



Supreme Court State of Tennessee

CHIEF JUSTICE
JEFFREY S. BIVINS

JUSTICES
CORNELIA A. CLARK
SHARON G. LEE
HOLLY KIRBY
ROGER A. PAGE

401 SEVENTH AVENUE NORTH
NASHVILLE, TENNESSEE
37219

MEMORANDUM

TO: Judge McGraw, presiding judge 25th judicial district

DATE: May 1, 2020

RE: 25th Judicial District Re-Opening Plan

On April 29, 2020, the Tennessee Supreme Court received the 25th Judicial District Re-Opening Plan. Please revise your plan and address the following:

- (1) The number of persons in any courtroom at any one time should be limited to 10, plus the judge, court personnel, and court security.
- (2) The plan touches on most of the appropriate areas, but more detail is needed.
- (3) The municipal judges should continue to operate under the March 25 order, not the March 13 order.

25th JUDICIAL DISTRICT
Court Rules and Regulations to Apply During COVID-19 Pandemic

The Courts recognize that county government provides maintenance and security for each of the courthouses and justice complexes. Each county is encouraged to limit access to the courtroom areas to only those who have cases pending on that particular day. The Clerks of the Courts will provide to security at the entrance of the building the dockets for each court to confirm the necessity of a person appearing in court and to instruct the litigants as to the safety protocols implemented for the management of each court's docket. The use of personal protection, such as face masks, is encouraged to be worn by the public, and when available, masks will be worn by county employees in the public areas. Further, other screening measures, subject to availability, are encouraged along with any other relevant questions or devices to promote public safety. Each county will use reasonable efforts to sanitize courtrooms and public use areas between dockets and cases.

All persons who have business with the Courts shall follow the rules and guidelines concerning social distancing when on the grounds of the courthouse or the criminal justice center.

All Clerks & Masters, Clerks, Magistrates and Referees in the 25th Judicial District are presently conducting their duties and following social distancing guidelines. The Clerks & Masters, Clerks, Magistrates and Referees shall continue to follow their present procedures in the management of their offices and shall follow the same guidelines as the Chancellors and Judges in conducting any hearings.

The Courts will conduct as much business as is practical by means other than in-person and will continue utilizing conferencing and other means that minimize in-person contact. Matters such as discovery hearings, status conferences, etc., will be held, if practical, by video conferencing and conference calls. Understanding the Tennessee Supreme Court's directive to use means other than in-person proceedings when possible and guided by the need to promote public safety, the Chancellors and Judges will determine what matters will be heard by video conferencing or conference call and what matters require an in-person hearing.

Court cases and hearing times will be staggered throughout the day to avoid a congestion of cases and people in the courthouse. One case will be allowed in the courtroom at a time. The parties and the attorneys involved with that one hearing will only be allowed in the courtroom. All other litigants will remain outside the building until their case is heard or further directed by the Court. The only persons who will be present during the in-person hearings are the Chancellor or Judge with assistant as needed, the Clerk & Master or Clerk (or designee), the Bailiff, the attorneys, the parties and a court reporter (if necessary). Attorneys will provide a list of witnesses to security to confirm the need for admittance into the facility. Individual witnesses who are not parties will be in the courtroom only when they are called to

testify and must leave immediately when their testimony is concluded. Social distancing guidelines will be followed for in-person proceedings.

Chancellors and Judges will continue to use their discretion to provide additional safety measures on a case to case basis depending upon the facilities used and circumstances that may be presented.

The municipal Judges within our district have not submitted a plan and will continue to operate under the March 13, 2020 order of the Supreme Court until further notice.

Respectfully submitted this 29th day of April, 2020.

Chancellor Martha B. Brasfield, 25th Judicial District

Chancellor William C. Cole, 25th Judicial District

Circuit Judge Joe H. Walker, III, 25th Judicial District

Circuit Judge J. Weber McCraw, 25th Judicial District, Presiding Judge

Judge Janice C. Craig, Lauderdale County General Sessions Court Judge

Judge Rachel J. Jackson, Lauderdale County Juvenile Court Judge

Judge William A. Peeler, Tipton County General Sessions and Juvenile Court Judge

Judge James P. Gallagher, Fayette County General Sessions and Juvenile Court Judge

Judge W. Boyette Denton, Hardeman County General Sessions and Juvenile Court Judge

Judge Van D. McMahan, McNairy County General Sessions and Juvenile Court Judge