clerk's office for filing is closed, shall be deemed filed on the preceding business day.
- (3) Upon receiving an email filing in its entirety, the clerk shall note the filing date on the email filing in a similar manner as with original pleadings or other documents filed by mail or in person. For purposes of this provision, "received by the clerk" means the date and time the email filing is received by the clerk as indicated by the date and time stamped on the document by the clerk.
- (4) A signature reproduced by email shall be treated as an original signature.

- (5) The sender bears the risk of using email to convey a document to a court for filing, including, without limitation, network, software, or hardware malfunction, whether the sender's or the clerk's malfunction; electrical power outages; incorrectly typed email addresses; or any other failure of the clerk to receive the email filing.
- (6) In the event that an email filing to the clerk is unsuccessful, the sender may file the document by mail or in person; in such cases, the filing date shall be determined as provided in the applicable rules of civil procedure. However, if an email filing is not received in its entirety by the clerk, the sender may move acceptance *nunc pro tunc* by filing a written motion with the Court. The motion shall be accompanied by the original email and .pdf attachment that was the subject of the attempted email filing, and an affidavit of the sender detailing the facts concerning the attempted email filing. The Court, in its discretion, may order filing of the original document *nunc pro tunc*.

C. EMAIL SERVICE CHARGE


- (1) The sender of the email filing shall pay to the trial court clerk a service charge for each email filing in the amount of five dollars (\$5.00) plus one dollar (\$1.00) per page of the email filing (including the cover sheet). Payment of the service charge, accompanied by a copy of the email filing cover sheet, shall be received by the trial court clerk not later than ten (10) calendar days after the email filing.
- (2) The email filing service charge shall be paid by the sender as provided in this rule and shall not be taxed as court costs. However, if the sender is either a party who has been allowed to proceed on a pauper's oath or an attorney for such a party, timely payment of the email filing service charge under this rule is suspended, and the charges shall be taxed as court costs.


D. UNIFORM EMAIL FILING COVER SHEET


Every email filing must contain the following information in the form of a coversheet, which shall be included as the first page of the email filing .pdf attachment:


COURT NAME & DIVISION/PART: _____
CLERK'S EMAIL FILING ADDRESS: _____
CASE NAME: _____
DOCKET NUMBER: _____
TITLE OF DOCUMENT: _____
FROM (SENDER): _____
DATE SENT: _____
SENDER'S EMAIL ADDRESS: _____
SENDER'S POSTAL MAILING ADDRESS: _____
SENDER'S VOICE TELEPHONE NUMBER: _____
TOTAL PAGES, INCLUDING COVER PAGE: _____
OPTIONAL FILING INSTRUCTIONS/COMMENTS (attach additional sheet if necessary): _____


ENTERED this 19th day of December, 2025.



Judge J.B. Bennett
Circuit Court, Division I


Judge Jennifer Peck
Circuit Court, Division II


Judge Alex McVeagh
Circuit Court, Division III


Judge Kyle Hedrick
Circuit Court, Division IV


Chancellor Pam Fleenor
Chancery Court, Part I


Chancellor Jeff Atherton
Chancery Court, Part II