

## **Local Rules for The Circuit Court of Knox County, Divisions I, II, & III**

### **RULE I**

The Clerks shall assign each new case to a particular Division of the Court under a procedure as approved by the Judges of the three Divisions of the Court. The procedure shall provide for an equal distribution of the cases filed among the three Divisions.

### **RULE II**

All process that is to be served by the Knox County Sheriff's officers shall include sufficient information and instructions to enable the officer to locate and serve all persons who are to be served with the process.

All requests to subpoena witnesses for a trial must be filed with the Clerk at least ten (10) days prior to the date of trial.

### **RULE III**

All court files shall remain under the custody and control of the Clerk and shall not be withdrawn from the Clerk's office.

### **RULE IV**

No discovery papers shall be filed with the Clerk unless they are being relied upon by a party in a Motion hearing or being used by a party in trial.

### **RULE V**

No attorney or litigant may submit to an opposing party interrogatories containing more than thirty (30) questions, regardless of how they may be numbered or lettered, without leave of the Court in advance of service upon the opposing party.

## **RULE VI**

All Motions to Compel discovery will be accompanied by a proposed Order which will be entered ten (10) calendar days after filing unless the adverse party requests in writing a hearing prior to the expiration of the ten (10) day period.

## **RULE VII**

Motions may be decided by the Court without oral argument. If counsel or *pro se* party is unavailable upon a day which a Motion is set for oral argument, such counsel or *pro se* party shall obtain another date acceptable to the Court and all other counsel, and shall submit an order before the date of the scheduled hearing approved by all counsel and *pro se* parties setting the Motion for hearing on such alternate date.

## **RULE VIII**

Appeals from the General Sessions Court or from a Municipal Court will be dismissed and the decision of the lower Court reinstated if the appealing party fails to appear on the date the appeal is set for trial.

## **RULE IX**

At the opening and closing of each session of the Court, all persons in the courtroom not limited by physical condition will stand and will remain standing until the Court is formally opened or closed by the Court Officer.

Attorney and parties acting *pro se* shall stand while addressing the Court or questioning witnesses unless excused by the Court because of physical or health conditions.

The area between the bench and the bar in the courtroom is for the use of the litigants and counsel in the cases being considered by the Court. Any staff or others assisting counsel should notify the Court Officer so that the first row behind the bar can be made available for their use.

## **RULE X**

The Clerk shall set cases on the trial dockets on such dates and in such number and order, as the Judge of each Division of the Court shall specify.

Cases set for trial may be removed from the trial docket only by an Order signed by the Judge of the Division to which the case is assigned.

#### **RULE XI**

Court reporters employed by a party or parties shall fill out and file with the Clerk the Court approved form.

#### **RULE XII**

The prevailing party upon Motion or a trial shall prepare an appropriate order of Judgment for entry in the case. The Judgment or Oder shall be filed with the Clerk within ten (10) business days following the Court's ruling or trial. It shall be approved by all counsel of record and any *pro se* parties, or shall bear a certificate of service on any counsel or *pro se* party who refuses to approve it as required by TRCP Rule 58(2).

Any counsel or *pro se* party who refuses to approve an Order or Judgment shall file an alternate proposed Order or Judgment with the Clerk within five (5) business days following service of the proposed Order or Judgment filed by the prevailing party. Such alternate proposed Order or Judgment shall bear a certificate of service as required by TRCP Rule 58(2).

Effective July 1, 2000.

/s/ Dale C. Workman, Circuit Judge, Division I

/s/ Harold Wimberly, Circuit Judge, Division II

/s/ Wheeler Rosenbalm, Circuit Judge, Division III