LOCAL RULES OF PRACTICE
FOR THE
CIRCUIT COURT
OF THE
THIRTEENTH JUDICIAL DISTRICT

Clay County, Cumberland County, DeKalb County,
Overton County, Pickett County, Putnam County and White County

William T. Ridley
Circuit Judge, Part I
233 East 1st Street
Crossville, TN 38555
Telephone: 931-456-9455
Fax: 931-787-1378
email: Judge.William.Ridley@tncourts.gov

Caroline E. Knight
Circuit Judge, Part II
321 East Spring Street
Suite 302
Cookeville, TN 38501
Telephone: 931-526-6692
Fax: 931-520-1193
email: Judge.Caroline.Knight@tncourts.gov

Frequently Asked Questions
About the Local Rules of Practice

1. Why did I not get a notice of the docket setting date? Answer. Cases are set on a docket setting day whether or not the attorneys are present. It is incumbent upon the attorneys to determine the date of the docket setting for their case. Twice a year the circuit judges make available through the clerks' offices and the Putnam County Circuit Court Clerk's website a schedule of Court Chambers and Docket Setting Dates. Attorneys should refer to that schedule and attend docket settings.

2. How is a case set for trial? See Local Rules of Practice for the Circuit Court of the Thirteenth Judicial District (L.R.P.) L.R.P. 17.01. Answer. First, determine which judge has been assigned to your case. The docket in any one of the seven (7) counties in the Thirteenth Judicial District should indicate which judge will hear a case. The clerk's office can help you with this information. Second, attend or send a representative to the docket setting in the county in which your case is filed. The docket setting dates for each county should be available through the Putnam County Circuit Court Clerk's website which is www.putnamcountytn.gov. The Putnam County dockets also are available at this website.

3. What is the most frequent reason that the judge will not sign my order? Answer. Because the order does not comply with the Tennessee Rules of Civil Procedure Rule 58. It says in pertinent part that an order of final disposition is only effective when it contains one of the following:

   (1) the signatures of the judge and all parties or counsel; or
   (2) the signatures of the judge and one party or counsel with a **certificate of service** that a copy of the proposed order has been served on all other parties or counsel; . . .

4. How do I get a trial continued or moved to another date? Do I have to file a motion? Can we submit an agreed order? Can we do it by conference call with the judge? Answer. L.R.P. 17.04 [a] Cases can be continued only by leave of court. They are not to be continued by agreement. Agreed orders are not accepted. A motion to continue is appropriate. In extraordinary circumstances a conference call will be allowed.

5. Can trial dates be continued so the parties can participate in a judicial settlement conference? What happens if the trial date is just a few weeks away and there are no settlement conference dates available? Answer. Judicial settlement conferences must be scheduled early enough so they will not affect the trial date. (See Question 6 for information regarding scheduling.)

6. How are judicial settlement conferences scheduled? What do I do if opposing counsel won't agree to a settlement conference or won't cooperate in picking a date? Answer. Get a date from the judge who will be holding the judicial settlement conference and get an "Order Establishing Judicial Settlement Conference" signed by the judge to whom the case has been assigned. Supreme Court Rule 31 provides for obtaining a settlement conference. All attorneys should cooperate. If an attorney is uncooperative a conference call with the judge to whom the case is assigned would be appropriate.

7. How are motions scheduled? Does the clerk schedule them? Does the clerk forward a hard copy of the motion to the judge? If I send a copy of the Notice of Hearing to the judge's office, do I also have to call the judge's office to get it on the docket? Do I have to send a copy of the motion to the judge? Answer. The legal assistant in the judge's office schedules all motions heard on a Chambers date. Friday is the usual date for Chambers. Chambers dates are listed on the schedule of Court Chambers and Docket Setting Dates (see FAQ #1). None of the seven clerks are required to forward the motion to the judge. Therefore, the attorney must forward by mail or fax a copy of the motion and pertinent authority to the judge at least two days prior to the date of hearing.

8. Do I have to bring the court file for motion hearings? Answer. If the judge will need the court file to rule on any motion set for a hearing the moving party's attorney must check out and bring the court file with them to the hearing. That attorney is also responsible for returning the file to the clerk in a timely manner.

9. Can Motions in Limine be heard the day of the trial? Answer. Routine motions must be scheduled on a Chambers date prior to the day of trial. The courts will not delay commencement of the trial on the date of the trial because attorneys have not scheduled motions prior to the trial date.

10. Can pre-trial briefs and expert depositions be submitted to the judge via fax machine or email? Answer. Yes, as long as each document is legible. Please get prior approval from the judge's office if a document is more than ten (10) pages.

11. Are condensed copies of depositions acceptable? Answer. Yes. However, they should not be sent via fax machine. If an emergency arises and they are sent by fax, the sender is obligated to determine if the fax copy is legible.

12. Where do I send orders that need to be signed by the judge? Do I send them to the clerk or to the judge's office? Answer. L.R.P. 22.01 [e]. After an order is circulated and has the signature of all attorneys or pro se litigants, the order should be sent directly to the judge's office. Do not send them to the clerk's office. All

orders mailed to the judge's office for signature shall be accompanied by an envelope properly addressed to the clerk of the county in which the action is filed with sufficient postage affixed thereto to carry it to its destination.

13. Under the five day rule, are orders "lodged" in the clerk's office or in the judge's office? Answer. L.R.P. 22.01 [c]. The order must be lodged in the judge's office.

14. What if I want to use audio/visual equipment during a trial? Answer. L.R.P. 11. Twenty-one (21) days notice to all adverse counsel is required.

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RULE 1: APPLICABILITY, SUSPENSION AND DEFINITIONS

1.01 Former Rules Abrogated

All former rules of local practice of the Circuit Court except as re-adopted herein are abrogated.

1.02 Applicability

Each rule is applicable in the Circuit Court of the Thirteenth Judicial District. Each rule is applicable in all types of cases unless otherwise indicated by a particular rule. When a rule's applicability is designated to apply to a particular type of case (e.g., civil cases or criminal cases), it is applicable to all cases of that type. Criminal rules herein are applicable to criminal cases being tried by the Circuit Judges. In the event any rule herein conflicts with substantive law, T.R.C.P. or Tenn.R.Crim.P., the local rule will not be enforced.

1.03 Suspension of Rules

Whenever the Court determines that justice requires it, it may suspend any of these rules unless in violation of T.R.C.P or Tenn.R.Crim.P.

1.04 Definitions

The following definitions apply to terms used in these rules:

Clerk	The Circuit Court Clerk
T.R.C.P.	Tennessee Rules of Civil Procedure
Tenn.R.Crim.P.	Tennessee Rules of Criminal Procedure
L.R.P.	Local Rules of Practice

1.05 Citation

These rules may be cited as "L.R.P. _____."

RULE 2: PRESIDING JUDGE

The Presiding Judge selected pursuant to T.C.A. Section 16-2-509 and Rule 11 of the Rules of the Supreme Court of Tennessee will supervise the administration of the respective courts.

RULE 3: COURT SESSIONS

3.01 Time

Regular sessions of court will open at 9:00 a.m. (central time) or at such other time as the court directs. Judges and attorneys shall be prompt at all sessions.

3.02 Schedules

Effective from and after _____, and until further modified, the Circuit Court sessions for the counties of the Thirteenth Judicial District are as set out in the schedules on file at the various clerks' offices and are available from the legal assistant to each Circuit Judge.

RULE 4: APPEARANCE AND CONDUCT OF COUNSEL

4.01 Counsel of record; entry of appearance

[a] All counsel who have entered an appearance in a case will be counsel of record. Entry of an appearance shall be made in one of the following ways:

1. The filing of pleadings;
2. The filing of a formal notice of appearance; or
3. Appearance of counsel at an arraignment;
4. A qualified appearance may be made by counsel at arraignment only if approved by the court.

[b] Whenever a defendant in a criminal case is determined by the court to be indigent and counsel is appointed, an order shall be entered setting forth the indigence finding and identifying the appointed counsel.

4.02 Withdrawal of Counsel

[a] No attorney will be allowed to withdraw except for good cause and by leave of the court upon motion and hearing after notice to the party or by agreed order signed by the attorney and client and approved by the court.

[b] Appointed counsel in a criminal case shall continue to represent the defendant until entry of a court order to the contrary. Counsel shall represent the defendant subsequent to final judgment in such matters that deal with any correction of the judgment and through the initial appellate correction of the judgment and through the initial appellate review. Such appointment, however, shall not extend to post

conviction relief petitions, parole matters or matters unrelated to the case or cases upon which the appointment was made. When appointed counsel represents a defendant in matters subsequent to final judgment, the court may enter an order reappointing counsel so as to authorize the attorney to seek compensation pursuant to T.C.A. 40-14-201 et seq.

4.03 No Appearance Entered; Copies of Pleadings

If a party does not have counsel of record, copies of the pleadings filed shall be furnished to that party. If a party does not have counsel of record, that fact shall be called to the attention of the court before any action is taken on any pleading filed which substantially affects the case.

4.04 Conduct of Counsel

[a] During trial, counsel shall not exhibit familiarity with witnesses, jurors, or opposing counsel, and the use of first names for adults shall be avoided. During opening statement or argument, no juror shall be addressed individually by name.

[b] Bench conferences should be requested by counsel only when absolutely necessary in aid of a trial. Counsel may never lean upon the bench nor appear to engage the court in conversation in a confidential manner.

[c] Counsel should refrain from interrupting the court or opposing counsel until the statement being made is fully completed, except when absolutely necessary to protect the client, and should respectfully await the completion of the Court's statement or opinion before undertaking to point out objectionable matters. When objection is made to a question asked, counsel should refrain from asking the witness another until the court has had an opportunity to rule upon the objection. Objecting counsel shall state the legal grounds without argument or discussion except by leave of court.

[d] Attorneys shall stand while examining witnesses, or addressing the jury or the court, unless excused by the court.

[e] Tennessee Supreme Court Rule 8: Rules of Professional Conduct are hereby adopted as standards which govern the conduct of counsel.

4.05 Setting Attorney Fees

Whenever it is necessary for the court to fix fees of attorneys, the attorney shall file a statement of time spent on the case, a suggestion of the amount of a proper fee, and any other information requested by the court. This rule may not apply where fees are set or suggested by statute.

RULE 5: COURT FILES

All papers and records of the court shall be in the custody of the clerk. Files may not be withdrawn by any person other than attorneys, or their employees, at any time except by leave of court. Any files withdrawn shall not be retained for more than five [5] days without leave of court. The person withdrawing the file shall be responsible for maintaining its contents and returning it to the clerk. Copies of the files shall be furnished by the clerk at a reasonable cost. No criminal court file or evidence from a criminal court file may be withdrawn from clerk's custody without court approval.

RULE 6: FILING AND SERVICE OF PAPERS

6.01 Filing With the Clerk

All papers, including pleadings, motions, briefs, and proposed judgments and orders, will be filed with or submitted to the clerk.

In accordance with T.R.C.P. Rule 5B for Circuit, electronic filing ("e-filing") is adopted for the Circuit Courts of Putnam County Tennessee for the Thirteenth Judicial District. In accordance with Tennessee Supreme Court Rule 46A, electronic service of e-filed papers shall apply for the State Circuit Courts of Putnam County, Tennessee, only as of March 1, 2021. After that date, counsel shall check with the Clerks in the other six counties in the Thirteenth Judicial District to see if they have electronic filing capability. The Electronic Filing Rules set forth and published by each Clerk's office will govern the effective date and rules for the electronic filing of cases, pleadings and other papers in that county.

The following documents may not be e-filed and are required to be conventionally filed in paper format:

1. In camera filings.
2. Last Will and Testaments.
3. Probate Interim, Annual and Final Settlement Accountings.
4. Summons and Subpoenas.

Papers should not be mailed to or left with the Judge except in the following circumstances:

5. when specifically authorized by the Judge, or
6. to provide a courtesy copy for the Judge's review pursuant to L.R.P. 10.03.

6.02 Certificate of Service

All papers must contain a certificate of service showing the date of service and the name of the person or persons served. The clerk may refuse to file papers without a certificate.

6.03 Signature

All pleadings, orders, briefs and other papers submitted for consideration by the court will be signed by at least one attorney of record in her/his individual name and will show the style and number of the case, the general nature of the paper filed, and the name, street address and telephone number of the attorney filing the pleadings, and the filing attorney's Tennessee Supreme Court Registration Number.

6.04 Pseudonym

No case may be filed under a pseudonym absent court order. The motion to proceed by pseudonym must be accompanied by an affidavit stating specific facts explaining why anonymity of the party is necessary and facts sufficient to overcome the presumption of public access to the identities of litigants.

6.05 Class Actions

In any case sought to be maintained as a class action the complaint shall bear next to its caption the legend "Complaint-Class Action." [Comment: See Rule 26.14 for further requirements.] The clerk shall bring the lawsuit to the attention of the Judge or Chancellor assigned to the case.

6.06 Redaction

When confidential information is not required by law to be filed, the filer should redact or leave out all/portion(s) of the information as directed below prior to filing the document(s). Items designated by the Tennessee Code Annotated as Confidential Information not open for public inspection are as follows:

1. Social Security Numbers
2. Taxpayer IDs
3. Employer and Taxpayer Account Numbers/PINs/Info
4. Credit/Debit Card Account Numbers/PIN/Authorization Numbers

Redact all digits/data:

5. Passport/Alien Registration Numbers
6. Biometric Data

7. Electronic Identification Numbers/Routing Codes
8. Driver License Numbers
9. VINs

Include initials only:

10. Minor's name

Include year only:

11. Individual's birthday

RULE 7: JURY DEMAND: CIVIL CASES

7.01 Procedure

For the benefit of the clerk, in any civil case in which a jury is demanded, the words "JURY DEMAND" shall be typewritten in capital letters on the first page of the pleadings opposite the style of the case above the space for the case number. A failure to demand a jury in the initial pleading, initial response, or an amended pleading that adds an additional fact waives the right to a jury trial.

7.02 Number of Jurors

In all civil cases, the parties may stipulate that the jury will consist of any number of persons less than twelve (12). Also, parties must stipulate in their initial demand that they demand a jury of twelve (12), otherwise they will have a jury of eight (8).

7.03 Challenges

The stipulation shall not affect the number of challenges nor the manner of making them.

RULE 8: DISCOVERY: CIVIL CASES

8.01 Filing Required Only for Use by Court

Interrogatories and requests for production or any other discovery material need not be filed with the clerk unless and until it is to be used in court or considered by the court for any purpose.

8.02 Extension of Time for Responses to Discovery

As provided in Rule 29, T.R.C.P., stipulations extending the time for responding to interrogatories to parties, requests for production and requests for admissions shall not be made without approval of the court. Court approval may be obtained by submitting an agreed order extending the time for response. Any party unable to respond to discovery within the time provided in T.R.C.P. and who cannot obtain the agreement of the other parties for an agreed order extending the time for responding, may move the court for an extension of time for responding.

8.03 Discovery Completion Deadline

Upon motion of a party or upon its own motion, the court may order that discovery be completed by a certain date.

8.04 Discovery Conference

To curtail undue delay, the court will refuse to rule on any motions for discovery unless moving counsel shall first file with the court at the time of filing of the motion, a statement certifying that he or she has conferred with counsel for the opposing party in a good faith effort to resolve by agreement the issues raised and that counsel has not been able to do so. If counsel for any party advises the court in writing that an opposing counsel has refused or delayed a discussion of the problems covered in the subsection, the court may take such action as appropriate to avoid delay.

8.05 Motion to Compel Discovery

Motion to compel discovery shall:

[a] Either (1) quote verbatim the interrogatory, request, or question and any objection or response thereto, or (2) be accompanied by a copy of the interrogatory, request or excerpt of a deposition which shows the question and objection or response. This requirement shall not apply where a party has submitted no response or objection to the entire set of interrogatories or requests;

[b] State the reason supporting the motion; and

[c] Be accompanied by a discovery conference statement as provided by Rule 8.04 of these rules.

8.06 Motions for Protective Orders; To Quash Subpoena

Motions for protective orders filed pursuant to Rule 26.03, T.R.C.P., motions to

quash subpoenas for discovery filed pursuant to Rule 45.02, T.R.C.P., or any motion asking that discovery be postponed or restricted shall:

[a] Either (1) quote verbatim the interrogatory, request, question, or subpoena, or (2) be accompanied by a copy of the interrogatory, request, subpoena, or excerpt of a deposition which shows the question;

[b] State with particularity the grounds for the motion;

[c] Be accompanied by an affidavit or other evidence showing the need for the order;

[d] Be accompanied by a proposed protective order; and

[e] Be accompanied by a discovery conference statement as provided by Rule 8.05 of these rules.

8.07 Motion to Compel; Exhibits to Depositions

Agreements to furnish exhibits made during the taking of depositions may be enforced by motion made pursuant to Rule 37, T.R.C.P., and Rule 8.05 of these rules.

8.08 Service

Whenever a request for discovery is made, the party seeking discovery shall serve each party with a copy of the request. Such service shall be made regardless of whether the discovery sought is directed to only one of multiple parties. Likewise, each response to a request for discovery shall be served on each party in the case.

RULE 9: TRIAL DOCKETS AND CHAMBER DOCKETS

9.01 Daily Dockets

Daily trial dockets will be prepared by the clerk.

9.02 Cases not Reached

In the event a jury case is not reached for trial on the day it is set, it may be carried over to the following trial day without loss of its place in the order of trial or may be reset by the court later in the session.

9.03 Chambers Docket

The judge's legal assistant/secretary shall schedule all matters to be heard at chambers and prepare said dockets.

RULE 10: MOTIONS - CIVIL CASES

10.01 Time for Filing and Disposition of Pre-Trial Motions

Pre-trial motions which may be dispositive of one or more issues in a case on the merits must be filed and set for hearing at least sixty (60) days prior to the trial date in a jury case, and thirty (30) days prior to the trial date in non-jury cases. Any such pre-trial motion shall be docketed by the movant within ninety (90) days of filing in any case.

10.02 Response to Motions

[a] If a motion is opposed, a response to the motion must be filed. The response shall be made in writing and shall state with particularity the grounds for opposition to the motion. If no response is filed, the court may dispose of the motion as unopposed.

[b] Responses to motions including counter affidavits, depositions, briefs, etc. must be served on opposing counsel prior to the day of hearing the motion except as to T.R.C.P. Rule 56 motions which are governed by that rule.

10.03 Briefs of Motions and Responses

Every motion which may require the resolution of an issue of law and every motion in which legal authority is relied upon shall be accompanied by a short memorandum of law and facts in support thereof. Responsive memoranda is required and shall be submitted and furnished to opposing counsel prior to the day of the hearing on the motion. If no responsive brief is filed, the court may dispose of the motion as unopposed. When motions are to be heard at chambers, copies of motions, briefs, and responses shall be sent to the judge sufficiently prior to the hearing to allow review. Whenever a memorandum cites an unreported Tennessee decision or a decision from a court of another state, counsel shall attach to the memorandum a complete copy of the opinion; counsel also shall furnish a copy of any unreported decision to opposing counsel.

10.04 Time for Hearings

Motions will be heard by agreement by order of the court, or on notice on any chambers day commencing at 9:00 a.m., or by consent of court on any regular day of a session in the county in which the motion is pending, or at such other times and places

as may be designated by the court.

10.05 Places of Chambers

[a] Circuit Court Part I Chambers shall be held at 9:00 a.m. (central time) on designated Fridays at locations designated on schedule (see L.R.P. 3.02) or at such other times and places as the court may designate.

[b] Circuit Court Part II Chambers shall be held at 9:00 a.m. (central time) on designated Fridays at the Putnam County Justice Center, 421 East Spring Street, Cookeville, Tennessee, or at such other times and places as the court may designate.

[c] Notice of Hearing: Any party docketing a motion for hearing shall serve written notice of the date and time of the hearing upon all other parties.

10.06 Striking or Postponement of Motions

After a motion has been docketed, no party may strike or postpone a motion without the agreement of all parties. In the absence of an agreement, the court may order postponement of a motion hearing upon motion. If a motion is to be stricken or postponed by agreement, counsel shall notify the clerk or judge's administrative assistant/secretary as soon as practical. If any party strikes or postpones a motion without agreement of all parties of record, or without leave of court, the court may tax as costs reasonable fees and expenses in favor of any party who appeared at the scheduled hearing.

10.07 Failure to Appear at a Motion Hearing; Late Appearance

If any party does not appear at a scheduled hearing on a motion or any other matter scheduled to be heard on the motion docket, the court may strike or adjudicate the motion. Counsel who will be late for a motion hearing shall notify the judge's administrative assistant/secretary in advance of the hearing or have an announcement to that effect made at the call of the motion docket.

10.08 Motion for New Trial - Hearings

[a] Motions for a new trial and/or modification of an order/judgment shall be docketed by the movant for hearing within thirty (30) days of the date of filing of the motion.

[b] The failure to docket a hearing within thirty (30) days shall be considered a waiver of the motion and an order adjudicating the motion may be entered by the court.

RULE 11: USE OF AUDIO/VISUAL RECORDINGS: CIVIL AND CRIMINAL CASES

When a party intends to offer an audio and/or visual recording as evidence in any jury trial, counsel shall provide written notice to all adverse counsel at least twenty-one (21) days before trial. Adverse counsel shall be permitted to review the recording in the form in which it is intended to be offered at trial. Additionally, counsel, at his/her expense, shall be allowed to copy said recording. Adverse counsel shall promptly advise the other attorney of each objection to the recording. The attorneys shall then attempt in good faith to resolve such matters among themselves. If the attorneys cannot resolve the objections, then they shall advise the trial court sufficiently before trial in order that said objections may be ruled upon in time to allow editing of the recording. This rule applies in civil and criminal cases. By way of example only, this rule applies to video taped depositions, "Day in the Life" recordings, surveillance films and confessions, interviews or statements. This does not apply to rebuttal or impeachment evidence and does not abrogate the requirements of Rule 12, Tenn.R.Crim.P.

RULE 12: MOTIONS: CRIMINAL CASES

12.01 Time for Hearings on Motions

Pre-trial motions will be heard on a date set by the court. Such hearings may be set on the negotiations deadline day or at such other time as the court may direct.

12.02 Failure to Appear at a Motion Hearing

If counsel for a movant does not appear at a scheduled hearing on a motion or any other matter scheduled to be heard on the motion docket, the court may adjudicate the motion.

RULE 13: NEGOTIATIONS AND SETTLEMENTS: CIVIL CASES

13.01 Awards of Expenses

If any case is settled within forty-eight (48) hours of when it is to begin, the court may award compensation to witnesses for lost income and/or travel expenses and tax the same as costs.

13.02 Court Approval of Settlement

All joint petitions for the approval of workers' compensation, legitimation and

minor's claims must be filed with the clerk before being presented to a judge. In the event a minor or incompetent person is not represented by counsel, the court may require that a Guardian ad Litem be appointed for the person if the court is not satisfied with the proposed settlement, and in that event, the fee of said Guardian ad Litem will be taxed as part of the costs.

13.03 Notice Immediately Upon Settlement

If a case is set for trial and the parties subsequently reach a settlement, the parties shall give immediate notice of the settlement to the clerk and judge and shall promptly file an agreed order. Strict adherence to this requirement will allow the court to better plan for the trial of other pending cases.

RULE 14: NEGOTIATIONS AND SETTLEMENTS: CRIMINAL CASES

Please see Criminal Court Local Rules.

RULE 15: COURT REPORTERS: CIVIL CASES

It is the responsibility of litigants to arrange for court reporters in civil cases. Proceedings will not be postponed or delayed because of a court reporter's absence or tardiness where counsel have not been diligent in this regard.

RULE 16: GENERAL SESSIONS APPEAL IN CIRCUIT COURT

[a] It shall be the duty of the Appellant and/or their attorneys to notify opposing parties or counsel at the time a General Sessions court case has been appealed to Circuit Court. The clerk shall also notify opposing parties or counsel that a case has been appealed and the date same will be on the Circuit Court docket.

[b] Every such appealed case is scheduled for trial on the first day of the next succeeding session of Circuit Court in that county, except that on timely motion the court may set the case at an earlier or later time.

[c] The signature of an attorney or party to an appeal from General Sessions court shall constitute a certificate under Rule 11, T.R.C.P.

RULE 17: SETTING CASES FOR TRIAL AND CONTINUANCES: CIVIL CASES

17.01 Method of Setting

Cases shall be set for trial in one of the following ways:

[a] By agreement of counsel after consultation with the court;
[b] By motion; or
[c] By the court with notice to counsel;
[d] At docket call and setting as follows:

1. The Circuit judges of Part I and Part II shall call and set the trial docket for cases assigned to that judge on the first day of each session of court in each county. The judges may set cases upon request of attorneys made between sessions or on their own motion. (A typical docket call schedule is attached as Appendix "D" to these rules.)

2. Except in cases where all parties or their attorneys are present before the court, or a case is set by agreement of the parties, the clerk shall notify all parties or their attorneys of the time and place where the matter will be heard.

17.02 Certifying Cases Ready When Set

When a case is set for trial, all counsel are certifying they are available for trial and that the case will be in all respects ready for trial on the trial date.

17.03 Deadline for Trial Preparation

When a party objects to having a case set because trial preparation is not complete, the court may establish a deadline for completing trial preparation. Both sides shall voluntarily enter into a binding scheduling order or ask the court to do so within 15 days of the date setting the case for trial.

17.04 Continuances

[a] Cases may not be continued by agreement and may be continued only by leave of court. Cases will not be continued except for good cause which shall be brought to the attention of the court as soon as practicable before the date of the trial.

[b] Absence of a witness will not be considered by the court as a ground for a continuance unless the witness has been subpoenaed in accordance with the requirements of these rules and T.R.C.P.

[c] When a case has been set, failure to have completed discovery, inability to take a deposition, or failure to have completed any other trial preparation will not be

grounds for a continuance. The court should be timely notified of problems in scheduling depositions or other preparation (such as refusal of a deponent to promptly schedule a deposition) and the court may take such action to insure that depositions are given in a timely fashion so as to insure that parties are ready for trial on the scheduled trial date.

[d] A case may not be continued or delayed more than once and not exceeding sixty (60) days to assure the compliance of installment or partial payment agreement of parties.

17.05 Award of Fees and Expenses

If a case is continued, the court may award expenses and attorney fees, including compensation to witnesses for lost income and/or travel expenses and tax the same as court costs.

17.06 Motion to Continue Civil Jury Trials

[a] All motions to continue a jury trial shall specify the trial date.

[b] All motions to continue a jury trial shall be heard by the judge to whom the case is assigned.

RULE 18: SUBPOENAS

18.01 Issuance of Subpoenas

[a] All subpoenas for witnesses, except for subpoenas issued in "blank" shall be issued and signed by the clerk in triplicate. One copy shall be designated "service copy" and it is to be left with the witness. One copy shall be designated "file copy" and retained in the court file. The original shall be the return copy.

[b] Subpoenas issued in blank shall be signed by the clerk, shall be completed by the party requesting it, and three (3) copies shall be filed with the clerk within the time frame set out in Rule 18.03[a] [b].

18.02 Clerk's Duty Upon Issuing of Subpoena: Removal of File Copies

When a subpoena is issued, the clerk shall:

[a] Place the file copy of the subpoena in the file of the case;

[b] Deliver the service copy and original to the Sheriff or other authorized person for service; and

[c] When the original subpoena is returned to the clerk, the clerk may remove the file copy and discard it.

18.03 Time for Issuing Subpoenas

[a] Non-Jury cases: Subpoenas for a local witness must be issued and dated by the clerk no later than five (5) days before the date of trial. If the witness is out of county, the subpoena must be issued by the clerk and mailed or otherwise transmitted to the out of county sheriff or other authorized person no later than seven (7) days before the date on which the case is set for trial.

[b] Jury cases: Subpoenas for a local witness must be issued and dated by the clerk no later than seven (7) days before the trial and ten (10) days for out of county. If an attorney is aware that any witness such as a state toxicologist requires more notice than set out above to insure that a prior served subpoena will not take precedence, a subpoena must be issued within five (5) days of the date of first notice of the setting of the case.

18.04 Responsibility of Counsel

Counsel of record shall be responsible for insuring the subpoenas are issued in accordance with this rule and the applicable rules of Civil and Criminal Procedure. Nothing in Rule 18 prohibits counsel from preparing subpoenas. The clerk may not refuse to issue a subpoena requested by counsel at any time.

RULE 19: PRE-TRIAL PROCEDURE: CIVIL CASES

At least seventy-two (72) hours (excluding weekends and holidays) prior to the trial of a civil case, opposing counsel shall either meet face-to-face or shall hold a telephone conference for the following purposes:

[a] To exchange names of witnesses, other than impeachment or rebuttal witnesses;

[b] To make available for viewing and to discuss proposed exhibits, other than impeachment or rebuttal exhibits. In the event that the parties hold a telephone conference rather than a face-to-face meeting, the exhibits shall be made available for viewing before the conference.

[c] Trial proceedings will not be delayed to allow counsel to view or copy exhibits.

[d] Trial exhibits shall, when possible, be marked and numbered prior to the taking of the witness stand by the witness the exhibit[s] is expected to be introduced through.

RULE 20: EXHIBITS

20.01 Depositions and Discovery Material

Depositions and discovery material submitted to the court as evidence which are not read to the court shall be made trial exhibits.

20.02 Custody of the Clerk

All trial exhibits shall be accounted for and placed in the custody of the clerk unless otherwise directed by the court.

20.03 Disposition of Exhibits in Civil Cases

Upon the order in any civil case becoming final, the parties shall have thirty days to withdraw exhibits. The clerk may destroy or dispose of exhibits not withdrawn.

RULE 21: REQUESTS FOR JURY INSTRUCTIONS AND VERDICT FORMS

21.01 Requests for Special Instructions

When counsel submits special requests pursuant to Rule 51, T.R.C.P., or Rule 30, Tenn.R.Crim.P., copies shall be furnished to adversary counsel. When a request for an instruction is made and the request is for a Tennessee Pattern Jury Instruction verbatim, the request shall be made by reference to "TPI (Civil) No. _____" or "TPI (Crim.) No. _____." If the request is for modification of an existing instruction, the request shall identify the instruction to be modified by number and identify the deletion or addition. When a request for an instruction is made and there is no instruction on the subject in the Tennessee Pattern Jury Instructions, this fact must be stated in the request. Any request which seeks to alter or modify a Tennessee Pattern Jury Instruction shall cite authority relied on and be accompanied by a complete copy of such authority.

21.02 Special Verdicts in Civil Cases

Requests for special verdicts or written interrogatories made pursuant to Rule 49,

T.R.C.P., must be made before commencement of the trial and must be accompanied by proposed verdict forms, proposed written interrogatories and proposed instructions which will be given to the jury along with the special verdict forms or interrogatories. The court shall inform counsel of its proposed action on the requests prior to their arguments to the jury.

21.03 Deadline for Submitting Proposed Jury Instructions and Verdict Forms

Lawyers shall submit all proposed jury instructions to the Court 20 days prior to trial or 10 days prior to a pre-trial conference. The Court will allow changes only if the proof at trial allows or justice requires.

RULE 22: ORDERS AND JUDGMENTS: CIVIL CASES

22.01 Preparation and Submission of Orders and Judgments

[a] In all judgments by default and orders in uncontested matters, the attorney or party taking a judgment or order shall prepare and lodge such order **with the judge** for signature within seven (7) days from the date that such judgment or order is granted.

[b] Unless the court directs otherwise, in all cases wherein orders or judgments are granted in contested matters, the attorney for the prevailing party shall prepare the order for signature by the court and send to opposing counsel for review. If said order is signed by all parties or counsel, it shall be submitted directly to the court for signature within fifteen (15) days of the date of the court's decision.

[c] Orders in contested matters containing the signatures of less than all the parties or their attorneys shall be submitted **to the judge** within fifteen (15) days from the date of the court's decision and the same shall not be entered immediately, but will be held by the judge for five (5) days. When opposing counsel or party receives a copy of a proposed order, he or she shall notify the judge immediately of any objection to the same. If the judge receives no objection within the five (5) day period, the order will be signed by the court. Where there is a disagreement as to the terms of the order, each party will submit a proposed order. No order shall be lodged without a discussion by all parties conferring on changes unless said conference is impossible.

[d] All orders prepared by counsel and not signed by all parties or their counsel shall be accompanied by a certificate of counsel that copies of the order or judgment have been served on all parties or counsel of record.

[e] All orders mailed directly to the court for signature shall be accompanied by an envelope properly addressed to the clerk of the county in which the action is filed with

sufficient postage affixed thereto to carry it to its destination.

22.02 Court Costs

[a] All final judgments shall provide for the taxing of court costs. The clerk may refuse to enter any agreed final judgment or compromise and settlement order that does not provide for the taxing of costs.

[b] Whenever it appears to the clerk that a judgment has been satisfied but that court costs have not been paid, the clerk may apply to the court for a re-taxing of court costs. The clerk shall notify the parties of the application, the date and time it will be considered by the court.

22.03 Non-Minute Entry Orders: Civil and Criminal

Orders not affecting the legal course of an action, such as orders assigning a case to a court, setting a case for trial, pre-trial conference or scheduling orders, actions upon a request for a continuance, or notice of enhanced punishment in DUI cases, criminal court negotiation deadline orders are designated as non-minute entry orders. Such orders shall be placed in the file of the case, but not spread upon the minutes of the court.

22.04 Payment and Satisfaction of Judgments

[a] Funds paid to the clerk by check on local banks will not be disbursed until five (5) days after the clerk receives the check. Funds paid to the clerk by checks drawn on out-of-town banks will not be disbursed until ten (10) days after the clerk receives the check.

[b] Orders for disbursing funds, other than agreed orders, must be final before the clerk will disburse the funds.

[c] Upon receipt of payment in satisfaction of a judgment, whether through the clerk or otherwise, counsel will satisfy the docket by certifying receipt of the judgment on the docket book.

RULE 23: DIVORCES: SPECIAL PROCEDURES

23.01 Uncontested Divorce Cases

[a] When a party in default desires to be heard on any matter other than the basic cause of action, he or she shall notify the court at least seven (7) days prior to the

hearing of the matters upon which he or she desires to be heard and shall file a brief statement setting forth the nature of the matter.

[b] If a property settlement agreement in a divorce action based on irreconcilable differences is delivered through personal service, as allowed by T.C.A. 36-4-103, the statutory requirements regarding service will be strictly construed.

23.02 Time for Hearing

[a] No divorce case where the parties have children under 18 years of age not otherwise emancipated, shall be heard until the same shall have been filed at least sixty (60) days unless the court finds some compelling reason why the same should be so heard.

[b] No divorce shall be heard in any case until thirty (30) days have expired from the date of service of process. When service is had by publication the thirty (30) days does not commence to run until the date of the last publication.

23.03 Contested Divorce Cases

[a] In all contested divorce cases both parties shall file in substantially the form contained on Appendix "A" to these rules a certificate of readiness and sworn financial statements subject to such protective orders as may be applied for and granted. Note: In the event both attorneys do not sign or one disagrees to filing, the attorney seeking a court date shall file a motion asking the court to enter a certificate of readiness and set the case. The motion should state that the case is at issue and adverse counsel refuses to sign the certificate of readiness. Where a case is set by the court at docket setting, the certificate above shall be filed no later than two [2] days prior to trial.

[b] Pre-Trial Joint Stipulation and Statement in a Domestic Relations Case: At least forty-eight (48) hours before the day of trial, the parties through their attorneys shall file with the clerk and deliver to the judge's office a Pre-Trial Joint Stipulation and Statement in a Domestic Relations Case. This eight-page document is attached hereto as Appendix "C". This document shall include all the information requested. There will be only one document and that document, or photocopies thereof, shall be the only ones relied upon during the trial. It shall be prepared pursuant to the criteria set out in T.C.A. 36-4-121.

23.04 Contested Divorces and Custody: Order of Proof

In contested divorce cases, the court will hear the parties to the action before hearing other witnesses unless, for good cause appearing, the court finds it desirable to proceed otherwise.

23.05 Pendente Lite Child Support and Alimony Hearings

Motions and applications for child support and alimony pending the final hearing of a case will be submitted and heard on affidavits. The moving party shall include in the complaint, petition or motion allegations in support of such child support or alimony justifying the relief sought, and prior to the hearing, the parties will submit affidavits in support or opposition to the relief sought.

23.06 Child Support Orders

[a] All Orders for initial or modified child support must include a complete child support worksheet. This includes Orders either granting or denying a child support modification and cases where the Court deviates from the Child Support Guidelines.

[b] In cases where the Court deviates from the Tennessee Child Support Guidelines, the Order must comply with the provisions of T.C.A. Section 36-5-101(e)(1)(A) and Guidelines Chapter 1240-02-04.07 and include a statement of:

[1] What the amount of child support would have been and attach a Child Support Worksheet showing same.

[2] The reason for the change or deviation.

[3] How the Court determined that application of the Guidelines in this case would be unjust or inappropriate.

[4] How the best interest of the child(ren) will be served by the deviation from the Guidelines.

[c] The Order should state when the payments are to begin and how it should be paid:

[1] Either directly to the other parent/custodian.

[2] Through SDU (State Disbursement Unit) P. O. Box 305200, Nashville, TN 37229.

[3] By Income Assignment (include copy of Order) through their employer.

[4] Other.

[d] If a child support arrearage exists, then the Order should state the amount and date of the judgment and a monthly payment amount and beginning date thereof.

[e] All Agreed Child Support Orders must include a statement that the parties "affirmatively acknowledge that no action by the parties shall be effective to reduce child support after the due date of each payment, and that they understand that Court approval must be obtained before child support may be reduced, unless such payments are automatically reduced or terminated under the terms of the agreement." T.C.A. Section 36-5-101(j).

[f] All Orders may also include that "the date of any reduction or modification can not be any earlier than the date of filing a petition and sending a copy to the opposing party at their last known address" or to their attorney. T.C.A. Section 36-5-101(f).

[g] If either party has applied to the Child Support Services Office for assistance, they should be notified and sent a copy of the proposed Order addressed to: CSE, 580 South Jefferson Avenue, Suite N, Cookeville, TN 38501.

23.07 Restraining Orders and Temporary Injunctions

[a] In domestic relations cases, all restraining orders or temporary injunctions obtained without notice to the adverse party and hearing shall provide for the setting of a hearing thereon within fifteen (15) days unless the court is unable to hear said matter within said time, in which event the court or clerk may direct that the hearing be set at a later date, but, in any event, the same shall be set as soon after the fifteen (15) days as may be practical and the date of the hearing shall be stated in said notice. Such restraining order or temporary injunctions and accompanying notice shall be served on the party at least five (5) days before the date of the hearing and shall include language which shall clearly notify the defendant or respondent that he or she shall file a written declaration of intention with the clerk stating whether he or she will or will not be present for the hearing. Failure to so respond by filing the declaration with the clerk not later than twenty-four (24) hours prior to the time set for the hearing shall be deemed and treated as a waiver of the hearing, in which event the restraining order or temporary injunction shall remain in effect pending the final hearing unless sooner modified or dissolved by the court. The notice of hearing and notice of defendant's or respondent's declaration of intention to attend or not attend the hearing shall be prepared by counsel for the complaining party and filed in triplicate with one copy to be retained by the clerk and the other two copies to be attached to the service copy of the restraining order or temporary injunction and such notice shall be substantially in the form attached as Appendix "B" to these rules.

[b] No restraining order or temporary injunction shall be issued in a domestic relations case without notice and hearing unless the verified complaint or petition or accompanying affidavit clearly shows that the applicant's rights have been violated or that there is a substantial likelihood that the same will be violated by the adverse party

and that the applicant will suffer immediate and irreparable injury, loss or damage before notice can be given and a hearing had.

[c] Except in cases prosecuted in forma pauperis, the court may require the applicant to make bond before a restraining order or temporary injunction is issued.

[d] In domestic relations cases, a restraining order or temporary injunction may be signed and issued by the clerk by fiat from the court or the same may be granted by the court.

If the judge of the court in which the action is pending or is to be filed is disqualified, disabled or absent from the county, such fiat, restraining order or temporary injunction may be granted by any judge having statutory power to enjoin or restrain.

RULE 24: RESTRAINING ORDERS IN CASES OTHER THAN DOMESTIC RELATIONS CASES

Proposed restraining orders shall be prepared by counsel prior to submitting the request for relief to the court. All restraining orders shall provide for the setting of a hearing of a temporary injunction and shall provide a place thereon for the court to set a date, time and location for such a hearing. The proposed restraining order shall also provide a place for the setting of the amount of the bond except in cases prosecuted in forma pauperis.

RULE 25: GUARDIAN AD LITEM: SPECIAL PROCEDURE

25.01 Appointment

[a] A Guardian ad Litem shall be appointed by the clerk or by the court. The clerks of the respective counties shall maintain a roster of the active practicing attorneys from which Guardian ad Litems shall be selected.

[b] It shall not be permissible for the plaintiff or other parties to the action of their representative to nominate the Guardian ad Litem; provided, however, if there are certain reasons why a particular attorney should be appointed as Guardian ad Litem in a particular case, it shall not be improper for such reasons to be made known to and considered by the clerk or the court in making such appointment.

25.02 Disqualification as Guardian ad Litem

No attorney shall be appointed as Guardian ad Litem if he or she has a pecuniary

interest in the outcome of the cause; if he or she is a member of the firm of, partner or associate of any of the other attorneys involved in the cause, or if any other facts exist which would in any way interfere with said Guardian ad Litem fully representing the best interest of the person for whom such appointment is made.

25.03 Compensation of Guardian ad Litem

At the conclusion of the matter, the Guardian ad Litem shall file with the clerk a statement detailing the nature and extent of his/her services including the amount of time spent, what he/she considered to be a reasonable fee for services rendered and any other facts which might assist the court in fixing the fee for such services. The Court may ask for the parties to place money into their lawyer's trust account to only be removed to pay the Guardian Ad Litem or by subsequent order of the Court.

25.04 Fees of Guardian ad Litem

Fees for Guardian ad Litem shall be treated and taxed as costs.

RULE 26: JURORS

In order to ensure that jury duty is not unfairly avoided by any eligible citizen, prospective jurors shall be excused from jury service only upon a showing of statutory grounds. Clerks, judges and counsel should impress the importance of jury trials in our system of justice upon those seeking to be excused from jury service. At the same time, clerks, judges and counsel should be aware of the sacrifices that jury service involved and attempt to make the experience of being a juror as pleasant and productive as possible. Lengthy delays before or during trial that require jurors to wait should be avoided if possible and explained by the judge if the delay cannot be avoided.

RULE 27: TIME STANDARDS FOR THE DISPOSITION OF CASES

27.01 Time Standards

All cases must be concluded or set for trial within twelve (12) months from date of filing unless the court has directed a shorter or longer period of specific cases. These time standards will be implemented by appropriate orders from the court.

27.02 Dismissal of Cases

[a] To expedite cases, the court may take reasonable measures to purge the docket of old cases by entry of orders of dismissal which shall be considered without

prejudice unless otherwise indicated.

[b] Dismissal for Want of Prosecution: Copies of the order dismissing a case for want of prosecution shall be mailed to all counsel of record or to any party in default without counsel of record, if his or her whereabouts can be ascertained upon reasonable inquiry by the clerk.

RULE 28: PROSECUTION OF A CASE IN FORMA PAUPERIS

[a] Cases prosecuted in forma pauperis shall contain the oath as set out in T.C.A. 20-12-127.

[b] An individual prosecuting a case in forma pauperis need not repay fees, costs, bond or litigation tax.

These rules are adopted this the 1st day of September, 2022, to be effective and in full force and effect this the 1st day of September, 2022.

William T. Ridley, Circuit Judge, Part I
Thirteenth Judicial District
233 East 1st Street
Crossville, TN 38555
Telephone: 931-456-9455
Fax No: 931-787-1378
email: Judge.William.Ridley@tncourts.gov

Caroline E. Knight, Circuit Judge, Part II
Thirteenth Judicial District
321 East Spring Street, Suite 302
Cookeville, TN 38501
Telephone: 931-526-6692
Fax No: 931-520-1193
email: Judge.Caroline.Knight@tncourts.gov

Appendix "A" - Rule 25.03

In the _____ Court of _____ County, Tennessee

_____ |
v. | No. _____
_____ |

Certificate of Readiness for Trial for Contested Divorce Cases

The undersigned hereby certifies that:

1. The case is at issue;
2. That the grounds for divorce have been ascertained insofar as they can be;
3. That all necessary or desires discovery has been taken;
4. That the party has had reasonable time to be ready for trial;
5. That all witnesses have been located, insofar as deemed possible;
6. That the case is ready for trial in all respects and will require approximately for trial.
7. That a list of assets including marital property, separate property and inherited property, and a proposed division, has been filed with the court or will be filed by court date;
8. A sworn financial statement shall be filed on forms provided by the clerk.

Therefore, all counsel requests that the cause be placed on the trial docket.

Dated: _____, 20_____.

_____ Attorney for Plaintiff

_____ Attorney for Defendant

I hereby certify that a copy of this certificate of readiness has been filed with the clerk and mailed to: _____

Note: In the event both attorneys do not sign or one disagrees to filing, the attorney seeking a court date shall file a motion asking the court to enter a certificate of readiness and set the case. The motion should state that the case is at issue and adverse counsel refuses to sign the certificate of readiness. If cases set by the court at docket setting, the certificate above shall be filed no later than two [2] days prior to trial.

Appendix "B" - Rule 25.05

In the _____ Court of _____ County, Tennessee

_____ |
v. | No. _____
_____ |

To:_____
(Name of Defendant)

A hearing is scheduled before the Judge of the _____ Court at _____ on _____, 20_____, at _____a.m., to determine if the restraining order/temporary injunction herewith served upon you shall remain in force and effect pending the final hearing of this cause. You may appear at said time and place and have a hearing for the court to determine if the restraining order/temporary injunction should remain in force and effect pending the final hearing of this cause, or you may waive said hearing, in which event the same will remain in force and effect. You shall declare your intention by stating whether you will or will not appear at the hearing by signing a copy of the appended written declaration and by filing the same in the clerk's office at _____, Tennessee, at least twenty-four [24] hours before the hearing date. Your failure to file this declaration within said time shall be deemed and treated as a waiver by you of the hearing in which event the restraining order/temporary injunction shall remain in force and effect pending the final hearing.

This the _____ day of _____, 20_____.

_____
Clerk

Declaration: I hereby declare that I _____ will _____ will not be present and participate in the hearing on the above restraining order/temporary injunction. This the _____ day of _____, 20_____.

Signed: _____

Appendix "C"
JOINT STIPULATION AND STATEMENT
IN DOMESTIC RELATIONS CASE

IN THE _____ COURT OF _____ COUNTY, TENNESSEE

_____,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No._____
	)	
_____,	)	
	)	
Defendant.	)	

JOINT STIPULATION AND STATEMENT
IN DOMESTIC RELATIONS CASE

INSTRUCTIONS:

1. The purpose of this document is to facilitate settlements as well as to narrow issues. Lawyers and litigants are to jointly prepare this document. If counsel or their respective clients fail to prepare this document and send it to the judge at the judge's office by noon no later than three (3) working days prior to the trial, or if any party fails to attend any settlement conferences, the non-complying party could be responsible for court costs, attorney's fees and the loss of the court date scheduled. Any party who has attempted to comply with the requirements set out in this document, but was unsuccessful, shall notify this Court by letter with a copy to opposing counsel.

2. Copies of all depositions intended for submission as evidence in chief, as well as an exhibit list, shall be sent to the judge's office no later than three (3) working days prior to the trial.

I. The contested issues in this cause include:

_____	custody of child(ren)	_____	division of retirements
_____	child support amounts	_____	payment of attorney's fees
_____	visitation	_____	payment of court costs
_____	payment of debts	_____	separate property
_____	division of property	_____	other:
_____	payment of alimony		

II. The Plaintiff expects to testify and expects to call the following persons who will testify as to the issue stated below:

Name, Address and Phone No. of Witness	General Statement as to Testimony of Witness
1. _____	
2. _____	
3. _____	
4. _____	
5. _____	
6. _____	

The Defendant expects to testify and expects to call the following persons who will testify as to the issue stated below:

Name, Address and Phone No. of Witness	General Statement as to Testimony of Witness
1. _____	
2. _____	
3. _____	
4. _____	
5. _____	
6. _____	

III. Income and Expenses of the Parties (Husband and Wife):

A. _____, the (Plaintiff/Defendant), would show to the Court as follows:

1. He/she is employed at _____ located at _____.

His/her weekly gross income is $_____ and his/her net income per week is $_____.

If wages are paid hourly, the hourly wage is $_____ per hour. Sources of additional income:

_____.

1a. His/her spouse is employed at _____ located at _____. The spouse has weekly gross income of $_____ and net income per week of $_____. If wages are paid hourly, the hourly wage is $_____ per hour.

Sources of additional income: _____.

2. He/she submits the following as an estimate of the necessary weekly or monthly expenses, as indicated, for support of him-herself (and children where applicable):

Item	Weekly	Monthly
Rent/House Payment	$	$
Utilities (gas, electricity, water)	$	$
Telephone	$	$
Milk for Child(ren)	$	$
School Lunches (Child(ren)	$	$
School Supplies (Child(ren)	$	$
Work Lunches	$	$
Automobile Payments	$	$
Transportation To and From Work	$	$
Clothing Replacement (self)	$	$
Clothing Replacement (Child(ren)	$	$
Laundry and Dry Cleaning	$	$
Child Care While Working	$	$
Haircuts and Beauty Shop	$	$
Insurance	$	$

Medical and Dental Expense	$	$
Drugs and Medicines	$	$
Furniture Payments	$	$
Cigarettes	$	$
Groceries	$	$
Miscellaneous Expenses	$	$
TOTAL EXPENSES	$	$

B. _____, the (Plaintiff/Defendant), would show to the Court as follows:

1. He/she is employed at _____ located at _____.

His/her weekly gross income is $_____ and his/her net income per week is $_____.

If wages are paid hourly, the hourly wage is $_____ per hour. Sources of additional income:

_____.

1a. His/her spouse is employed at _____ located at _____. The spouse has weekly gross income of $_____ and net income per week of $_____. If wages are paid hourly, the hourly wage is $_____ per hour.

Sources of additional income: _____.

2. He/she submits the following as an estimate of the necessary weekly or monthly expenses, as indicated, for support of him-herself (and children where applicable):

Item	Weekly	Monthly
Rent/House Payment	$	$
Utilities (gas, electricity, water)	$	$
Telephone	$	$
Milk for Child(ren)	$	$
School Lunches (Child(ren)	$	$
School Supplies (Child(ren)	$	$
Work Lunches	$	$
Automobile Payments	$	$
Transportation To and From Work	$	$

Clothing Replacement (self)	$	$
Clothing Replacement (Child(ren)	$	$
Laundry and Dry Cleaning	$	$
Child Care While Working	$	$
Haircuts and Beauty Shop	$	$
Insurance	$	$
Medical and Dental Expense	$	$
Drugs and Medicines	$	$
Furniture Payments	$	$
Cigarettes	$	$
Groceries	$	$
Miscellaneous Expenses	$	$
TOTAL EXPENSES	$	$

IV. Martial Assets/Personalty (property conceded to husband or wife):

Description	Value	Conceded to Husband	Conceded to Wife

V. Martial Property (disputed as to division):

Description	Value

Property Disputed as to Whether Martial or Separate (and in dispute as to division):

Description	Value

VI. Separate Property (stipulated):

Description	Value	Husband's	Wife's

VII. Marital Debts:

Description	Monthly Payment	Balance	Accepted By Husband	Accepted By Wife	Disputed

VIII. Separate Liabilities:

Description of Liability	Monthly Payment	Balance	Accepted Husband	Accepted Wife

IX. Are grounds for divorce stipulated? Yes _____ No _____

X. Factual Issues (completed by plaintiff and defendant):

1.

2.

3.

4.

5.

XI. Legal Issues (completed by plaintiff and defendant:

1.

1a. Proposition of law and citations (submitted by _____)

2.

2a. Proposition of law and citations (submitted by _____)

3.

3a. Proposition of law and citations (submitted by _____)

NOTE: BRIEFS MAY ALSO BE SUBMITTED AT THE OPTION OF THE PARTIES

Agreed to this _____ day of _____, 20____.

_____
Plaintiff

_____
Plaintiff's Attorney

Agreed to this _____ day of _____, 20____.

_____
Defendant

_____
Defendant's Attorney

APPENDIX "D"

DOCKET SETTING SCHEDULE *
CIRCUIT COURT, 13TH JUDICIAL DISTRICT
JUDGE WILLIAM T. RIDLEY (CIRCUIT I)
JUDGE CAROLINE E. KNIGHT (CIRCUIT II)
(Updated 9-1-2022)

	CIRCUIT I Judge William T. Ridley		CIRCUIT II Judge Caroline E. Knight	
CLAY	June December	1st Monday 3rd Monday	April November	4th Monday 1st Monday
CUMBERLAND	January August	Last Tuesday 1st Tuesday	May September	1st Tuesday 1st Wednesday
DEKALB	March September	1st Monday 3rd Thursday	January June	1st Tuesday Last Monday
OVERTON	May December	2nd Monday 2nd Monday	March August	2nd Monday 3rd Monday
PICKETT	February October	Last Monday 1st Monday	June November	3rd Monday Last Monday
PUTNAM	March October	Last Monday Last Monday	February July	1st Monday 2nd Monday
WHITE	January June	2nd Monday 2nd Monday	April October	1st Monday 3rd Monday

* The Judges may alter the above schedule if there are conflicts due to holidays or annual Tennessee Judicial Conference meetings. Attorneys may contact each Judge's office to request their schedule of Docket Setting Dates and Motion Dates for January - June and July - December each year.