ELEVENTH JUDICIAL DISTRICT
LOCAL RULES OF PRACTICE
(HAMILTON COUNTY)

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RULES OF CIVIL PRACTICE, CHANCERY AND CIRCUIT COURTS FOR THE ELEVENTH JUDICIAL DISTRICT

Adopted Effective September 1, 2017

RULE 1. EFFECTIVE DATE, APPLICABILITY, SUSPENSION, AND CITATION OF RULES

1.01 EFFECTIVE DATE

Effective 1 September 2017, the Chancery and Circuit Courts of the Eleventh Judicial District (Hamilton County, Tennessee) abrogate all existing local rules of practice and adopt these rules.

[Adopted effective September 1, 2017.]

1.02 APPLICABILITY

Rules 1 through 14 apply in Chancery and Circuit Courts. Rules 15 through 18 apply in Chancery Court only.

[Adopted effective September 1, 2017.]

1.03 SUSPENSION

The Judges of the Court retain discretion to suspend any of these rules for good cause.

[Adopted effective September 1, 2017.]

1.04 CITATION

These rules may be cited as LRCP.

[Adopted effective September 1, 2017.]

RULE 2. DEFINITIONS AND FORMS

2.01 DEFINITIONS

As used in these rules, the term "Clerk" shall include the Clerk and Master and the term "Judge" shall include Chancellor.

[Adopted effective September 1, 2017.]

2.02 FORMS

These rules require the filing or lodging of various forms. Parties and their attorneys may use the forms available from the Clerk or forms equivalent in content and format thereto.

[Adopted effective September 1, 2017.]

RULE 3. PLEADINGS AND OTHER PAPERS

3.01 COST BONDS

For every pleading, which seeks affirmative relief, including counterclaims, cross-claims, and third-party complaints, a surety shall execute a bond for costs in the following form:

COST BOND

I hereby acknowledge and bind myself for the payment of all non-discretionary costs that may be adjudged herein against _____, the principal, in the event that the principal does not pay them.

Witness my hand this _____ day of _____, 20____.

_____
Signature

_____

Name

_____

Address

_____

Telephone

The bond shall be attached to the pleading or filed separately. The surety shall not be released from the obligation as surety until there is provision for a substitute surety.

[Adopted effective September 1, 2017.]

3.02 CIVIL COVER SHEET

A fully completed Civil Case Cover Sheet shall accompany every pleading which seeks affirmative relief. Parts VI and VIII of a Civil Case Cover Sheet shall be completed and accompany every answer or other initial responsive pleading. Civil Case Cover Sheets are required solely for administrative purposes, and matters appearing only on cover sheets have no legal effect in the action.

[Adopted effective September 1, 2017.]

3.03 FACSIMILE NUMBER

In addition to the identifying information that Rule 11.01 of the Tennessee Rules of Civil Procedure requires, pleadings and other papers shall bear the facsimile telephone number, if available, of the filing attorney or *pro se* litigant.

[Adopted effective September 1, 2017.]

3.04 ORIGINAL SIGNATURES

Papers to be filed or lodged that require the signature of a party, the party's counsel, or other individual or entity shall contain the original signature, preferably in blue ink unless they are filed or lodged by facsimile pursuant to Rule 5A of the Tennessee Rules of Civil Procedure.

[Adopted effective September 1, 2017.]

3.05 EXTRAORDINARY RELIEF

Complaints for writs of certiorari, writs of attachment, restraining orders, or other extraordinary relief shall be first filed with the Clerk and verified. Otherwise they must be accompanied by affidavit setting forth the facts justifying the relief sought.

[Adopted effective September 1, 2017.]

3.06 *EX PARTE* APPROVALS

Petitions for the approval of workers' compensation claims, minors' claims, name changes, and other similar matters shall be prescheduled with the Court or filed with the Clerk before being presented to the Judge for approval.

[Adopted effective September 1, 2017.]

RULE 4. CERTIFICATES OF SERVICE, SUBMISSION OF PAPERS, AND FILES

4.01 CERTIFICATES OF SERVICE

(a) After suit is commenced, all papers required to be served on a party by any person except the Clerk shall contain a certificate of service that recites the name and address of each person served and the date and method of service.

(b) In *ex parte* matters, copies of motions and other papers shall be mailed to interested parties. Such papers must contain a certificate of service that includes the name and address of the interested parties served and the date of service.

(c) Any notice of appeal from a judgment of the Court shall be served on the court reporter, if any, and the certificate of service accompanying the notice shall so reflect.

[Adopted effective September 1, 2017.]

4.02 SUBMISSION OF PAPERS AND COPIES

All papers to be filed or lodged, including pleadings, motions, briefs, and proposed judgments and orders, shall be filed or lodged with the Clerk. Such papers shall not be mailed to or left with the Judge but shall be submitted to the Clerk for proper handling. No copy of any paper shall be provided to the Judge unless the Judge so requests.

[Adopted effective September 1, 2017.]

4.03 FILES

All files and records of the Court shall at all times be under the custody and control of the Clerk. Files may not be withdrawn without permission of the Clerk and the Judge.

[Adopted effective September 1, 2017.]

4.04 FILING OF DISCOVERY

Filing of discovery is not mandatory unless in support of a motion.

[Adopted effective September 1, 2017.]

RULE 5. ORDERS AND COSTS

5.01 PREPARATION

(a) Unless otherwise ordered, in every case or motion disposed of by an oral ruling of the Court, counsel for the prevailing party shall prepare the Order or Judgment, and the Clerk shall prepare, in probate cases, orders confirming reports of the Master on accountings and settlements, authorizing the initial issuance of letters, and referring exceptions to claims, year's support, homestead, exempt property, and elective share to the Master.

(b) Unless the Court allows a greater time, the Order or Judgment shall be prepared and forwarded to adversary counsel within five (5) business days of the hearing or trial. *Ex parte* orders shall be lodged with the Clerk within five (5) business days of the hearing. Orders shall not be lodged granting or denying any relief before the Court passes on the issue, except for agreed orders signed by all counsel or *pro se* parties.

(c) If counsel fails to prepare and lodge Orders with the Court within fourteen (14) days of the announcement of an agreement or a ruling, the Court may strike or dismiss the subject motion or pleading.

[Adopted effective September 1, 2017.]

5.02 APPROVAL

(a) Unless waived by the Court, all orders proposed to be entered shall be submitted to all parties or their counsel for approval. Counsel shall promptly review a proposed order and approve it if it accurately reflects the ruling of the Court or notify the adversary of specific objections.

(b) In matters involving five (5) or more parties, the Court will, upon application and in proper circumstances, allow orders to be filed in accordance with LRCP 5.03.

[Adopted effective September 1, 2017.]

5.03 PROPOSED ORDERS

(a) No proposed order may be lodged with the Clerk until it has been submitted to all other parties or their counsel and they have refused to approve it or failed to respond within five (5) business days of service, unless waived by the Court. Orders lodged under this rule shall bear the word "PROPOSED" at the top of the Order.

(b) After the proposed order is lodged, adverse parties having objections to the proposed order shall file specific objections thereto, accompanied by their own proposed order, within three (3) business days.

(c) Nine (9) business days after the initial proposed order is lodged under this rule, the Clerk shall deliver all proposed orders including any exception or objection to the Judge for action. Additional time may be requested by conference call with all counsel or by agreement of the parties. "Business days" shall be computed in accordance with Rule 6.01 of the Tennessee Rules of Civil Procedure.

[Adopted effective September 1, 2017.]

5.04 TAXING OF COSTS

(a) All final orders shall provide for the assessment of court costs.

(b) Orders for payment of costs shall be rendered jointly against the party and the party's sureties, if any.

[Adopted effective September 1, 2017.]

5.05 RE-TAXING OF COSTS

For good cause, the Clerk may move the Court for a re-taxing of court costs pursuant to Tenn. Code Ann. § 20-12-137.

[Adopted effective September 1, 2017.]

RULE 6. MOTIONS

6.01 AUTHORITY

All motions shall be in writing and cite the rule, statute or other authority for the relief sought. Motions not citing proper authority or citing only Rule 7.02 of the Tennessee Rules of Civil Procedure shall be stricken.

[Adopted effective September 1, 2017.]

6.02 SCHEDULE AND CALL

(a) In Chancery Court, Part 1, motions will be heard at 1:30 p.m. on the first (1st) and third (3rd) Mondays of each month. In Chancery Court, Part 2, motions will be heard at 1:30 p.m. on the second (2nd) and fourth (4th) Mondays of each month. When a motion day falls on a holiday, motions will be heard on the next business day, unless another date is announced and posted. Motions may be heard at other times with the consent of the Judge. In both parts of Chancery Court, motions will be called at the Court's first regularly scheduled motion day occurring no less than five (5) business days after the filing of the motion. Notice of the date and time of the hearing shall be placed on the motion.

(b) Motions in Circuit Court will be heard on Mondays except on holidays, commencing in Division I at 9:00 a.m. Motions may be heard at other times with the consent of the Judge. Motions filed by 4:00 p.m. on Thursday will be called the second following Monday.

[Adopted effective September 1, 2017.]

6.03 EXHIBITS

The underlying document(s) that are the subject of the motion shall be an exhibit(s) to the motion.

[Adopted effective September 1, 2017.]

6.04 RESPONSES

Responses to motions are allowed but not required, except responses to motions citing Rules 12, 26 through 37, and 56 of the Tennessee Rules of Civil Procedure. Failure to file a required response by 4:00 p.m. at least two (2) business days preceding the date that the motion is to be called may result in the granting of the motion.

[Adopted effective September 1, 2017.]

6.05 BRIEFS

A memorandum of law shall accompany every motion or response which may require the resolution of an issue of law. Any motion, response, brief, or memorandum of law that makes reference to a transcript or deposition shall specify the relevant page(s) of the transcript or deposition and attach those pages. Any brief that cites a foreign case shall have a copy of the case attached or the Court may disregard the authority.

[Adopted effective September 1, 2017.]

6.06 DISPOSITIVE MOTIONS

Only the relevant portion(s) of any discovery materials used to support a motion for dismissal, judgment on the pleadings, or summary judgment or response thereto shall be filed.

[Adopted effective September 1, 2017.]

6.07 FAILURE TO APPEAR; LATE APPEARANCE

Unless otherwise excused, a failure to appear shall result in a motion being stricken or adjudicated as the Court orders. If there is to be a late arrival or attendance in another Court, counsel shall notify the Judge's office and other counsel or request a continuance of the motion and notify other counsel thereof before the hearing.

[Adopted effective September 1, 2017.]

6.08 PRIORITIES

Motions requiring oral testimony will be heard after motions not requiring such evidence. Non-jury matters may be heard on a motion day, but motions in any Court take priority over non-jury matters.

[Adopted effective September 1, 2017.]

RULE 7. CASE MANAGEMENT

7.01 CASE ASSIGNMENT AND REASSIGNMENT

Cases in Chancery Court are assigned sequentially by Part. However, all matters pertaining to guardians, conservators, mental health appointments, and adoptions, when filed in Chancery Court are assigned to Part 1, and all matters pertaining to probate and the construction of trusts are assigned to Part 2. All cases in Circuit Court are assigned sequentially by Division. Any case previously filed and dismissed and then refiled will be assigned to its previously assigned Part or Division. Any related family law matter, including but not limited to an order of protection and/or a divorce, shall be assigned to the Part or Division of the Court in which the case is first filed. If a Court or Courts recuse from a case, then that case will be reassigned pursuant to the procedure adopted by this Judicial District and consistent with the Tennessee Supreme Court Rules. All Petitions for Orders of Protection shall be assigned in rotation such that two (2) Petitions are assigned to Circuit Court followed by one (1) Petition assigned to Chancery Court. This rotation is subordinate to the prior case filed rule contained in this section. If cases controlled by Rule 42.01 of the Tennessee Rules of Civil Procedure are pending in different divisions of Circuit Court and/or Chancery Court, all such cases will be transferred for discovery, unless otherwise ordered, to the Court in which the case with the lowest docket number (case filed first) is pending. The Judges of the courts involved will meet at an appropriate time to decide for what purposes the cases will be consolidated. The Judges may solicit input from the attorneys of record on the consolidation issues.

[Adopted effective September 1, 2017.]

7.02 SETTING OF CASES

(a) Cases shall be set by motion, agreed order, or action of the Court. When a case is set on an unopposed motion or by agreement, counsel are deemed to have certified that they are available for trial and the case is in all respects ready for trial.

(b) When a party objects to having a case set because trial preparation is not complete, the Court may issue a scheduling order establishing deadlines for completing trial preparation and setting a trial date.

(c) Conferences, default hearings, and other uncontested matters shall be set by appointment with the Judge's office.

[Adopted effective September 1, 2017.]

7.03 CONTINUANCES

Cases may be continued only by leave of the Court by written order or if the case is one referred to the Master, by leave of the Master as provided in LRCP 12.03. Failure to complete discovery or prepare for trial shall not necessarily constitute grounds for a continuance.

[Adopted effective September 1, 2017.]

7.04 TRIAL DOCKET

(a) Unless otherwise ordered, trials and other contested evidentiary matters will be assigned for hearing at 9:30 a.m. in Chancery Court and 9:00 a.m. in Circuit Court. Attorneys and parties shall be prompt for all sessions. Unless an Order continuing, settling, or dismissing the matter has been filed prior to the morning of trial, cases set for trial by Order are subject to dismissal or entry of judgment upon the failure of plaintiff to appear or upon failure of defendant to appear respectively.

(b) In the event a case ready for trial on the day assigned is not reached on that day, the case will be reset for trial on the first available trial date or held in line at the Court's discretion.

[Adopted effective September 1, 2017.]

7.05 DISMISSAL OF DORMANT CASES

(a) If no action is taken in a case for two hundred seventy (270) days, the Court may dismiss the case. Thirty (30) days before such a dismissal, the Clerk or Judge shall notify counsel or post a Procedural Steps List containing the name and docket number of each case to be dismissed. The Procedural Steps List shall be prominently posted in

the Clerk's office and on the web site (http://www.hamiltontn.gov/courts).

(b) The Clerk shall mail to counsel of record and unrepresented parties whose address can be ascertained from information in the file copies of each order dismissing a case for want of prosecution.

[Adopted effective September 1, 2017.]

7.06 WITHDRAWAL OF COUNSEL

Once counsel has made a general appearance, counsel may not withdraw except for good cause, by motion and order of the Court.

[Adopted effective September 1, 2017.]

RULE 8. TRIAL

8.01 JURY DEMAND

When a jury is demanded in accordance with Rule 38 of the Tennessee Rules of Civil Procedure, the document demanding a jury and all subsequent documents filed in the case shall bear the words "JURY DEMAND" in capital letters in the caption of the case above the space for the case number.

[Adopted effective September 1, 2017.]

8.02 PRETRIAL SCHEDULE

(a) At least ten (10) business days before trial, the parties shall submit to the Court in writing any contested issues of law to be addressed by the Jury or the Court together with citations of authority and/or briefs. A Trial Brief shall be a concise statement of the issues and law supported by appropriate citations. If a citation is to a decision not fully reported in Southwest Reporter, Tennessee Decisions, a copy of the entire text of the decision shall be attached to the brief.

(b) At least ten (10) business days before trial, the party first demanding a jury shall file a proposed jury charge on any issue not addressed by the Tennessee Pattern Instructions and proposed jury verdict forms. At least five (5) days before trial, the other parties shall file any proposed changes to the proposals. This rule shall not preclude the parties from filing jury requests concerning contested issues arising during the trial.

(c) At least ten (10) business days before trial, each party shall file and serve by facsimile or by hand: [1)] a Witness List, including names, addresses, and, if known, telephone numbers of all witnesses, including rebuttal witnesses; and [2)] an Exhibit List, including rebuttal exhibits. Within five (5) business days of the receipt of an Exhibit List, the recipient shall file and, by facsimile or hand, serve any objections to authenticity of any exhibit or such objection shall be deemed waived. At least five (5) business days before trial, the recipient shall file and serve all other objections. Witnesses and exhibits not identified in compliance with this rule shall not be utilized at trial.

(d) If the parties anticipate the use of more than fifty (50) trial exhibits, they shall so notify the Court. Before trial, the parties shall meet to examine or exchange all trial exhibits and, if the Court so directs, pre-mark all trial exhibits in sequential order without designation as to plaintiff or defendant. Any marked exhibit the admissibility of which the parties dispute shall be marked for identification only. Unless a marked exhibit is marked for identification only, its admissibility shall be deemed to be undisputed. The parties shall file a list of any marked exhibits no later than the morning of trial.

[Adopted effective September 1, 2017.]

8.03 RECORD OF PROCEEDINGS

It is the responsibility of litigants to arrange for court reporters to record the proceedings of the Court.

[Adopted effective September 1, 2017.]

8.04 CONTROL AND DISPOSAL OF EXHIBITS

(a) All trial exhibits shall be accounted for and placed in the custody of the court reporter unless otherwise directed by the Court.

(b) If no appeal is filed, the parties shall have forty-five (45) days to withdraw exhibits and depositions after entry of the final judgment. The court reporter or Clerk may destroy or dispose of exhibits and depositions not withdrawn from their possession.

[Adopted effective September 1, 2017.]

8.05 SETTLEMENT

When a case is set for trial and the parties reach a settlement, the parties shall give immediate notice of the settlement to the Court. Counsel shall notify witnesses that they are excused from attending court due to the settlement. In the event that notice is not given, economic sanctions may be imposed.

[Adopted effective September 1, 2017.]

RULE 9. DECORUM

9.01 ATTIRE

Counsel, litigants, witnesses, court reporters, and court officers shall not dress in a manner which detracts from proper decorum in the Court.

[Adopted effective September 1, 2017.]

9.02 BAR SPACE

The space within the bar in the courtroom is reserved for attorneys, legal assistants, and litigants actually engaged in trial. All other persons will be seated outside the bar.

[Adopted effective September 1, 2017.]

9.03 BENCH CONFERENCES

Bench conferences should be requested only when absolutely necessary in aid of a fair trial. The conferences shall be conducted in a professional manner.

[Adopted effective September 1, 2017.]

9.04 COUNSEL, LITIGANT, AND SPECTATOR CONDUCT

When Court is in session, all persons present shall be seated at all times except when addressing the Court and shall not talk, laugh, or otherwise make any noise. All cell phones and beepers must be turned off. All counsel are expected to comply with the Chattanooga Bar Association Guidelines for Professional Conduct that are incorporated herein by reference and are attached hereto as Appendix 1 to these rules.

[Adopted effective September 1, 2017.]

9.05 FORBIDDEN CONDUCT

Counsel and witnesses are prohibited from using curse or swear words even when quoting others. When quoting others, counsel and witnesses shall omit any offensive word and state only the first letter of the word. Any deviation from this rule requires prior permission from the Court.

[Adopted effective September 1, 2017.]

9.06 JUROR CONTACT

No attorney, party, witness, or any other person interested in a case being tried shall engage in any conversation with any juror until such juror's service for the term has ended.

[Adopted effective September 1, 2017.]

RULE 10. DOMESTIC RELATIONS

10.01 FINANCIAL STATEMENTS

(a) Both parties in all domestic relations cases in which support is an issue shall file and serve an affidavit, stating all income as of the date of execution, at least ten (10) days before trial. This affidavit is available from the Clerk. A party shall compile and file an affidavit stating expenses only if: i) alimony is sought or resisted; ii) a deviation from child support guidelines is sought; or iii) it is contended the income statement is not representative of future income. If a party fails to file a statement of income required herein, the other party shall file an affidavit containing a good-faith estimate of the income of the defaulting party.

(b) In all divorce cases, when a trial date is set, a pretrial conference shall also be set. Attendance is mandatory unless excused for cause. In all divorce cases, at least fifteen (15) days before trial, both parties shall serve verified financial statements, as set forth in Exhibit A attached hereto in Appendix 2 to these rules. The parties shall file a joint asset and liability statement for division of property that is not disputed at least ten (10) days before trial, as

set forth in Exhibit B attached hereto in Appendix 2 to these rules. For assets and liabilities that are disputed as to division, at least ten (10) days before trial, the parties shall also file a proposed division of marital property and liabilities, as set forth in Exhibit C attached hereto in Appendix 2 to these rules, and jointly executed agreed stipulations, as set forth in Exhibit D attached hereto in Appendix 2 to these rules.

(c) Failure to file the statements required herein shall result in dismissal or continuance of the case, entry of default judgment against the non-complying party, or other appropriate sanctions in the Court's discretion.

(d) At least ten (10) days before trial of any contested divorce is scheduled, counsel shall file a memorandum, as set forth in Exhibit E attached hereto in Appendix 2 to these rules.

[Adopted effective September 1, 2017.]

10.02 *PENDENTE LITE* HEARINGS

(a) *Pendente lite* hearings for child support shall be heard only on motion accompanied by an affidavit containing the income of the custodial party with supporting documentation, a good-faith estimate of the income of the non-custodial party, the amount of time that the child spends with each party, and the number of persons who reside with each party. If the non-custodial party contests any such estimate, within five (5) business days after receipt of the motion from the custodial party, that party shall file and serve his or her own affidavit with supporting documentation. The parties shall also file with their affidavits a proposed Child Support Worksheet.

(b) *Pendente lite* hearings for alimony shall be heard only on motion accompanied by an affidavit stating income and expenses. Within five (5) business days after receipt of the motion, the non-moving party contesting alimony shall file an affidavit delineating all income and expenses.

[Adopted effective September 1, 2017.]

10.03 DEFAULT DIVORCE SETTING; FAILURE TO APPEAR

Any uncontested divorce passed for good cause must be passed to a day certain by order with at least ten (10) days notice to the other party. Failure of the plaintiff or plaintiff's counsel to appear, ready for trial, will result in the case being passed or dismissed, in the discretion of the Court.

[Adopted effective September 1, 2017.]

10.04 SIGNATURE REQUIREMENTS IN AGREED DIVORCES

All counsel of record and any self-represented litigant must sign any proposed, agreed Final Order of Divorce. All parties must execute and submit a Marital Dissolution Agreement and, where applicable, a Permanent Parenting Plan, including a Child Support Worksheet.

[Adopted effective September 1, 2017.]

10.05 ATTORNEY FEES

In awarding attorney fees in domestic relations cases, the Court shall consider, in addition to the factors set forth in Rule 1.5 of the Rules of Professional Conduct and any other appropriate authority, the attorney's contract with the client, the financial resources of the parties, and the good-faith efforts of the parties to resolve the case consistent with existing law.

[Adopted effective September 1, 2017.]

10.06 FAMILY LAW MEDIATION

Counsel shall comply with all statutes regarding mediation in divorce cases including, but not limited to, those involving assets, liabilities, alimony, and parenting plans. Both parties shall make a good-faith effort to exchange at least one (1) day prior to mediation, and no later than the date of mediation, asset and liability statements, income and expense statements, proposed division of assets and liabilities, and proposed parenting plans with supporting documentation. Pursuant to the applicable mediation statutes, these documents shall not be admissible in court and shall be used for settlement negotiation purposes only. These documents shall contain a statement to that effect.

[Adopted effective September 1, 2017.]

RULE 11. FUNDS

11.01 FUNDS PAID INTO COURT

(a) No litigant funds shall be paid into court without the Court's order. Funds paid into court are not invested

for the benefit of the litigants unless the Court so directs.

(b) All orders directing investment of funds shall contain the full legal name and address of each person or entity to whom the funds belong. Orders pertaining to minors shall state the dates of the minor's birth and majority. Social security and taxpayer identification numbers may be requested by the Court for administrative purposes. Such numbers, if requested, shall not be part of the public record.

(c) It is the duty of the attorney or litigant seeking investment of funds to call to alert the Clerk that the funds are to be invested.

[Adopted effective September 1, 2017.]

11.02 FUNDS PAID OUT OF COURT

Before funds will be released by the Clerk, social security or taxpayer identification number must be furnished by the recipient to the Clerk, and a receipt or ledger for the funds must be signed.

[Adopted effective September 1, 2017.]

RULE 12. MASTERS

12.01 REFERENCE

At the time a case is set for trial, counsel shall inform the Court of any issues which may be the proper subject of reference to a Master, such as accounting, damages, and validity and priority of liens. Reference to the Master shall be consistent with Rule 53.01 of the Tennessee Rules of Civil Procedure and appointment may be obtained upon motion of a party or upon the Court's own initiative.

[Adopted effective September 1, 2017.]

12.02 NOTICE OF HEARING

Following the entry of an Order of Reference, the Master will notify all parties involved of a hearing date to take proof on the matter referred. The Master, if necessary, may schedule a meeting with counsel in order to determine the procedure on the reference.

[Adopted effective September 1, 2017.]

12.03 CONTINUANCES

Hearings will only be continued by leave of the Master for good cause, which shall be brought to the attention of the Master as soon as practicable before the hearing date. The absence of a witness shall not be grounds for a continuance unless the witness has been subpoenaed in accordance with Rule 45 of the Tennessee Rules of Civil Procedure. Requests for continuances shall be made by telephone conference call involving all interested parties.

[Adopted effective September 1, 2017.]

12.04 EVIDENCE EXCHANGE

At least ten (10) days before the hearing, the parties shall exchange exhibits upon which they wish to rely at the hearing.

[Adopted effective September 1, 2017.]

12.05 COURT REPORTER OR STIPULATION

The parties shall either i) stipulate in writing prior to the hearing that the Master's findings of fact shall be final or ii) employ a court reporter to attend the hearing and prepare a transcript of the proceeding. This transcript shall be filed with the Clerk for preparation of the Master's Report and filing pursuant to Rule 53.04(1) of the Tennessee Rules of Civil Procedure.

[Adopted effective September 1, 2017.]

12.06 OBJECTIONS TO MASTER'S REPORT

Objections shall be supported by a transcript of proceedings before the Master and shall state specifically the grounds for the objections by specific references to the transcript, except in matters stipulated pursuant to LRCP 12.05.

[Adopted effective September 1, 2017.]

RULE 13. ADOPTIONS

13.01 SURRENDERS

(a) Surrenders may usually be scheduled as *ex parte* matters.

(b) In Chancery Court all surrender documents shall be reviewed by the Clerk's office before the surrender occurs.

(c) Counsel shall inform the Court's secretary if more than one (1) child is the subject of surrender or circumstances exist that will require an unusually lengthy hearing.

(d) There shall be a separate surrender for each child.

[Adopted effective September 1, 2017.]

13.02 PETITIONS FOR ADOPTION

A separate verified petition must be filed for each adoptive child. Separate docket numbers shall be assigned to each petition, and there shall be a separate final order in each case. Cases involving the same petitioner shall be assigned to the same Judge.

[Adopted effective September 1, 2017.]

13.03 WAIVERS

The law allows the Court to waive certain procedures and time requirements in appropriate circumstances. Counsel or parties may not assume that the Court will routinely waive such procedures or requirements. Anyone seeking waiver shall, in a motion or proposed order, cite the statutory authority thereof and state the circumstances justifying relief.

[Adopted effective September 1, 2017.]

13.04 ADOPTIONS - FINAL HEARINGS – MINORS

(a) In an adoption by relatives or a step-parent, the Court usually waives or shortens the six-month waiting period after filing if the child has lived in the home for more than one (1) year.

(b) In other adoptions, the Court is unlikely to waive or reduce in the six-month waiting period after filing the petition unless the child has lived in the home for more than one (1) year and there are compelling reasons.

(c) In no event is a final hearing to be scheduled less than ten (10) days after the petition is filed.

(d) The child and the parents shall appear before the Court for the final hearing unless specifically excused by the Court. Appropriate dress is required.

[Adopted effective September 1, 2017.]

13.05 TERMINATIONS

If a proposed termination is contested or either natural parent is incarcerated, counsel shall so advise the Court. Parents whose rights are subject to termination may be eligible for an appointed attorney. Lawsuits to terminate parental rights shall be concluded before the adoption is set.

[Adopted effective September 1, 2017.]

13.06 FINAL REPORT ON ADOPTION

The final report in response to the Court's Order of Reference shall be filed at least three (3) days before the final hearing. The purpose of the Court's Order of Reference is to bring the status of the prospective adoptive home and the child up to date immediately prior to finalization of the adoption.

[Adopted effective September 1, 2017.]

RULE 14. GIFTS AND GRATUITIES

14.01 COURT OFFICERS AND DEPUTY SHERIFFS

No attorney or party shall offer, nor shall any court officer or deputy sheriff accept any money or other thing of value for acting within the scope of one's duties.

[Adopted effective September 1, 2017.]

14.02 CLERKS

No attorney, litigant, bank, title insurance company, or any other person regularly doing business in or with the office of the Clerk shall offer, nor shall any Clerk receive, any gifts, money, or other thing of value, except the fees, taxes, and costs authorized by statute, rule, or order.

[Adopted effective September 1, 2017.]

RULE 15. JUDICIAL REVIEW OF ADMINISTRATIVE DECISIONS – SPECIAL PROCEDURES

15.01 BRIEFS REQUIRED

Briefs must be filed in all cases heard by the Court upon the record from an administrative tribunal or agency. If a petitioner fails to file his or her brief within the time provided by this rule or within the time ordered by the Court, the action may be dismissed and the agency decision affirmed. If the defendant has not filed his or her brief within the time provided by this rule or within the time ordered by the Court, the Court may decide the case solely upon the record and the petitioner's brief.

[Adopted effective September 1, 2017.]

15.02 FILING AND SERVICE OF BRIEFS

The petitioner must file and serve a brief within thirty (30) days after the record is filed. The defendant must file and serve a brief within thirty (30) days after service of the brief of the petitioner. Reply briefs may be filed at the option of a party and must be filed and served within fourteen (14) days after service of the preceding brief. Upon motion of a party or upon its own motion, the Court may enlarge or shorten the time for filing briefs.

[Adopted effective September 1, 2017.]

15.03 HEARINGS - ORAL ARGUMENT

Hearings on oral argument shall be scheduled as provided in LRCP 7.02 after the record has been filed.

[Adopted effective September 1, 2017.]

15.04 WAIVER OF ORAL ARGUMENT

Oral argument may be waived by agreement of counsel. If oral argument is waived, counsel shall notify in writing the Chancellor's office after all briefs are filed.

[Adopted effective September 1, 2017.]

RULE 16. GUARDIANSHIP AND CONSERVATORSHIP

16.01 PETITIONS

A separate petition must be filed for each respondent. Separate docket numbers shall be assigned to each petition, and there shall be a separate Final Order in each case.

[Adopted effective September 1, 2017.]

16.02 CONSERVATORSHIPS

The petition shall be verified and shall contain the information required by statute and these rules. Petitioner shall list the names and addresses of all persons to whom notice is required. Notice shall be given by the Clerk. Service of process shall be accomplished by an authorized officer. A verified statement for a physician or psychologist in accordance with Tenn. Code Ann. § 34-3-105 shall be filed, if available, with the petition or, if not then available, before or at the hearing.

[Adopted effective September 1, 2017.]

16.03 GUARDIANSHIPS

The petition shall be verified and shall contain the information required by statute and these rules. Notice shall be provided to all interested persons, and service upon the respondent shall be in accordance with the law.

[Adopted effective September 1, 2017.]

16.04 SUBMISSION OF ORDERS WITH PETITION

Orders appointing or waiving a guardian *ad litem*, setting a hearing date, and providing for the duties of the guardian *ad litem* shall be submitted with each petition for conservatorship or guardianship. Examples of such orders may be obtained from the Clerk's office.

[Adopted effective September 1, 2017.]

16.05 GUARDIAN *AD LITEM*

(a) The Court will usually appoint a licensed attorney as the guardian *ad litem* upon the filing of a petition to appoint a conservator or guardian. The Court may, however, waive the appointment of a guardian *ad litem* for good cause in accordance with Tenn. Code Ann. § 34-1-107.

(b) The Court may appoint a guardian *ad litem* in matters involving the following: the sale, improvement, or mortgage of any real property in which a minor or other person under disability has an interest, the sale or disposition of a ward's personal property, possible impropriety by a fiduciary, or unauthorized encroachments or questionable management of a ward's assets under guardianships or conservatorships. The Court may also do so any time it believes such an appointment is in the best interest of a minor, incompetent, absentee, or interested party or necessary to further the administration of justice.

(c) The guardian *ad litem* shall conduct an inquiry and file a report with the Court at least three (3) days before the hearing. The report shall contain the information required by statute and these rules and such additional information as the Court may require or the guardian *ad litem* deems necessary. Reports shall be brief and to the point unless the complexities of the case require greater detail.

[Adopted effective September 1, 2017.]

16.06 ORDERS OF APPOINTMENT

All orders appointing a guardian or conservator shall contain the information required by appropriate statute and these rules, including the ward's full name and date of birth. The order shall also require or, with the requirement of an annual report, waive an inventory and property management plan within sixty (60) days and an annual accounting. Where required, bonds must be executed prior to the issuance of letters by the Clerk. Forms that provide for most of the requirements can be obtained from the Clerk's office but must be modified to meet the facts of each individual case. Orders appointing a representative shall adjudge the Clerk's cost.

[Adopted effective September 1, 2017.]

16.07 SUBSEQUENT ORDERS

(a) Unless other matters are pending, orders approving accounting, sale of real estate, or similar matters shall include provisions closing the matter pending further proceedings and assessing costs.

(b) If an annual accounting is not required, an Annual Report shall be required each year and the Clerk shall send notice when the Annual Report is due. The Annual Report shall contain information as to the condition and location of the ward as well as other information as may be requested by the Clerk, such as the identity and relation, if any, of the caregiver to the ward, and required by law.

[Adopted effective September 1, 2017.]

RULE 17. PROBATE

17.01 HOURS

The daily session of the Probate Division of Part 2 shall be from 9:00 to 10:30 a.m., Tuesday through Friday, and shall be by appointment only. Please call or e-mail the Probate clerks to set an appointment.

[Adopted effective September 1, 2017.]

17.02 INTERESTED PARTIES

(a) Interested parties include a spouse, beneficiary, legatee, devisee, fiduciary, heirs, and income and remainder beneficiaries of a trust.

(b) Notice and service of process is not required for an interested party who joins in a petition as a petitioner or who files a sworn waiver or consent.

[Adopted effective September 1, 2017.]

17.03 PETITIONS

(a) A verified petition to probate a will, codicil, or other testamentary instrument or administer an intestate

estate shall set forth such information as is required by statute and these rules. This information shall include the names, addresses, relationships of all legatees and devisees under the testamentary instruments, and the names of the surviving spouse and next of kin.

(b) Notice of petitions for elective share, year's support, homestead and exempt property shall be given to the personal representative of the estate, attorneys of record, and all interested parties, including creditors if the estate may be insolvent. If the personal representative is the surviving spouse, an Administrator *ad litem* shall be appointed.

[Adopted effective September 1, 2017.]

17.04 COMMON FORM PROBATE

Petitions for probate in common form may be heard by the Court or the Clerk. Petitioner shall give notice to all interested parties before the hearing of the petition.

[Adopted effective September 1, 2017.]

17.05 SOLEMN FORM PROBATE

Petitions for probate in solemn form shall be heard by the Court, after service of notice required by statute, at a time and date set by the Court.

[Adopted effective September 1, 2017.]

17.06 SMALL ESTATES

Estates coming within the provisions of the Small Estates Act may be heard by the Clerk or the Court. Bond shall be required in all small estates.

[Adopted effective September 1, 2017.]

17.07 CLAIMS

Verified claims must be filed with the Clerk in triplicate with any required supporting documents as provided by statute. The Clerk may decline to accept claims submitted without the statutory fee.

[Adopted effective September 1, 2017.]

17.08 AUTHORITY OF MASTER

(a) Unless otherwise ordered by the Court, the Clerk and Master is authorized to act without a specific order of reference as follows:

(1) hear applications for letters testamentary and of administration;
(2) adjudicate probate claims and exceptions thereto;
(3) determine year's allowance to surviving spouse and minor children;
(4) preside over assignment of homestead;
(5) determine elective share of surviving spouse; and
(6) take and state all accounts and settlements.

(b) The Clerk and Master shall file a written report of findings and actions on the above matters.

(c) Rule 53 of the Tennessee Rules of Civil Procedure and LRCP 12 shall govern the procedures for Master's hearings and exceptions to or confirmations of Master's Reports.

[Adopted effective September 1, 2017.]

17.09 INVENTORIES AND ACCOUNTINGS

(a) Inventories and accountings may be waived (i) if the Will so provides or (ii) if all of the residuary beneficiaries or legatees file waivers excusing the personal representative from the requirement. If a residuary beneficiary is under a disability or the estate is insolvent, a final accounting cannot be waived. A Sworn Statement in Lieu of Final Accounting is required even if accountings are waived.

(b) Sworn Statements in Lieu of Final Accounting shall comply with all the requirements of the statutes and shall state the gross taxable value of the estate. Approval of personal representative fees and attorney fees may be included in the Sworn Statement.

(c) Notice of the filing and taking of an accounting must be as provided by law.

(d) The final accounting shall bear a certificate of the personal representative that the estate has been distributed in accordance with the instrument admitted to probate, or, in intestate cases, in accordance with the laws of descent and distribution.

(e) Upon failure to file accountings within the time required by law, the Court may revoke letters issued to a

personal representative and appoint the Public Administrator or a successor personal representative.

(f) If an estate is not closed within two (2) years from the date of qualification of the personal representative, additional time to file accountings will be granted only upon motion and notice to interested parties.

[Adopted effective September 1, 2017.]

17.10 SUMMARY REMOVAL AND SANCTIONS

Failure to comply with statutory requirements or orders of the Court shall constitute grounds for summary removal of the personal representative. In addition, the Court may impose sanctions, such as forfeiture of earned fees and taxation of fees and costs against the defaulting party and its surety.

[Adopted effective September 1, 2017.]

17.11 FEES AND EXPENSES

(a) Court approval of legal fees and expenses is required in all circumstances unless: (i) they are approved in writing by all interested parties or their legal guardians and (ii) they do not exceed the percentages of the estate value set out in one of the following schedules, which are presumed reasonable in the absence of objection:

Gross Estate	Schedule 1	Schedule 2	Schedule 3
1st 20,000	5%	2.5%	1.25%
next 80,000	4%	2.0%	1.0%
next 150,000	3%	1.5%	0.75%
next 500,000	2%	1.0%	0.5%
over 750,000	1%	0.5%	0.25%

"Gross estate" for this purpose is the gross estate for inheritance tax purposes.

(b) **Legal Fees and Expenses**

(1) apply Schedule 1 if the personal representative is not regularly engaged in the business of administering estates or

(2) apply Schedule 2 if the personal representative is regularly engaged in the business of administering estates.

(c) **Personal Representative Fees and Expenses**

(1) apply Schedule 1 if the personal representative is regularly engaged in the business of administering estates or

(2) apply Schedule 3 if the personal representative is not regularly engaged in the business of administering estates.

(d) If fees and expenses have not been properly approved as required by this rule or if objections are filed by motion, the Clerk shall, on reference, determine a reasonable fee and report such to the Court.

[Adopted effective September 1, 2017.]

RULE 18. SALE OF REAL PROPERTY

18.01 PROPERTY DESCRIPTION

Complaints seeking a sale by partition, general lienor's suits, and all other actions to sell real property shall set forth the complete legal description and the street name and number of the property.

[Adopted effective September 1, 2017.]

18.02 ORDERS AUTHORIZING SALE

Unless otherwise specifically directed by the Court, all orders for the sale of property shall:

(a) state that the sale will be held on the western side of the Hamilton County Courthouse by public outcry to the highest bidder for cash, and

(b) include the following information: (1) map-parcel-group number, (2) street address or, with a statement that no street address is available, designation of the nearest intersection of public streets or roads, and (3) complete legal description of the property.

[Adopted effective September 1, 2017.]

18.03 ADVERTISEMENTS

The Clerk, in advertising the sale of real property, shall set out the street address, if available, as well as the description as set forth in LRCP 18.02(b).

[Adopted effective September 1, 2017.]

18.04 ORDERS CONFIRMING SALE

Unless otherwise specifically directed by the Court, all orders confirming the sale of property shall:

(a) attach as an exhibit expressly incorporated in the order by reference the property description required by LRCP 18.02(b);

(b) contain the address of each grantee;

(c) contain the name and address for the mailing of tax bills; and

(d) direct the Clerk to make the following disbursements, where applicable: (1) appraisal fees; (2) attorney fees; (3) brokerage fees; (4) claims or encumbrances such as mortgages, notes, and liens; (5) closing costs; (6) commissions on real estate; (7) court costs; (8) court reporter fees; (9) deed preparation and filing (10) delinquent taxes; (11) guardian *ad litem* fees; (12) property insurance prorated (13) recording fees; (14) rents prorated to closing date; (15) revenue stamps; (16) survey fees; (17) taxes prorated current to closing date; (18) title insurance ordered and paid for; and (19) balance of funds to listed recipients with their complete names, addresses, social security numbers, and percentage of balance of funds to each.

[Adopted effective September 1, 2017.]

Guidelines For Professional Conduct

Guidelines for Professional Courtesy and Conduct for the Practice of Law in Hamilton County, Tennessee

Whereas, the guidelines herein embody the principles to which most lawyers already adhere but are set forth here for ease of reference to benefit the community, practicing lawyers, the courts, and new members of the bar; and

Whereas, in furtherance of these fundamental concepts, and in the spirit of the applicable rules of civil and criminal procedure and rules of professional conduct, and in keeping with the long tradition of professionalism among and between members of the bar; it is

Resolved, the following guidelines are set forth for the practice of law in Hamilton County , Tennessee :

Guidelines for Professional Courtesy and Conduct in the Hamilton County Bar

1. COURTESY, CIVILITY, AND PROFESSIONALISM

1.1 I will address the Court, members of the court staff, opposing counsel and parties in a courteous, civil, and professional manner.

1.2 I will maintain open and respectful communication with opposing counsel or pro se litigant and will strive to avoid creating animosity or contention.

1.3 I will allow no client to dictate or influence my conduct, attitude, or demeanor toward opposing counsel or pro se litigant. Even if called upon by a client to do so, I will refuse to engage in abusive or offensive conduct against an opposite party. I will strive to treat adverse counsel, pro se litigants, witnesses, and parties fairly, considerately, and professionally.

1.4 I will respect the schedule of opposing counsel or pro se litigant and be truthful about my own schedule.

1.5 I will make representations in good faith on behalf of my client. I will make no purposeful misstatement of fact or law, regardless of any pressure to do so.

1.6 I will return telephone calls and respond to all correspondence promptly.

1.7 I will make no promise or commitment to another lawyer or pro se litigant that I cannot honor.

1.8 I will seek no sanction against opposing counsel or pro se litigant for mere tactical advantage.

1.9 I will make no unfounded accusation of unethical conduct about opposing counsel or pro se litigant.

1.10 I will strive to be punctual for a meeting, deposition, or court appearance.

1.11 I will advise my clients at the outset of their obligations of civility, courtesy, fairness, cooperation, and other proper behavior expected of those involved in the legal system.

1.12 I will contribute time and expertise to those unable to afford legal representation.

2. SCHEDULING, CONTINUANCES AND EXTENSIONS OF TIME

2.1 I will respect the scheduling commitments of opposing counsel or pro se litigant, clients, and the Court. I will consult opposing counsel or pro se litigant, when practical, before scheduling a trial, deposition, or other Court proceeding. Alternatively, if I am unable to communicate with opposing counsel or pro se litigant prior to scheduling a deposition or hearing, I will be willing to reschedule that deposition or hearing if the time selected is inconvenient for opposing counsel or pro se litigant.

2.2 I will consent to the FIRST request for a reasonable extension of time to respond to a litigation deadline unless time it truly of the essence. With later requests for extensions of time, I will continue to give consideration to an opponent's schedule. I will balance that consideration against the reasonableness of the length of extension requested, opposing counsel's or pro se litigant's willingness to consent to reciprocal extensions, the time actually needed for the task, and whether the Court would likely grant th extension if asked to do so.

2.3 I will inform my client that decisions to consent to extensions of time belong to me and not to the client, except where the rights of the client would be jeopardized.

2.4 I will advise my client against a strategy of granting no time extensions for the sake of appearing "tough".

2.5 I will not seek extensions or continuances for the purpose of delay or harassment.

2.6 I will notify opposing counsel or pro se litigant and the Court immediately if I need to seek a continuance or cancellation of a trial, hearing, or deposition to avoid unnecessary preparation and expense to opposing counsel or pro se litigant, the Court, and other parties.

2.7 I will attach no unfair and extraneous conditions to extensions. I may impose conditions to preserve rights that an extension might otherwise jeopardize and seek reciprocal scheduling concessions. I will not, by consenting to extensions, seek to preclude an opponent's substantive rights.

3. DISCOVERY

3.1 I will consult with opposing counsel or pro se litigant in an attempt to resolve matters by agreement before filing motions or requesting hearings.

3.2 I will attempt in good faith to resolve discovery issues with opposing counsel or pro se litigant without protracted negotiation or unnecessary litigation. I will strive to present those issues that cannot be resolved efficiently and without needless litigation to the Court.

3.3 I will refrain from engaging in unnecessary, excessive, or abusive discovery.

3.4 I will comply fully with reasonable discovery requests and will not engage in obstructive or evasive tactics.

3.5 I will attempt to exchange information voluntarily without formal discovery requests.

3.6 Upon receiving an inquiry concerning a proposed time for a hearing, deposition, meeting, or other proceeding, I will promptly agree to the proposal or offer a counter-suggestion that is as close in time as is reasonably possible.

3.7 I will provide notice of cancellation of depositions and hearings to the Court and opposing counsel or pro se litigant at the earliest possible time to avoid unnecessary preparation and expense.

3.8 I will avoid rudeness and other acts of disrespect in all meetings including depositions and negotiations.

3.9 I will make service personally or by courtesy copy facsimile transmission when it is likely that service by mail, even when allowed, will prejudice an opposing party.

3.10 I will promptly respond to all requests by opposing counsel or pro se litigant to stipulate to matters that are undisputed or where no genuine basis for objection exists.

3.11 I will engage in settlement discussions with opposing counsel or pro se litigant at the outset of the case or as soon as practical.

3.12 I will consider and discuss with my client the options of arbitration, mediation, or other forms of alternative dispute resolution to more expeditiously and economically resolve the matter.

4. DEPOSITIONS

4.1 I will take depositions only when legitimately needed for the purpose of the case in which the deposition is taken.

4.2 I will take no depositions to harass, embarrass, or disadvantage an opposing party, or to generate expenses or fees.

4.3 I will make reasonable efforts to accommodate opposing counsel or pro se litigant and deponent(s) in scheduling depositions, unless doing so would prejudice my client's rights. Before issuing a notice of depositions, I will attempt to make reasonable contact of all counsel of record or pro se litigant and to agree on a schedule for all depositions.

4.4 I will engage in no conduct during a deposition that would be inappropriate in the presence of a judicial officer.

4.5 I will engage in no intentional harassment or degradation of a deponent and will endeavor to refrain from repetitive or argumentative questions.

4.6 I will make no inquiry into a deponent's personal affairs unless the inquiry is reasonably calculated to lead to the discovery of admissible evidence.

4.7 I will seek to limit my objections during a deposition to those well founded and necessary for the protection of my client's interest and will not use objections to harass or merely interrupt opposing counsel or pro se litigant.

5. WRITTEN DISCOVERY

5.1 I will pose no objection to an interrogatory unless the objection is based on my good faith belief in its merit and not for the purpose of delay or withholding relevant information. If an interrogatory is objectionable only in part, I will answer the unobjectionable portion.

5.2 I will limit my requests for production of documents to those document I actually and reasonably believe are needed for the prosecution or defense of an action.

5.3 I will serve no requests for production to harass or embarrass a party or witness or to impose an inordinate burden or expense on the responding party.

5.4 In responding to a request for documents, I will make no effort to interpret the request in an artificially restrictive manner in order to delay or avoid disclosure. I will make no intentional production of documents in a disorganized or unintelligible fashion in an attempt to hide or obscure the existence of particular documents or facts.

5.5 I will delay no document production to prevent opposing counsel or pro se litigant from inspecting documents prior to a scheduled deposition or for any other tactical reason.

6. TRIALS AND HEARING

6.1 I will be punctual and prepared for any court appearance.

6.2 I will promptly notify the Court and opposing counsel or pro se litigant of any need for a continuance or cancellation of a trial, hearing, or other court proceeding to avoid unnecessary preparation and expense to the Court and other parties.

6.3 I will submit a proposed order promptly to opposing counsel or pro se litigant and attempt to reconcile any differences before presenting it to the Court. My proposed orders will reflect fairly and accurately the rulings of the Court and nothing more.

6.4 I will respond promptly to a proposed order submitted by opposing counsel or pro se litigant.

6.5 I will serve no paper to take advantage of an opposing attorney's or pro se litigant's absence from the office or to inconvenience the attorney or the attorney's client, such as serving documents requiring prompt reply on Friday afternoon or the day before a secular or religious holiday.

6.6 I will make no attempt to obtain an advantage by informal communication with the Court.

It is further and finally
Resolved, the Chattanooga Bar Association and the undersigned judicial officers in Hamilton County hereby endorse and pledge their participation in educational seminars for the local bar to integrate these guidelines into the practice of law.

Adopted by the Chattanooga Bar Association Board of Governors on this 17th day of October, 2001.

Adopted by the judicial officers in Hamilton County on this 17th day of October, 2001.

Appendix 2
Exhibit A

IN THE _____ COURT OF THE ELEVENTH JUDICIAL DISTRICT OF TENNESSEE

_____	*	
Name (first, middle, last)	*	
	*	**NO.** _____
Plaintiff	*	
	*	
vs.	*	
	*	**DIVISION** _____
_____	*	**OR**
Name (first, middle, last)	*	**PART** _____
	*	
Defendant	*	

LRCP 10 VERIFIED FINANCIAL STATEMENT TO BE SERVED ON OPPOSING PARTY AT LEAST FIFTEEN (15) DAYS BEFORE TRIAL

---

1. List all joint assets (attach separate document if additional room is needed):

Assets	FMV	Encumbrance	Monthly Payment	Purchase Price
Real Estate				
Assets	**FMV**	**Date of Acquisition**	**Appreciation During Marriage**	**Spousal Contribution to Increase in Value**

Retirement Accounts				
Investment Accounts				

Assets	Statement Date	Balance
Bank Accounts		

Assets	Date of Acquisition	FMV	Encumbrance	Monthly Payment
Personal Property				
Vehicles				

Liabilities	Date of Incurrence	Remaining Balance	Monthly Payment
Mortgage			
Car Note			
Car Note			
Federal Income Tax			
Credit Card			
Credit Card			

2. Wife's separate property (attach separate document if additional room is needed):

Assets	Acquired Before or After Marriage
Liabilities	**Acquired Before or After Marriage**

3. Husband's separate property (attach separate document if additional room is needed):

Assets	Acquired Before or After Marriage
Liabilities	**Acquired Before or After Marriage**

III. SIGNATURE AND VERIFICATION

The foregoing *Asset and Liability Statement* is true and correct to the best of my knowledge, information and belief.

Signed at _____ on _____.
(Place) (Date)

_____
Signature

_____
Print

STATE OF TENNESSEE
COUNTY OF HAMILTON

Sworn to and subscribed before me this _____ day of _____, 20____.

_____
Notary Public

My Commission Expires _____.

Respectfully submitted,

_____

_____, (BPR #_____)

Attorney for _____

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Order has been duly served upon the following parties by placing in the U.S. Mail with sufficient postage thereon to carry same to its destination.

This _____ day of _____.

By: _____

_____

_____

Tennessee Bar Number: _____

[Adopted effective September 1, 2017.]

Exhibit B

IN THE _____ COURT OF THE ELEVENTH JUDICIAL DISTRICT OF TENNESSEE

_____	*	
Name (first, middle, last)	*	
	*	NO. _____
Plaintiff	*	
	*	
vs.	*	
	*	DIVISION _____
_____	*	OR
Name (first, middle, last)	*	PART _____
	*	
Defendant	*	

LRCP 10 PARTIES' JOINT ASSET AND LIABILITY STATEMENT FOR DIVISION OF PROPERTY TO BE FILED AT LEAST TEN (10) DAYS BEFORE TRIAL

1. List all undisputed property to be awarded to husband.

Asset	FMV	Encumbrance	Monthly Payment

2. List all liabilities to be assessed to husband.

Liability	Amount Owed	Monthly Payment

3. List all undisputed property to be awarded to wife.

Asset	FMV	Encumbrance	Monthly Payment

4. List all liabilities to be assessed to wife.

Liability	Amount Owed	Monthly Payment

III. SIGNATURE

Signature of Wife

_____
Signature

_____
Print

STATE OF TENNESSEE
COUNTY OF HAMILTON

Sworn to and subscribed before me this _____ day of _____, 20____.

_____
Notary Public

My Commission Expires _____.

Respectfully submitted,

_____

_____, (BPR #_____)

Attorney for _____

Signature of Husband

_____
Signature

_____
Print

STATE OF TENNESSEE
COUNTY OF HAMILTON

Sworn to and subscribed before me this _____ day of _____, 20____.

_____
Notary Public

My Commission Expires _____.

Respectfully submitted,

_____

_____, (BPR #_____)
Attorney for _____

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Order has been duly served upon the following parties by placing in the U.S. Mail with sufficient postage thereon to carry same to its destination.

This _____ day of _____.

By: _____

_____

_____

Tennessee Bar Number: _____

[Adopted effective September 1, 2017.]

Exhibit C

IN THE _____ COURT OF THE ELEVENTH JUDICIAL DISTRICT OF TENNESSEE

_____	*	
Name (first, middle, last)	*	
	*	No. _____
Plaintiff	*	
	*	
vs.	*	
	*	DIVISION _____
_____	*	OR
Name (first, middle, last)	*	PART _____
	*	
Defendant	*	

HUSBAND'S / WIFE'S (circle one) **LRCP 10 PROPOSED DIVISION OF MARITAL PROPERTY AND LIABILITIES TO BE FILED AT LEAST TEN (10) DAYS BEFORE TRIAL**

Joint Asset Proposed to be Awarded to Husband	Date of Acquisition	Purchase Price	Fair Market Value
Joint Liability Proposed to be Assessed to Husband	**Date Incurred**	**Amount Owed**	**Monthly Payment**
Joint Asset Proposed to be Awarded to	**Date of Acquisition**	**Purchase Price**	**Fair Market Value**

Wife			
Joint Liability Proposed to be Assessed to Wife	**Date Incurred**	**Amount Owed**	**Monthly Payment**

Disputed Separate Property	Date of Acquisition	Purchase Price

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Order has been duly served upon the following parties by placing in the U.S. Mail with sufficient postage thereon to carry same to its destination.

This _____ day of _____.

By: _____

_____

_____

Tennessee Bar Number: _____

[Adopted effective September 1, 2017.]

Exhibit D

IN THE _____ COURT OF THE ELEVENTH JUDICIAL DISTRICT OF TENNESSEE

_____	*	
Name (first, middle, last)	*	
	*	**NO.** _____
Plaintiff	*	
	*	
vs.	*	
	*	**DIVISION** _____
_____	*	**OR**
Name (first, middle, last)	*	**PART** _____
	*	
Defendant	*	

STIPULATION BY PARTIES

Come the parties, by and through their counsel, and hereby stipulate to the following:

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.

11.

III. SIGNATURE

Signature of Wife

_____
Signature

_____
Print

STATE OF TENNESSEE
COUNTY OF HAMILTON

Sworn to and subscribed before me this _____ day of _____, 20____.

_____
Notary Public

My Commission Expires _____.

Respectfully submitted,

_____

_____, (BPR #_____)

Attorney for _____

Signature of Husband

_____
Signature

_____
Print

STATE OF TENNESSEE
COUNTY OF HAMILTON

Sworn to and subscribed before me this _____ day of _____, 20____.

_____
Notary Public

My Commission Expires _____.

Respectfully submitted,

_____

_____, (BPR #_____)
Attorney for _____

[Adopted effective September 1, 2017.]

Exhibit E

IN THE _____ COURT OF THE ELEVENTH JUDICIAL DISTRICT OF TENNESSEE

_____	*	
Name (first, middle, last)	*	
	*	**No.** _____
Plaintiff	*	
	*	
vs.	*	
	*	**Division** _____
_____	*	**or**
Name (first, middle, last)	*	**Part** _____
	*	
Defendant	*	

LOCAL RULE 10.01(d) MEMORANDUM

i. Certification that the party's Local Rule 10 statements have been filed _____initial

ii. Client seeks (please select one): divorce, legal separation, separate maintenance or to remain married _____

iii. Whether grounds can be stipulated to avoid proof (T.C.A. §36-4-129) _____

iv. The names and ages of any children of the parties

_____ _____ _____ _____

v. Whether the party seeks primary residential parent status of the child or children _____

vi. The amount and specific times of parenting time _____

_____

vii. The amount of child support sought (Child Support Guidelines Worksheet must be attached). _____

viii. The amount $ _____ and type of alimony sought _____

ix. The amount of attorney's fee sought _____

x. Certification that the above proposals were submitted to opposing counsel at least ten (10) days before trial. _____initial