

**IN THE TWENTY-FIRST JUDICIAL DISTRICT  
FOR THE STATE OF TENNESSEE**

**REVISED**

**Twenty-First Judicial District  
Comprehensive Re-Entry Plan**

This Comprehensive Re-Entry Plan applies to the Twenty-First Judicial District of Tennessee, which is comprised of Hickman, Lewis, Perry, and Williamson counties. This plan applies to all circuit, chancery, general sessions, juvenile, and municipal courts in the Twenty-First Judicial District. This plan is entered pursuant to ADM2020-00428 issued by the Tennessee Supreme Court on April 24, 2020.

In addition to the specific provisions set forth below, all Courts of the 21<sup>st</sup> Judicial District adopt as Court rules, policies, and procedures the following as recommended by the Center for Disease Control ("CDC").

1. Tissues and non-touch disposal receptacles will be located on each counsel table and in each courtroom.

2. Access to bathroom facilities will be made available to litigants and/or witnesses prior to and following Court attendance wherein soap and water for hand sanitation will be available.

3. Alcohol-based hand sanitizer will be made available on all counsel tables as well as at the entry of all courtrooms and

the entry points of all courthouses or buildings in which courtrooms are located. Said alcohol-based hand sanitizer will contain at least sixty percent (60%) alcohol.

4. At the commencement and end of each proceeding, Judges will encourage all litigants, attendees, and counsel to employ proper hand hygiene.

5. At the end of each proceeding, counsel tables, lecterns, desks, door handles, and all other flat surfaces which have been or are likely to be touched by humans will be sanitized.

6. All employees of the Court system will be encouraged to visit the CDC's coughing and sneezing etiquette and clean-hands webpage.

7. All courtroom doors will remain open so that litigants, counsel, and witnesses who have limited access to the courtroom can enter and exit the courtroom without handling or touching doors, door handles, or other flat surfaces.

8. The Presiding Judge of each courtroom or court staff will observe all social distancing requirements and further designate seats for any and all attendees with a minimum of six (6) foot radius between occupied seats. All court officers, court staff, and Judges will be responsible for insuring social distancing in all courtrooms and foyers and/or entryways into the Courthouse or public buildings in which court is held.

9. No more than ten (10) people, excluding the judge, court personnel, witness, and court security, shall be in any courtroom at any given time.

10. Outside every courthouse in the district, or courtroom if a multi-purpose building, signage shall be placed indicating the CDC guidelines and recommendations and Governor Bill Lee's "Tennessee Pledge" guidance. These signs are published by the CDC and Tennessee government and will be provided as follows: 1) in Williamson County, these signs have already been placed on all county buildings, which includes all courthouses or buildings in which court is held; and 2) in Hickman, Lewis, and Perry counties, these signs have been sent by the Presiding Judge to the Division V judge for placement in front of each courtroom. For each person attempting entry into a courthouse, or courtroom if a multi-purpose building, court personnel, deputies, or court officers shall point to Governor Lee's "Tennessee Pledge" guidance sign and ask the person if their answer to any of the five health-related questions on the sign is "yes." If the person's answer is "yes" or if the person refuses to answer "yes" or "no," that person shall be denied entry to the courtroom or building. The deputy, court officer, or other court staff will notify the Judge that the person has been denied access. If the person is a litigant or necessary witness, the Judge will continue the case. However, if the

person is denied access solely because the person refused to answer "yes" or "no," the case will not be continued.

11. In Williamson County, touchless thermometers are being used at every courthouse or building housing a courtroom. Individuals who seek entry into the courthouse or building housing a courtroom will have their temperature taken with a touchless thermometer. If the person refuses to have their temperature taken or has a temperature over 100.4, the person will be denied access. The deputy, court officer, or other court staff will notify the Judge that the person has been denied access. If the person is a litigant or necessary witness, and the person has a temperature over 100.4, the Judge will continue the case. If the person is denied access solely because the person refused to have their temperature taken, the case will not be continued.

12. All courthouses and courtrooms will be cleaned, sanitized, and disinfected throughout each day it is open and at the end of each day it is open.

13. The CDC's guidelines regarding social distancing shall be followed in all courthouses and courtrooms.

14. These procedures, policies, and protocols shall apply to all courts in the 21<sup>st</sup> Judicial District and shall not be abrogated or contravened by any other procedures set forth below.

**WILLIAMSON COUNTY**

1. Admission to all courthouses and courtrooms will be limited to Court personnel and courthouse employees, those filing matters and/or pleadings with the Clerk of the Court, and/or litigants, witnesses, and counsel for scheduled Court hearings.

2. All courthouse security at the point of entry and stationed within the courthouse, as well as all courthouse personnel entering the courtroom, shall be provided with facial masks and latex gloves for their protection.

3. Sheriff's Deputies and/or court staff will be located within each courtroom and will direct individuals gaining entry to the courtroom to the appropriate and designated places to sit while awaiting their cases to be called. All individuals must maintain six feet social distancing.

4. All dockets will be administered in a staggered fashion such that no more than ten (10) people (litigants and counsel) are allowed in the courtroom at any one (1) time.

5. Witnesses will only be allowed to enter the courthouse when notified by court personnel, counsel, or litigants. Victims, Prosecutors, and Defendants will be allowed access into the courtroom only during scheduled times for their court proceeding.

6. In an effort to minimize the number of people entering the courthouses, Judges and staff will coordinate calendars to avoid large dockets by scheduling matters in multiple courtrooms and seeking assistance from other Judges. Additionally, courtroom assignment preference will be given based on the size of the dockets with the largest courtroom assignment being assigned to the Judge with the largest number of cases during that given day.

7. Courtroom admission requirements shall not be applied in a manner to preclude media coverage of any proceedings consistent with Rule 30 of the Rules of the Tennessee Supreme Court.

## **I. Circuit/Chancery**

- A. Teleconferencing and videoconferencing will be the primary method for conducting court business. Bench trials via videoconferencing will occur at the judge's discretion. The judge presiding over the bench trial will issue a scheduling order requiring attorneys to deliver all exhibits the party intends to offer into evidence to the appropriate clerk's office on a date certain before the trial. Chambers copies of exhibits will also be provided in either physical or electronic format. Attorneys will be encouraged to enter into agreements regarding the authenticity and admissibility of documents, as well as stipulations of expected testimony. There will be no jury trials.
- B. Uncontested divorces in which both parties are represented by attorneys will be decided on the papers. Attorneys are required to file an agreed waiver of hearing. For uncontested divorces in which only one party is represented by an attorney, the judge will decide, on a case-by-case basis, whether to waive the hearing and decide on the papers, or to hold

a hearing. For uncontested divorces in which both parties are *pro se*, the judge may hold a hearing by video conference or continue the final hearing until after May 31, 2020.

C. For matters which fall under the exceptions listed in the Tennessee Supreme Court's Order of March 13, 2020, in-person proceedings can be held under the following conditions:

1. Only courtrooms C, D, and Historic will be used. The tables will be separated and lecterns have been added to each courtroom so that attorneys will not share a lectern.
2. Only attorneys, litigants, and witnesses will be permitted inside the courtroom. Witnesses must wait outside the courthouse until they are needed. The attorney will send the witness a text message when the witness is needed.
3. Masks and gloves will be permitted but not required.
4. The Sheriff's deputies will wear masks.
5. Hand sanitizer will be available at the courthouse entrance and throughout the courthouse, including the clerks' offices.
6. Everyone must adhere to the CDC's social distancing guidelines.

D. On a limited, case-by-case basis, civil matters not falling under the exceptions listed in the Supreme Court's March 13, 2020 Order may be held in-person at the judge's discretion. The conditions listed in section C above must be followed.

E. Criminal matters will be handled as follows:

1. Motions to reduce bond will be handled via videoconferencing.
2. Guilty pleas, including for probation violations, of incarcerated defendants will be held via videoconferencing.
3. Guilty pleas, including for probation violations, of defendants on bond or other release status will be held via videoconferencing, except in extraordinary circumstances. In extraordinary circumstances, a defendant on bond or other release status may enter a guilty plea in person

in the courtroom. However, a special request must be made by the attorney and approved by the judge. The conditions listed in section C above must be followed.

4. Arraignments for incarcerated defendants will continue to be conducted via videoconferencing. Attorneys are encouraged to file written arraignment waivers for their clients. Arraignments for defendants on bond or other release status will be continued until June 2020, unless a waiver is filed.
  5. All other criminal matters, including, but not limited to, sentencing hearings, hearings on motions to suppress and motions to dismiss, will not be heard in May 2020, except in extraordinary circumstances as determined by the judge. Also, the conditions listed in section C above must be followed.
- F. The Grand Jury will not meet in May 2020.
- G. The Child Support IV-D docket will be handled as follows:
1. Enforcement actions for contempt, motions to impose sentences, Petitions for Interest, and compliance reviews will be continued until June 2020.
  2. Petitions for Modification, Petitions to Set Support, Paternity Petitions, Petitions to Determine Medical Arrears, and Petitions to Register a Foreign Support Order will be heard in-person in court on a limited basis. Child Support Services employees will work with litigants and attorneys in advance of court to resolve the matter outside of court. For matters that are set for an in-person court proceeding, cases will be set at staggered times to avoid over-crowding. The conditions listed in section C above must be followed.



## **II. General Sessions**

### **WILLIAMSON COUNTY GENERAL SESSIONS COURT**

#### **Comprehensive Plan for Reintegration of In-Person Proceedings**

##### **Part A: Adoption of Center for Disease Control Recommendations**

In addition to the specific provisions set forth below, Williamson County General Sessions Court adopts as Court rules, policies, and procedures the following as recommended by the Center for Disease Control.

- (1) Alcohol-based hand sanitizer will be made available on all counsel tables, as well as at the entry of all Courtrooms and at the entry point of all Courthouses. Said alcohol-based hand sanitizer will contain at least sixty percent (60%) alcohol.
- (2) At the commencement and end of each proceeding, Judges will encourage all litigants, attendees, and counsel to employ proper hand hygiene.
- (3) At the end of each proceeding, counsel tables will be sanitized.
- (4) All employees of the Court system will be encouraged to visit the Center for Disease Control coughing and sneezing etiquette and clean-hands webpage.
- (5) All Courtroom doors will remain open so that litigants, counsel, and witnesses who have limited access to the Courtroom can enter and exit the Courtroom without handling or touching doors, door handles, or other flat surfaces.

##### **Non-Center for Disease Control Recommendations Adopted by the Courts**

As supply permits, latex disposable gloves will be placed in each courtroom for use by counsel, litigants, and Court personnel. All counsel, litigants, and Court personnel will be encouraged to utilize said disposable gloves while sitting at counsel table, executing any necessary Court documents, and/or during the handling of any Court paperwork.

Facial masks will be used by all Court personnel while in the Courtroom, and Judges will encourage all litigants to use facial masks while in the Courthouse or Courthouse grounds.

**Part B: General Procedures**

1. The General Sessions Court will continue to operate under its current procedures until June 1, 2020.
2. Litigants will be directed to the proper courtroom, either from dockets outside for litigants' view or deputies with dockets who can direct them. A check-in table (or tables, as necessary to ensure proper social distancing) shall be set up and clearly labeled outside the entrance to Courtroom A, directing litigants to check-in with the judicial assistant or clerk outside the courtroom. Tape or other signage will be placed on the floor to indicate where litigants/defendants should stand while waiting to check in.
3. In order to maintain social distancing, the capacity in Courtroom A will be limited to 10 people and Courtroom B will be limited to 10 people, excluding Judge, court personnel, witness and court security. Permissible seating areas will be designated with tape or other appropriate markings. (This number is the maximum occupancy of Court Room B, even if the Supreme Court should amend its Order)
4. The Court and its Officers, along with the Sheriff's Deputies, shall insure that social distancing is maintained at all times in the courtroom. As a result, nobody inside the courtroom may sit any closer than six (6) feet apart from each other on the same pew.
5. In the event that the number of litigants is greater than the limited number allowed for each respective courtroom, additional litigants will provide their name and cell phone number at check-in and will be called to enter the courtroom as seats become available.
6. With the introduction of the remote proceedings capability through Zoom, parties may request that proceedings be conducted remotely. Remote proceedings will require reasonable notice. In order to ensure that all parties have notice of the method in which the hearing will be conducted, the express agreement

of all parties will have to be obtained by the party requesting the hearing in order to set an electronic hearing.

7. No minors allowed in the Courtroom except by leave of Court.
8. Victims may be present in the courtroom but may be restricted to one support or caretaker person. The D.A. Victim/Witness Coordinator will be responsible for calling those victims, witnesses, and law enforcement officers into the courthouse when the A.D.A. requires their presence. Most of these interactions can be managed telephonically without the necessity of bringing those persons into the courthouse. There are many exceptions.
9. Witnesses will be required to wait outside the courthouse in their personal automobile or as close as possible, until notified via cell phone to enter the building.
10. Times for each docket (civil, traffic, and criminal) will be staggered throughout the day to avoid any overcrowding in the Courthouse/Courtroom.

**Part C: Criminal Procedures**

1. In order to maintain social distancing, the capacity in Courtroom A will be limited to 10 people and Courtroom B will be limited to 10 people, not including the judge, court staff, and court officers. Permissible seating areas will be designated with tape or other appropriate markings.
2. For the immediate future, the General Sessions Criminal Appearance Docket will be suspended in order to avoid large gatherings of people entering the courthouse at the same time. Booking, Bondsmen, and Bond Docket will give defendants trial dates as established by the clerk. Law Enforcement Officers have been instructed to use their regular court dates and/or contact the Magistrate or the Clerk for assignment of court dates.
3. Criminal Dockets will be scheduled on Tuesdays and Wednesdays with both Judges presiding simultaneously to reduce the backlog of criminal cases. Disposition of cases for incarcerated defendants shall be

handled via video/audio means (PolyCom) in Courtroom B.

4. In the event that the number of litigants/defendants is greater than the limited number allowed for each respective courtroom, additional defendants will provide their name and cell phone number at check-in and will be called to enter the courtroom as seats become available or as they are needed. The District Attorney will notify the court when their presence is required if they are not represented. If represented, their attorney will be responsible for calling the defendant into the courtroom at the appropriate time.
5. Representatives from the District Attorney General's Office will occupy their current work space in the courthouse. The Victim/Witness Coordinator will be in possession of the cell phone numbers for Officers and other witnesses. The D.A. will determine when their appearance is required. The Victim/Witness Coordinator will direct Officers and other witnesses to remain outside of the courthouse until the D.A. needs to confer with them. Defense attorneys will provide the D.A. with their cell phone numbers and will be called to the D.A.'s work area behind the courtroom as they are needed. No individuals will be allowed in the back hallway without specific permission.
6. No more than four (4) attorneys shall be called to the area behind the courtroom to discuss their case(s) with the D.A. at one time unless otherwise necessitated by co-defendants. Attorneys shall continue to practice social distancing while in the back hallway and in the D.A. room. At no time shall there be more than a total of ten (10) people in the DA's workroom.
7. If a case requires a trial or preliminary hearing, only those involved in that case will be allowed inside the Courtroom. All witnesses will remain outside the Courthouse until called to testify and must immediately leave the building once testimony is complete.

**Part D: Civil Procedures and Orders of Protection**

1. In order to comply with the Supreme Court's Order, the capacity in Courtroom A will be limited to 10 people

and Courtroom B will be limited to 10 people, excluding the Judge, court personnel, witness, and court security. Permissible seating areas will be designated with tape or other appropriate markings. (Should the Supreme Court amend its Order, the maximum capacity of socially distanced participants would be 20 plus staff and security)

2. Civil Dockets will be scheduled on Mondays with both Judges presiding simultaneously.
3. In the event that the number of litigants is greater than the limited number allowed for each respective courtroom, additional litigants will provide their name and cell phone number at check-in and will be called to enter the courtroom as seats become available.
4. If a case requires a trial, only those involved in that case will be allowed inside the Courtroom. All witnesses will remain outside the Courthouse until called to testify and must immediately leave the building once testimony is complete
5. With the introduction of the remote proceedings capability through Zoom, parties may request that proceedings be conducted remotely. Remote proceedings will require reasonable notice. In order to ensure that all parties have notice of the method in which the hearing will be conducted, the express agreement of all parties must be obtained by the party requesting the hearing in order to set an electronic hearing.

**Part E: Traffic Court**

1. In order to maintain social distancing, the capacity in Courtroom A will be limited to 10 people and Courtroom B will be limited to 10 people, excluding the Judge, court personnel, witness, and court security. Permissible seating areas will be designated with tape or other appropriate markings.
2. The Traffic Docket will be scheduled on Fridays at 9:00 a.m. and 1:00 p.m. with both Judges presiding simultaneously.
3. In the event that the number of those cited is greater than the limited number allowed for each respective

courtroom, additional defendants will provide their name and cell phone number at check-in and will be called to enter the courtroom as seats become available.

**WILLIAMSON COUNTY VETERANS TREATMENT COURT**

**AND**

**WILLIAMSON COUNTY MENTAL HEALTH COURT**

The above Recovery Courts will continue to meet via Zoom until said time as the staff feels it is prudent to resume in-person staffing meetings, pleas, sanctions, and graduations. Once that point is reached, the groups will be divided in sub-groups so that a number can be gathered depending on courtroom availability for that event with the sub-group or groups attending remotely. Those groups will be alternated so that some in person interaction can be achieved.

The Veteran's Treatment Court Coordinator's Office is located in the Williamson County Administrative Building, which has its own policies and procedures in place. The Coordinator will continue to be in compliance with those policies.

## **WILLIAMSON COUNTY GENERAL SESSIONS PROBATION**

1. Only Williamson County Probation Staff members will be allowed to conduct business in the Williamson County Probation Office.
2. Only three (3) defendants will be allowed in the Probation Office area at one time. No more than ten (10) people, including probation officers, will be allowed in the Probation Office at a time.
3. Only three 3 defendants will be allowed in the Probation waiting area and social distancing rules must be followed. If a defendant needs to speak with their attorney, they will be required to leave the waiting area. After a Probation Officer completes their post plea conference with the defendant, the next probationer will be allowed to enter the Probation Office.
4. Probation Officers will be required to wear a face mask and gloves when placing a defendant on probation. The defendant will be seated behind a clear, protective barrier.
5. The Probation Administrative Assistants will be required to conduct business behind a protective barrier. They will be required to wear a face mask and gloves when conducting transactions.
6. Probation payments may be made on online, or by phone, mail, or money order.
7. For negotiated plea agreements conducted via zoom, all required forms, waivers, probation paperwork, etc. should be signed, completed, and submitted to the Court prior to the disposition being entered.



## **WILLIAMSON COUNTY DUI RECOVERY COURT**

1. The Williamson County General Sessions DUI Recovery Court and supporting offices are located apart from the Williamson County Courthouse at 129 West Fowlkes Street Franklin, TN. The DUI Recovery Court will continue to operate under its current procedure as mandated by the latest Supreme Court Order. Beginning June 1, 2020 the Court intends to introduce reporting requirements utilizing staggered appointments and limited attendance for participants to fulfill their obligations. Such requirements include, but are not limited to: Case management sessions, alcohol and drug screening, as well as graduation interviews. When available, Zoom video conferencing will be utilized. In order to ensure that all parties have notice of the method in which a hearing will be conducted, the express agreement of all parties must be obtained by the party requesting the hearing in order to set an electronic hearing.
2. There will be a single point of entry used in the facility which will be monitored by court staff. Court is held after hours at the facility which houses the DUI Recovery Court. Entrance into the facilities will be regulated and monitored by Court staff and limited to those scheduled to appear for court. The court will have a capacity of 10 individuals excluding the Judge, and court personnel. All others scheduled for court will be required to remain outside the facility until the first 10 participants are excused. The next 10 participants shall then be allowed inside the facility by Court staff. Court Team members who are not essential to the court proceedings will be provided an opportunity to "attend" the court proceeding using remote audio/video technology as mentioned above.
3. To determine whether or not a participant is granted permission to enter the facility, Court staff will use a non-contact thermometer to determine a participant's temperature. Should a participant present with a temperature greater than 100.4 degrees F, they will be instructed to depart from the location and given guidance as to how to alternatively fulfill their obligation, on a case-by-case basis. In addition, each participant will be asked if they are experiencing symptoms of COVID-19 and to indicate whether or not

they've knowingly come in contact with any individuals confirmed to be COVID-19 positive.

4. All court dockets will be conducted in a manner that adheres to recommended social distancing guidelines including the use of facial masks and gloves. Seating locations will be arranged by staff prior to the beginning of court and clearly identified. Additionally, the courtroom will be sanitized periodically throughout the day based upon use.
5. In-person admissions, orientation, and graduation requirements will be scheduled by Court staff as needed, limited to no more than 10 people in attendance, and adhere to recommended social distancing guidelines. Case management as well as alcohol and drug screening sessions will be scheduled in a manner such that staff does not interact with more than one participant at a time and will adhere to recommended social distancing guidelines, including the required use of facial masks and gloves.
6. Beginning June 1, 2020 the Court will implement small-group, "staggered" reporting requirements in this setting as well. All hearings requiring or allowing in person attendance will be held with only 10 participants at a time and Court staff. Starting June 1, 2020 Court Staff will accept forms and documents during in-person reporting sessions in a way that adheres to social distancing guidelines. Forms may then be placed outside staff offices for the participant to complete. Further, the Court will utilize a "drop box" for documents participants are to submit; this will be done in a manner that protects a participant's private information and allows staff to easily retrieve the form without hand-to-hand exchange.
7. Hand sanitizer and disinfectant wipes will be made available to all in attendance as well as no-touch waste receptacles.

### **III. Juvenile**

The Williamson County Juvenile Court has implemented a COVID-19 Phased Work Re-Entry Plan for staff (see attached). This plan outlines the schedule for in-person court hearings.

#### **Phase 1: May Dockets**

All court hearings shall continue by WebEx with the exception of child support dockets which have been rescheduled up to now.

Detention Hearings shall be in-person only when the child is detained with the following precautions:

1. No more than 5 people in the courtroom
2. Maintain social distancing between parties
3. Masks and gloves are available
4. Clean all areas after each case

Child Support docket of May 8: As many cases as possible shall be settled by the child support office out of court. Attorneys may be available by phone to discuss contempt charges. Settlement of cases shall be by WebEx. Other cases shall be reset.

IF COVID-19 CASES DECREASE BASED ON GUIDELINES AFTER 2 WEEKS:

Child Support dockets for May 21, May 22, and May 29 shall be divided into groups of 4 and assigned times to appear by the child support office. The child support office shall continue to attempt settlement out of court with attorneys available. The following precautions shall apply:

1. No more than 5 people in the lobby at a time (a designated child support staff person shall monitor this)
2. Cases may be discussed in the lobby and back of the courtroom maintaining social distancing.
3. Attorneys may appear by phone or in person (their choice).
4. Masks and gloves are available
5. No more than 5 people in the courtroom at a time to appear before the judge

6. All areas will be cleaned after each group

If there has not been a decrease in COVID-19 cases, the May 8 protocol will apply.

IF COVID-19 CASES CONTINUE TO DECREASE AFTER 4 WEEKS:

**Phase 2: June Dockets**

Most dockets will continue to utilize WebEx for Admin. Reviews and Reviews in civil cases; first appearances and Reviews in delinquent cases; and any other cases that the judge determines may be appropriately managed by video.

Special set trials; D/N preliminary hearings and Violations of Probation where a child is at risk of custody may be in person with the same precautions as above. Specific times must be identified for each hearing.

Child Support docket continues as in Phase 2.

**Phase 3: July Dockets**

Divide regular dockets into specific hearing times with the following precautions:

1. No more than 10 people in the courtroom
2. No more than 5 people in the lobby (all others remain in their car)
3. Youth Services Officer shall coordinate lobby traffic
4. Masks and gloves available
5. Clean areas after each group

Admin. Reviews, Reviews and other designated cases can still be done by video to decrease the amount of people in the building.

Child Support docket continues as above Phase 3.

**Youth Service Officers (8)**

**Phase 1: May 4-15**

1. Two (2) civil team members on Monday, Tuesday, and Wednesday
2. Two (2) juvenile justice team members on Wednesday and Thursday
3. One (1) civil member and two (2) juvenile justice members on Friday

This would allow for 4 staff on Monday and Tuesday; 5 staff on Wednesday and Thursday; 3 staff on Friday.

Individual assignments will be made by the supervisor, based on availability of staff (childcare needs) and proper distribution of time in the office. Rotations will also be designed to assure that each person receives gradual reintegration such as 2 days a week, 3 days a week, and building up to full entry.

During this time, staff will continue to reach out to families via phone or video. Many team members choose to conduct their individual meetings via video while in the office.

**Phase 2: May 18-22**

Due to low docket numbers for the week of May 18-22, the rotation would be lessened to two (2) civil members and two (2) juvenile justice members for the entire week.

Again, the thought behind this is supported by the fact that YSOs can thoroughly and professionally remain involved with their families through the at-home tools they have been provided by the County. The office would continue to be appropriately staffed, while maintaining the health and safety of our staff.

This would allow for four (4) YSOs in the building Monday through Friday of this week.

Should an YSO need to be in the building to conduct a video meeting with a family, they may do so by making arrangements with the supervisor, assuring that there are no more than 4 staff in the building on a given day.

**Phase 3: May 26-29**

Two (2) civil members and three (3) juvenile justice members will be present Monday through Friday.

In-person conferences may resume, with safety protocol in place. These conferences shall be scheduled ahead of time, with the calendar carefully reviewed so that no conferences should overlap. No in-person conferences shall be held in the individual YSO offices, due to lack of distancing. Standard conference rooms at 408 Century shall be utilized, with the possibility of using space at 300, if previously arranged and approved by Raymond Waymon.

Unplanned conferences may be necessary at some point, for example, following a detention hearing. If an YSO needs to conduct an assessment or meeting, they may do so with permission of a supervisor.

### **Diversion Specialists (2)**

The diversion specialist will begin a phased work re-entry plan on May 4, 2020. This plan will consist of three phases that will unfold as follows:

#### **Phase 1: May 4-15**

During phase 1 both diversion specialist will telework from home 3 days each week and work in the office 2 days each week. The 4 total office days will be divided between each of them and will look as follows: Anna-Monday and Thursday, Naomi-Tuesday and Friday.

During phase 1 all meetings with youth and families will occur through telephone and/or video conferencing platform(s). No in-person meetings will occur.

#### **Phase 2: May 18-29**

During phase 2 both diversion specialist will telework from home 2 days each week and work in the office 3 days each week. The office days will look as follows:

Anna-Tuesday, Wednesday, Friday; Naomi-Monday, Wednesday, Thursday

During phase 2 meetings with youth and families may occur in the office while following social distancing recommendations. Meetings not occurring in person will be conducted via telephone and/or video conferencing. All office meetings will be scheduled in advance and documented in a calendar (specific type to be chosen by the DSO, IPO, and ASO staff) so that meetings are not scheduled at the same time and individuals have time to exit the building following the meeting. All meetings will occur in designated meeting space(s).

#### **Phase 3: June 1-12**

During phase 3 both diversion specialists will begin working 5 days in the office each week.

During phase 3 meetings with youth and families will occur in the office while following social distancing recommendations. All office meetings will be scheduled in advance and documented in a calendar (specific type to be chosen by the DSO, IPO, and ASO staff) so that meetings are not scheduled at the same time and individuals have time to exit the building following the meeting. All meetings will occur in designated meeting space(s).

### **Assessment Specialist (1)**

The assessment specialist will begin a phased work re-entry plan on May 4, 2020. This plan will consist of three phases that will unfold as follows:

#### **Phase 1: May 4-15**

During phase 1 the assessment specialist will telework from home 1 day each week and work in the office 3 days each week.

During phase 1 all meetings with youth and families will occur through telephone and/or video conferencing platform(s). No in-person meetings will occur. \*This does not include meeting with a youth before/after an in-person court hearing for assessment if ordered by the Magistrate and/or Judge.

#### **Phase 2: May 18-29**

During phase 2 the assessment specialist will telework from home 1 day each week and work in the office 3 days each week.

During phase 2 meetings with youth and families may occur in the office while following social distancing recommendations. Meetings not occurring in person will be conducted via telephone and/or video conferencing. All office meetings will be scheduled in advance and documented in a calendar (specific type to be chosen by the DSO, IPO, and ASO staff) so that meetings are not scheduled at the same time and individuals have time to exit the building following the meeting. All meetings will occur in designated meeting space(s). \*This does not include meeting with a youth before/after an in-person court hearing for assessment if ordered by the Magistrate and/or Judge.

#### **Phase 3: June 1-12**

During phase 3 the assessment specialist will begin working 4 days in the office each week. This is a normal schedule for this position.

During phase 3 meetings with youth and families will occur in the office while following social distancing recommendations. All office meetings will be scheduled in advance and documented in a calendar (specific type to be chosen by the DSO, IPO, and ASO staff) so that meetings are not scheduled at the same time and individuals have time to exit the building following the meeting. All meetings will occur in designated meeting space(s). \*This does not include meeting with a youth before/after an in-person court hearing for assessment if ordered by the Magistrate and/or Judge.

#### **IV. Municipal**

##### **A. Brentwood:**

1. Juvenile: Cases will be individually reviewed by the judge. The judge will decide, on a case-by-case basis, how the case will be handled. Factors the judge will consider include, but are not limited to, the juvenile's driving history, the nature of the alleged infraction, and the amount over the speed limit alleged. Once the judge makes the decision on how cases will be handled, the juvenile will be contacted by court staff via telephone or email and instructed to either: a) take the Defensive Driver Safety school on-line or b) participate in a videoconference with a parent and the judge and be ordered to attend the in-person Defensive Driver Safety school at the Brentwood Fire Department, with possible suspension of driver's license and/or payment of ticket. At this school, all CDC protocols will be followed.
2. Adult traffic and codes: Cases will be individually reviewed by the judge. The judge will decide, on a case-by-case basis, how the case will be handled. Factors the judge will consider include, but are not limited to, the individual's driving history, the nature of the alleged infraction, the amount over the speed limit alleged, and possession of a CDL. Once the judge makes the decision on how cases will be handled, the driver will be contacted by court staff via telephone or email and instructed to



either: a) take the four-hour Defensive Driver Safety school on-line; or b) take the eight-hour Defensive Driver Safety school on-line; or c) pay a fine.

3. Contested Cases: Cases contested by either an adult or juvenile will be heard in person in June in the event the Tennessee Supreme Court lifts its suspension of in-person proceedings. There will be no in-person court proceedings in May. In June, if allowed, in-person court proceedings will take place under very strict conditions. There will be no more than ten cases on the docket at a time. All court staff will wear masks and gloves, which will be provided by the city. Hand-sanitizers will be placed throughout the courtroom and the building. Drivers whose cases are on the docket will not be permitted to congregate in the building. They must go straight into the courtroom. Witnesses must wait outside the building and will only be permitted into the courtroom when needed. All other protocols and guidelines of the CDC, State of Tennessee, and local governments will be strictly enforced and followed.
4. June: In the event the Tennessee Supreme Court's suspension of in-person proceedings continues past May 31, 2020, all proceedings will continue as listed above, with the exception that contested cases will be heard via videoconferencing.

B. Fairview:

**IN THE CITY COURT FOR FAIRVIEW, WILLIAMSON COUNTY,  
TENNESSEE**

**IN RE: COVID 19-PANDEMIC**

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**SUB-PLAN FOR FAIRVIEW CITY COURT TO BEGIN CONDUCTING IN-  
PERSON COURT PROCEEDINGS**

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On March 13, 2020, in response to the COVID-19 pandemic, the Tennessee Supreme Court issued AMD2020-428 suspending in-person court proceedings, with certain limited exceptions, in all state and local courts in Tennessee, including but not limited to municipal, juvenile, general sessions, trial and appellate courts through March 31, 2020.

On March 25, 2020, the Tennessee Supreme Court extended the suspension of in-person court proceedings in all state and local courts in Tennessee, with certain limited exceptions, through April 30, 2020.

On April 24, 2020, the Tennessee Supreme Court extended the suspension of in-person court proceedings, except for jury trials, in all state and local courts in Tennessee, until the Chief Justice has approved a written plan from each judicial district to gradually begin conducting in-person court proceedings, other than jury trials. The presiding judge or the designee of the presiding judge of each judicial district in coordination with the designated judge or other designee of the general sessions, juvenile and municipal courts within each judicial district was made responsible for developing the written plan.

Fairview City Court is located within the 21<sup>st</sup> Judicial District ("District"). Judge Deanna B. Johnson ("Judge Johnson") is the presiding judge of the trial courts within the District. Judge Johnson has been in communication with the other judges in the District and requested input in the development of a written plan. Recognizing that some courts within the District may have different needs/limitations based on facilities, staff, security, etc., Judge Johnson requested the development of sub-

plans to be included as part of the comprehensive written plan submitted to the Chief Justice.

Since AMD2020-428 was issued, Fairview City Court has reset all docketed cases except for cases involving incarcerated individuals, which were handled administratively in concert with the District Attorney General and Williamson County Sheriff's Department. As a result, there has not been court in Fairview City Court since March 13, 2020.

While the health and safety of all individuals involved in pending cases is important, a transitional plan for Tennessee courts to begin conducting business is essential. In response to Judge Johnson's request, the following is the sub-plan for Fairview City Court to begin conducting in-person court proceedings:

#### GENERAL INFORMATION

1. Fairview City Court is held at Fairview City Hall every other Friday, with certain limited exceptions.
2. Fairview City Court will resume in-person court proceedings beginning Friday, May 15, 2020, contingent upon the written plan being approved by the Chief Justice. If the written plan is not approved by said date, then Fairview City Court will resume in-person court proceedings beginning the next regularly scheduled court date after the plan is approved.
3. Fairview City Court will have three dockets (Traffic, Trial/Settlement & Appearance) on each court date at staggered times as set forth herein.
4. Face masks and gloves are optional. There will be touchless sanitation stations and tissues positioned throughout City Hall. Alcohol-based (at least 60%) hand sanitizer will be made available on all counsel tables, as well as at the entry of City Hall. Movement in and around City Hall will largely flow in one-direction. The court room will be arranged so as to maximize the space and allow most business, if not all, to be conducted entirely therein. The district attorney will have a table and the public defender/defense attorney will have a table. There will be no podium. When addressing the Court, a defendant will stand in a designated space, the district attorney, public defender/defense attorney will have a microphone at their respective table. At

the end of each proceeding, counsel tables will be sanitized. The district attorney, public defender, probation officer and/or victim/witness coordinator may park in the lower lot near the FPD and enter City Hall through the FPD.

5. This plan will remain in effect until such time as the Tennessee Supreme Court provides additional guidance or the suspension/modification of in-person court proceedings established in AMD2020-428 expires by its terms.

#### TRAFFIC DOCKET

6. In an effort to reduce the number of cases on the traffic docket, the clerk will attempt to contact defendants in advance of a court date and provide options in lieu of appearing in Court, such as but not limited to completing traffic school, providing proof of registration, providing proof of insurance, paying the citation, etc.
7. The traffic docket will begin at 8 a.m.
8. At least 30 minutes prior to court beginning, FPD will be positioned outside City Hall with a copy of the docket and a sign-in sheet.
9. The docket will be numbered and in alphabetical order. The defendant will provide FPD their name and cell phone number. This information will be placed on the sign-in sheet next to the corresponding number as reflected on the docket. FPD will provide the defendant a number representing where their respective case is positioned on the docket.
10. While waiting to provide the information to FPD, defendants will maintain social distancing. Upon providing the requested information and receiving a number, the defendant may return to their vehicle until their case is called. Alternatively, defendants may line up outside City Hall as directed by FPD. The FPD will structure the line so as to maintain adequate social distancing.
11. The docket will be called in alphabetical order. Upon a case being called, the defendant will be notified via text message and/or through an announcement made by FPD outside City Hall.

12. The defendant will enter City Hall from a side door directly into the court room. FPD will be positioned at this door and the defendant will be required to go through a security check. A touchless thermometer will be used to determine if the defendant has a temperature greater than 100.4°F. If the defendant has a temperature *greater than 100.4°F* or acknowledges currently experiencing any symptom associated with COVID-19, then their case will be reset, and they will be denied access to City Hall. The defendant will be required to sanitize their hands before entering City Hall.
13. When required, each defendant will be provided an ink pen to sign any necessary paperwork. This ink pen may be kept by the defendant or discarded in a receptacle as they exit City Hall.
14. Only one (1) defendant will be allowed in the court room at a time. Under no circumstances will there be more than ten (10) people in the court room including the judge, clerk, FPD, district attorney, public defender/attorney, victim/witness coordinator and/or defendant.
15. The defendant will be advised of the cited offense(s) and asked to enter a plea. If a case is contested, then the matter will be reset on a contested traffic docket and the defendant will receive a new court date. If the case is uncontested, then the Court will enter an appropriate disposition and direct the defendant to the Court Clerk positioned in the lobby to the rear of the court room.
16. The defendant will exit the court room to the rear through an open door, stop at the Clerk's window for payment, traffic school information, etc. and exit City Hall through the front door. All movement in City Hall will follow this one-way pattern: enter through side door, exit court room at the rear, stop at the Clerk's window and exit City Hall through front door.
17. As one defendant exits the court room another will enter.
18. This process will continue until the traffic docket has been called.

19. Any defendant that has not signed in when their case is called will be placed at the end of the traffic docket. After the traffic docket has been completed, any defendant that has not appeared will be marked FTA. If a defendant appears after being marked FTA, barring extraordinary circumstances, the only acceptable, uncontested disposition will be to pay the citation during the Clerk's regular business hours on a non-court date. Alternatively, the defendant may have their case placed on the contested traffic docket for hearing.
20. The traffic docket is expected to take approximately an hour to complete.

TRIAL/SETTLEMENT DOCKET

21. The trial/settlement docket will be numbered and in alphabetical order. The docket will contain no more than 30 cases.
22. The docket will be divided between two sessions as follows: the first half of the docket will be called between 9 a.m. and 12 p.m. and the second half will be called between 1 p.m. and 4 p.m. The docket will be called in alphabetical order. There will be no more than 15 cases per session.
23. If a defendant has retained counsel and their information is in the file, the Clerk will make an effort to contact counsel at least 48 hours in advance of the court date to advise during which sessions their client's case will be called.
24. Alternatively, counsel is encouraged to attempt to reach a settlement in their client's case prior to court. The Clerk will place on the City of Fairview website plea/probation paperwork. If the Clerk receives completed plea paperwork at least 48 hours prior to the court date, then the Court will schedule to take the plea via Zoom. If the plea will result in probation, then the defendant must complete and return a probation information form with the plea paperwork. The plea/probation paperwork may be submitted to the Clerk via fax at (615) 799-5599 or emailed to gmangrum@fairview-tn.org.

25. At least 30 minutes prior to the docket being called, FPD will be positioned outside City Hall with a copy of the docket and a sign-in sheet.
26. The defendant, attorney and/or witness will provide FPD their name and cell phone number. This information will be placed on the sign-in sheet next to the corresponding number as reflected on the docket. FPD will provide the defendant, attorney and/or witness a number representing where the case is positioned on the docket. At the time of sign-in, any unrepresented defendant who may be asking for court-appointed counsel will be provided an Affidavit of Indigency to complete while waiting on their case to be called.
27. While waiting to provide the information to FPD, defendants, attorneys and/or witnesses will maintain social distancing. Upon providing the requested information and receiving a number, the defendant, attorney and/or witness may return to their vehicle(s) until the case is called. Alternatively, defendants and attorneys may line up outside City Hall as directed by FPD. The FPD will structure the line so as to maintain adequate social distancing.
28. Upon a case being called, the defendant, attorney and any witnesses will be notified via text message and/or through an announcement made by FPD outside City Hall.
29. The defendants and attorneys will enter City Hall from a side door directly into the court room. FPD will be positioned at this door and the litigants and attorneys will be required to go through a security check. A touchless thermometer will be used to determine if the defendant and/or attorney has a temperature greater than 100.4°F. If a defendant or attorney has a temperature greater than 100.4°F or acknowledges currently experiencing any symptom associated with COVID-19, then the case will be reset, and they will be denied access to City Hall. The defendant and attorney will be required to sanitize their hands before entering City Hall.
30. When required, each defendant will be provided an ink pen to sign any necessary paperwork. This ink pen may be kept by the defendant or discarded in a receptacle as they exit City Hall.

31. The public defender will be appointed to represent litigants who qualify for court-appointed counsel unless there is a conflict. At least 48 hours prior to the court date, the public defender will notify the Clerk of any potential conflict(s) they have with any case on the docket. In the event of a conflict, the Court will appoint private counsel.
32. The district attorney will be stationed at one table in the court room and the public defender/attorney will be stationed at another. Under no circumstances will there be more than ten (10) people in the court room including the judge, clerk, FPD, district attorney, public defender/attorney, victim/witness coordinator and/or defendant. Any necessary witnesses will remain in their cars until notified to enter City Hall. If a witness is required to enter City Hall, they will be required to go through a security check. A touchless thermometer will be used to determine if a witness has a temperature greater than 100.4°F. If a witness has a temperature greater than 100.4°F or acknowledges currently experiencing any symptom associated with COVID-19 and is necessary to resolve a case, then the case will be reset, and the witness will be denied access to City Hall. The witness will be required to sanitize their hands before entering City Hall. The witness will be placed in a room adjacent to the court room so that the district attorney/public defender/attorney/witness coordinator can meet with them privately. Each case will be negotiated in the court room. At the conclusion of any discussion, one of the following shall occur: (1) the matter may be reset; (2) the matter may be reset for a preliminary hearing/probation violation hearing on a contested docket; (3) a plea may be entered; or (4) the case may be bound over on waivers.
33. The defendant and attorney will exit the court room to the rear through an open door, stop at the Clerk's window for payment of fines/fees, stop at the probation window (when applicable) and exit City Hall through the front door. All movement in City Hall will follow this one-way pattern: enter through side door, exit court room at the rear, stop at the Clerk's window, stop at the probation window (when applicable) and exit City Hall through front door.



34. As one defendant exits the court room another will enter.
35. This process will continue until the trial/settlement docket has been called.
36. Any defendant appearing after their case has been called will be placed at the end of the trial/settlement docket. After the trial/settlement docket has been completed, any defendant that has not appeared will be marked FTA.
37. Each session of the trial/settlement docket is expected to take approximately three (3) hours to complete.

#### APPEARANCE DOCKET

38. The appearance docket will begin at 12 p.m.
39. At least 30 minutes prior to the docket being called, FPD will be positioned outside City Hall with a copy of the docket and a sign-in sheet.
40. The docket will be numbered and in alphabetical order. The defendant will provide FPD their name and cell phone number. This information will be placed on the sign-in sheet next to the corresponding number as reflected on the docket. FPD will provide the defendant a number representing where their respective case is positioned on the docket. At the time of sign-in, any unrepresented defendant who will be asking for court-appointed counsel will be provided an Affidavit of Indigency to complete while waiting on their case to be called.
41. While waiting to provide the information to FPD, defendants will maintain social distancing. Upon providing the requested information and receiving a number, the defendant may return to their vehicle until their case is called. Alternatively, defendants may line up outside City Hall as directed by FPD. The FPD will structure the line so as to maintain adequate social distancing.
42. The docket will be called in alphabetical order. Upon a case being called, the defendant will be notified via text message and/or through an announcement made by FPD outside City Hall.

43. The defendant will enter City Hall from a side door directly into the court room. FPD will be positioned at this door and the defendant will be required to go through a security check. A touchless thermometer will be used to determine if the defendant has a temperature greater than 100.4°F. If a defendant has a temperature greater than 100.4°F or acknowledges currently experiencing any symptom associated with COVID-19, then the case will be reset, and they will be denied access to City Hall. The defendant will be required to sanitize their hands before entering City Hall.
44. When required, each defendant will be provided an ink pen to sign any necessary paperwork. This ink pen may be kept by the defendant or discarded in a receptacle as they exit City Hall.
45. Only one (1) defendant will be allowed in the court room at a time. Under no circumstances will there be more than ten (10) people in the court room including the judge, clerk, FPD, district attorney, public defender/attorney, victim/witness coordinator and/or defendant.
46. The defendant will be advised of the charged offense(s) and advised of their constitutional rights. No disposition will be entered on the appearance docket. All first appearances will be reset to give the defendant time to hire counsel or, if appointed counsel, time to meet with appointed counsel.
47. After receiving a new court date, the defendant will exit the court room to the rear through an open door and exit City Hall through the front door. All movement in City Hall will follow this one-way pattern: enter through side door, exit court room at the rear and exit City Hall through front door.
48. As one defendant exits the court room another will enter.
49. This process will continue until the appearance docket has been called.
50. Any defendant appearing after their case has been called will be placed at the end of the appearance docket. After the appearance docket has been

completed, any defendant that has not appeared will be marked FTA.

51. The appearance docket is expected to take approximately an hour to complete

#### INCARCERATED INDIVIDUALS

52. Although there are believed to be very few incarcerated individuals with pending cases in Fairview City Court, these matters will continue to receive priority.
53. If the Williamson County Sheriff disfavors inmates being transported to/from court, then these cases will be handled via Zoom or through some other audio/video method available at the jail. This will include timely conducting preliminary hearings/probation violation hearings when requested.

#### DISPOSITIONS INVOLVING INCARCERATION

54. Barring extraordinary circumstances, all dispositions that result in a defendant serving some period of jail time will either be reset for plea at least 60 days out or the defendant will be given a report date at least 60 days out.

#### C. Franklin:

There will be no in-person court proceedings during the month of May. The City of Franklin is implementing a process to hold court via videoconferencing through a platform such as Zoom or WebEx and each litigant will be individually notified when that process is complete and implemented.

#### D. Nolensville:

There will be no in-person court proceedings in May 2020. The judge has already reviewed the cases on the May docket and court staff will contact all litigants by telephone or by email and instruct the litigants on what steps they need to take. Most litigants will be ordered to do the on-line driver's safety school. If a litigant requests a trial, that trial will be conducted by video conference. Litigants who are required to pay a fine and/or court costs will pay

them on-line. This procedure will continue until further orders from the Tennessee Supreme Court.

E. Spring Hill:

There will be no in-person court proceedings for the month of May 2020. All cases have been continued to June 2020. If the Supreme Court's order is still in effect in June, all court proceedings will be by video conference.

**HICKMAN, LEWIS, AND PERRY COUNTIES**

**IN THE TWENTY-FIRST JUDICIAL DISTRICT DIVISION V  
CONSISTING OF HICKMAN, LEWIS, AND PERRY COUNTIES**

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IN RE: COVID-19 PANDEMIC	)	SUPREME COURT
	)	ADMINISTRATIVE ORDER
PLAN FOR RE-OPENING COURTS	)	NO. ADM 2020-00428

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**PLAN SUBMITTED UPON REQUEST OF  
*THE SUPREME COURT FOR THE STATE OF TENNESSEE***

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Tennessee courts are currently under a state of emergency upon order of the Tennessee Supreme Court, all as set forth in Administrative Order ADM 2020-00428. That order was amended on April 24, 2020 to provide, in part:

1. Jury trials of both civil and criminal matters shall continue to be prohibited through July 3rd, unless otherwise approved by the Supreme Court.
2. Certain emergency and "exempt" matters were set forth in the original order, and those matters could continue to be heard "in-person" when absolutely necessary; however, the Court reiterated that alternative means of conducting hearings, specifically video conferencing, should be used in all situations possible.
3. The March 25, 2020, guidelines set forth in the original order shall remain in effect for all courts until that court has specifically obtained approval of a "re-opening" of courts plan from the Supreme Court.
4. Plans for re-opening of the courts should be submitted to each presiding judge who will in turn submit them to the Supreme Court for approval. The written plans should include guidelines and restrictions addressing courthouse and courtroom etiquette as it relates to the pandemic, and measures similar to those provided by the Center for Disease Control were set forth as

examples.

In response to the Administrative Orders of the Supreme Court referenced above, Division V of the 21<sup>st</sup> Judicial District submits the following plan to presiding Judge Deanna Johnson for incorporation into the overall plan for the 21<sup>st</sup> Judicial District. This plan proposes the establishment of procedures intended to protect the judicial staff, security personnel, attorneys, court reporters, and witnesses who may be called to testify.

The Circuit Judge/Chancellor of Division V has contacted each of the three (3) Juvenile and General Sessions Judges of Hickman, Lewis, and Perry Counties seeking a submission of their respective plans, as well as the municipal judge of the City of Centerville; however, five (5) Judges in these three counties have requested assistance from the County Executives of each county and elected court personnel to provide an adequate and safe environment for those who may appear for a court proceeding. Due to the diversity of the counties and the distinctions between the General Sessions, Juvenile, Municipal, and the Circuit/Chancery Court, it would be impossible to incorporate procedures and policies for each court within one statement, and therefore, each court has submitted their guidelines. However, the guidelines for the physical plant where the proceedings take place are generally the same as follows:

## **GUIDELINES FOR EACH JUDICIAL CENTER**

The courthouse, justice center, and courtrooms of each court in the counties of Hickman, Lewis, and Perry shall implement the following procedures, some of which are dictated by the Center for Disease Control as recommendations, and some are of local implication and origination:

- A. Each counsel table will be equipped with hand sanitizer for use by litigants and their attorneys;
- B. Counsel tables will be separated from their normal distance by moving them farther apart, and each counsel table will have its own lectern so that one lawyer will not have to share the lectern used by opposing counsel. After each proceeding, that lectern will be wiped and disinfected.
- C. Being public buildings, each facility will have access to soap and water in the bathroom areas, and additional sanitizing agents will be supplied.
- D. Counsel, litigants, courtroom staff, security, and witnesses will be encouraged to practice social distancing and wear protective masks.
- E. Security at each facility will question each person admitted on their health, temperature, and association with anyone who has been diagnosed with the COVID-19 virus. Discretion will be used on whether to admit any person. Prior to any hearing, security personnel will be given a proposed witness list, and only those on the list will be allowed to request entrance into the courtroom. All witnesses shall remain in their vehicle or otherwise segregated pending their testimony.
- F. Photographs and other documentary proof shall be copied and filed with the court prior to any proceeding, and each counsel shall exchange his or her documents prior to the hearing so that there are no exhibits passed during the proceeding. The proponent of an exhibit will hand a copy to the witness, and the Court will already have that exhibit for review and

entry once it has been properly identified by the witness. Relevance and identification issues should be addressed and resolved by the attorneys prior to the hearing where possible.

- G. Each judicial center shall have only one entrance for the public and the stationed security personnel will be provided with a list of those authorized to enter.
- H. Each courtroom shall have a maximum of fifteen (15) people allowed in the courtroom at any given time.
- I. Standard docket calls are prohibited until the Administrative Order is relaxed. In lieu thereof, the Judge shall review the proposed dockets and take one of three approaches: (a) reset the matter to a later date; (b) set the matter for trial at a later date; (c) pull the case to a docket to hear and set the case for hearing by Zoom when feasible or by personal attendance under the above guidelines as a last resort.
- J. If more than one case is set to be heard "in-person," those cases shall be staggered such that no other party would arrive for a hearing within two (2) hours of the prior hearing. During that time, the courtroom will be sanitized to the best extent possible considering the limited financial resources of these rural counties, one of which has been designated as a "distressed" county by the State of Tennessee. In that regard, the state has authorized local health departments to provide masks to the public, and if the State departments can coordinate with the court system and share those masks, only then would each courtroom have masks available for the public and the transaction of judicial matters.
- K. When "in-person" matters are heard, which as referenced above are only in limited circumstances, spectators will not be allowed.
- L. The Court has requested each of the three counties served by Division V to establish a room, equipped with computer, monitor, microphone, speakers, and downloaded Zoom application. The "Zoom room" will be used in those cases where a matter is heard but the witness or witnesses to testify live in an area



without internet or do not have Zoom capability on their computers. In such cases, it will be the responsibility of the attorney calling that witness to notify the witness, who will be waiting in his or her vehicle, to go into the Zoom room for testimony.

#### **CRIMINAL COURT - DIVISION V**

1. All jury trials are suspended through Friday, July 3, 2020, pursuant to Administrative Order 2020-00428 of April 24, 2020.
2. Division V continues to have concern for protecting the jail population and does not believe that removing prisoners from the protection of their confinement for pleas, arraignments, and/or bond hearings is either necessary or reasonable. While there has been at least one motion to reduce a bond to ROR due to the threat the virus might have if it spreads into the jail population, there have been adequate safeguards of each jail in Division V, and, at present, the county jails are safer than the general population. The Court does not feel that exposing local inmates or handling TDOC prisoners, who may utilize a county jail space for a short time pending a plea, is wise at this point. Therefore, the proposed plan for the month of May is to continue with all criminal matters via Zoom video conferencing. Criminal case settlements and dispositions have not been diminished or jeopardized by Zoom, and, in fact, the attorneys have had additional time to prepare plea papers and have all documents in order prior to the plea. Further, it appears that the defendants are more adequately informed by this additional time and that constitutional safeguards are enhanced.
3. At the end of May, it is proposed that we look at the number of virus cases, the expansion, if any, within the jails and also consider any additional knowledge about the virus. At that point, if we can feel secure about in-court appearances, special matters can be set, however, the "normal" criminal docket will still be modified to significantly reduce the number of people in the courtroom at any given time. In either event, Zoom conferencing will continue as it is very effective and practical in this three (3) county division of the 21st Judicial District.

4. Proposed guidelines are as follows:
  - a. Arraignments will be limited to five (5) defendants in the courtroom at any given time for those out on bond. Those incarcerated will continue to be arraigned via Zoom.
  - b. Scheduling orders will remain in place, and settlements will take place vial Zoom or court appearance, in which no more than five (5) defendants will be in the courtroom at any given time and then spread throughout the courtroom at a safe distance. Once each plea is taken, probation will meet with the defendant in another room. Limitations of no more than fifteen (15) persons in the courtroom at any given time will be observed and strictly enforced.

#### **CIVIL COURT - DIVISION V**

1. Division V proposes to continue Zoom conferencing for all matters that can be benefited by that process.
2. Each clerk will provide, as in the normal course of business, a docket for the regular civil docket matters, and the judge will go through that docket and give notice of what can be heard. The cases will be divided for resolution as follows:
  - a. Those matters that can be resolved via a phone conference (motion for default judgment; motion for discovery sanctions; motions to withdraw, etc.) will be scheduled by the Judge's office and resolved.
  - b. Those matters that require a hearing and can be resolved via a Zoom conference will be coordinated with the attorneys. All documentary proof must be exchanged and filed with the Court at least three (3) days prior to the Zoom hearing. All pre-trial statements and lists of witnesses and exhibits shall be filed at least five (5) days prior to the hearing. Known evidentiary matters shall be resolved via phone conference prior to the hearing. All witness lists shall give notice of whether each party's witness is personally available by Zoom for testimony or will need to travel to a "Zoom

room," to be established at each county's courthouse. Directions on that attendance will be resolved prior to the hearing. Each counsel must sign a waiver of personal appearance to move forward via Zoom.

- c. Those matters that merit continuance to a later date will be reset by the clerk.
- d. Those matters that will be set for trial and scheduling orders prepared will be heard as needed.
- e. Those matters that, due to exceptional circumstances, require an in-court appearance for resolution will be heard after scheduling with the Judge's office. Special "in-court" restrictions will apply and control the proceedings. These restrictions are as follows:
  - i. All documentary proof/exhibits, photographs, or any other document that will be identified for proof or identification must be submitted to the Court at least three (3) days prior to trial. Each attorney shall provide a copy to opposing counsel, have one available for the witness to review when testifying, and the Court will have the document previously filed for review at that time. Each exhibit may be filed with the Court in a separate envelope to protect the integrity of the proceeding and will not be viewed by the Court until it is introduced and identified.
  - ii. The in-person proceeding will be limited to counsel for the litigants, the litigants, the court reporter, clerk, and security personnel. If a fact witness is called, they will be called to either personally to attend in the courtroom or to testify from the available Zoom room. Each attorney will have Zoom capability via their personal computer, and the Judge will host that portion of the proceeding. While witnesses, especially expert witnesses, will enter the courtroom, there may be witnesses who will testify by

Zoom and that opportunity is not overlooked.

- iii. Use of testimony via the Zoom room is encouraged. This room shall be furnished with sanitizing materials for use after each witness testifies. The witness seat will be sanitized after each witness testifies, whether in the courtroom or in the Zoom room.
- iv. Counsel will not approach the witness except for the initial handing of an exhibit to the testifying witness.
- v. Counsel and their clients will not sit closer than three (3) feet from each other.
- vi. Masks and the use of sanitizer are encouraged, and each county mayor's office has been requested to provide materials for in-court use.
- vii. Each witness shall be asked by security and by counsel calling them if they have a fever, have been ill, or have traveled outside of the county within the last five (5) days. If they have traveled it will be important to know the place of travel. It is understood that a determination may be made by the Court that a witness cannot testify, and therefore, all witnesses should be questioned by their attorney prior to the hearing.
- viii. Counsel tables will be spread out, and separate lecterns will be provided for each party.
- ix. Other safeguards may be implemented as necessary.

All matters will be reviewed in conjunction with the Administrative Orders of the Supreme Court as of the end of May, with the exception of jury trials which will not be considered

prior to July 3, 2020 and then only with approval of the Supreme Court.

#### **GRAND JURY**

The Grand Jury in each county shall continue to meet and conduct business; however, at each meeting social distancing will be observed and monitored. Witnesses shall separate themselves from the jurors and be no closer than six (6) feet from any other person.

The District Attorney General or her assistant shall be responsible for ensuring that appropriate safeguards and social distancing measures are implemented and enforced.

**IN THE GENERAL SESSIONS AND JUVENILE COURT OF HICKMAN COUNTY  
TENNESSEE AT CENTERVILLE**

PLAN FOR IN-PERSON COURT PROCEEDINGS FOR NON-EMERGENCY MATTERS  
REGARDING THE COVID-19 PANDEMIC

I. General Sessions and Juvenile Court will conduct as much business as possible by means other than In-Person Court Proceedings. Video-conferencing and telephone conferencing will be used.

II. Best efforts will be made to conduct ALL General Sessions and Juvenile Courts in a safe environment to minimize risk from In-Person Court proceedings. The procedures and protocols set forth above for the entire 21<sup>st</sup> Judicial District will be followed.

1. Admission into courtrooms:

- A. If a health screening is required to enter the building where a courtroom is located an additional health screening shall not be required to enter a space being used as a courtroom located in that building.
- B. If a face covering is required to enter the building where a courtroom is located a face covering shall be worn at all times in the courtroom.
- C. Face coverings and personal protection equipment will be allowed to be worn in any courtroom by those who choose to wear them.
- D. Justice Center security will determine the safest route to be taken to enter and exit a courtroom.
  - (1) If practical, the closest points should be used for these routes.
  - (2) If practical, different entrance and exit points should be used.

2. In-person proceedings:

- A. The Incarcerated.

(1) Local jail:

(i) Inmates incarcerated at the local jails who are to be transported to attend a court proceeding shall wear a face covering. Those who are incarcerated shall avoid contact with those defendants not incarcerated.

1. Exceptions can be made at the discretion of the Sheriff.

(ii) Exceptions must be approved by the Presiding Judge.

(2) Tennessee Department of Corrections (TDOC):

(i) Inmates incarcerated at a facility operated by the TDOC may be transported to a courtroom at the discretion and under the guidelines of the TDOC.

(ii) A proceeding involving such an inmate shall be scheduled to begin at least 15 minutes after a preceding proceeding has ended and set to end at least 15 minutes before a subsequent proceeding is scheduled to begin.

(iii) Proceedings involving inmates who are transported at the same time and in the same transport vehicle may be scheduled to occur at the same time.

B. Those who may attend court proceedings:

(1) Attendance at in-person court proceedings will be limited to the parties, their counsel, court personnel, and witnesses.

(i) Witnesses shall be kept out of the courtroom until called to testify and then shall immediately exit the courtroom when their testimony ends.

(ii) It will be encouraged that witnesses who have no other business to conduct in the building where a courtroom is

located be denied entrance into that building until they are called to testify.

(2) Exceptions to those who may attend an individual court proceeding can be made on a case by case basis by the Judge.

(i) A care-giver for a party or witness may accompany the person for whom they provide care to the court proceeding.

(ii) Examples include but are not limited to: a parent of a minor child who is a party or witness; or a person who provides medical care or assistance with mobility to a person who is a party or witness.

(iii) Signs announcing who will be allowed to attend a court proceeding should be posted outside the building entrance.

C. Number allowed in a courtroom:

(1) The number of people allowed into a courtroom at any one time is limited to ten (10), excluding the Judge, court personnel, witness, and security. A maximum number of fifteen (15) persons will be allowed in the Courtroom at any one time.

D. Seating

(1) Seating shall be at locations designated by Justice Center security in accordance with guidelines recommended by the State of Tennessee or the CDC.

E. Social distancing and management in courtroom:

(1) Social distancing distances will be based on the distances recommended by the State of Tennessee or the CDC.

(2) Management of social distancing inside the



courtroom will be the responsibility of the Judge and security personnel.

F. Court times:

- (1) When necessary to observe the courtroom capacity of fifteen (15) individuals, court times will be staggered to limit the number of people in the courtroom.
- (2) Staggering of court times will be at the discretion of the Judge.
- (3) If an attorney has multiple cases set on one day every effort will be made to group that attorney's cases into one setting time.
- (4) Parties or attorneys will not be allowed into the courtroom until the time their case is set to be heard.
- (5) A court docket that includes the names of the parties, counsel, and the time set for each case will be provided each day to Justice Center security staff. This docket is to be used to regulate entrance into the building.

III. Miscellaneous

- A. Any common area in a building where a party to a court proceeding could touch, such as door handles, should be cleaned by maintenance crews frequently throughout the day. Common areas in the courtrooms, such as podiums, the parties' tables, door handles, etc., will be cleaned more frequently.
- B. Understanding that public access to the court is of utmost importance to the public and our judicial system, one location in every courtroom will be reserved for media, and one member of the media will be allowed into court proceedings on a first come basis. Current media credentials shall be presented before access will be granted.
- C. In instances where courtrooms are used for purposes

other than court related proceedings, management of social distancing guidelines will be left to the discretion of local officials.

- D. Those attending court proceedings will be immediately ushered into and out of the courtroom and are not to have access to any other parts of the building. Lingering will not be allowed in the areas near the courtrooms and security will oversee these areas to enforce social distancing guidelines and limit lingering.
- E. These guidelines will go into effect upon the approval of the Chief Justice of the Tennessee Supreme Court.
- F. These guidelines will remain in effect pending further orders of the Court.
- G. Hand sanitizer will be stationed at entrances of buildings and in courtrooms when available.

**IN THE GENERAL SESSIONS AND JUVENILE COURT OF LEWIS COUNTY  
TENNESSEE AT HOHENWALD**

PLAN FOR IN-PERSON COURT PROCEEDINGS FOR NON-EMERGENCY MATTERS  
REGARDING THE COVID-19 PANDEMIC

I. General Sessions and Juvenile Court will conduct as much business as possible by means other than In-Person Court Proceedings. Video-conferencing and telephone conferencing will be used.

IV. Best effort will be made to conduct ALL General Sessions and Juvenile Courts in a safe environment to minimize risk from In-Person Court proceedings. The procedures and protocols set forth above for the entire 21<sup>st</sup> Judicial District will be followed.

1. Admission into courtrooms:

- A. If a health screening is required to enter the building where a courtroom is located an additional health screening shall not be required to enter a space being used as a courtroom located in that building.

- B. If a face covering is required to enter the building where a courtroom is located a face covering shall be worn at all times in the courtroom.
- C. Face coverings and personal protection equipment will be allowed to be worn in any courtroom by those who choose to wear them.
- D. Courthouse security will determine the safest route to be taken to enter and exit a courtroom.
  - (1) If practical, the closest points should be used for these routes.
  - (2) If practical, different entrance and exit points should be used.

2. In-person proceedings:

F. The Incarcerated.

(1) Local jail:

(i) Inmates incarcerated at the local jails who are to be transported to attend a court proceeding shall wear a face covering. Those who are incarcerated shall avoid contact with those defendants not incarcerated.

(1) Exceptions can be made at the discretion of the Sheriff.

(ii) Exceptions must be approved by the Presiding Judge.

(2) Tennessee Department of Corrections (TDOC):

(i) Inmates incarcerated at a facility operated by the TDOC may be transported to a courtroom at the discretion and under the guidelines of the TDOC.

(ii) A proceeding involving such an inmate shall be scheduled to begin at least 15 minutes after a preceding

proceeding has ended and set to end at least 15 minutes before a subsequent proceeding is scheduled to begin.

- (iii) Proceedings involving inmates who are transported at the same time and in the same transport vehicle may be scheduled to occur at the same time.

G. Those who may attend court proceedings:

- (1) Attendance at in-person court proceedings will be limited to the parties, their counsel, court personnel, and witnesses.
  - (i) Witnesses shall be kept out of the courtroom until called to testify and then shall immediately exit the courtroom when their testimony ends.
  - (ii) It will be encouraged that witnesses who have no other business to conduct in the building where a courtroom is located be denied entrance into that building until they are called to testify.
- (2) Exceptions to those who may attend an individual court proceeding can be made on a case by case basis by the Judge
  - (i) A care-giver for a party or witness may accompany the person for whom they provide care to the court proceeding.
  - (ii) Examples include but are not limited to: a parent of a minor child who is a party or witness; or a person who provides medical care or assistance with mobility to a person who is a party or witness.
  - (iii) Signs announcing who will be allowed to attend a court proceeding should be posted outside the building entrance.

C. Number allowed in a courtroom:

- (1) The number of people allowed into a courtroom

at any one time is limited to ten (10), excluding the Judge, court personnel, witness, and security. A maximum number of fifteen (15) persons will be allowed in the Courtroom at any one time.

D. Seating

- (1) Seating shall be at locations designated by courthouse security in accordance with guidelines recommend by the State of Tennessee or the CDC.

E. Social distancing and management in courtroom:

- (1) Social distancing distances will be based on the distances recommended by the State of Tennessee or the CDC.
- (2) Management of social distancing inside the courtroom will be the responsibility of the Judge and security personnel.

F. Court times:

- (1) When necessary to observe the courtroom capacity of fifteen (15) individuals, court times will be staggered to limit the number of people in the courtroom.
- (2) Staggering of court times will be at the discretion of the Judge.
- (3) If an attorney has multiple cases set on one day every effort will be made to group that attorney's cases into one setting time.
- (4) Parties or attorneys will not be allowed into the courtroom until the time their case is set to be heard.
- (5) A court docket that includes the names of the parties, counsels, and the time set for each case will be provided each day to courthouse security staff. This docket is to be used to regulate entrance into the building.

### III. Miscellaneous

- A. Any common area in a building where a party to a court proceeding could touch, such as door handles, should be cleaned by maintenance crews frequently throughout the day. Common areas in the courtrooms, such as podiums, the parties' tables, door handles, etc., will be cleaned more frequently.
- B. Understanding that public access to the court is of utmost importance to the public and our judicial system, one location in every courtroom will be reserved for media, and one member of the media will be allowed into court proceedings on a first come basis. Current media credentials shall be presented before access will be granted.
- C. In instances where courtrooms are used for purposes other than court related proceedings, management of social distancing guidelines will be left to the discretion of local officials.
- D. Those attending court proceedings will be immediately ushered into and out of the courtroom and are not to have access to any other parts of the building. Lingerling will not be allowed in the areas near the courtrooms and security will oversee these areas to enforce social distancing guidelines and limit lingerling.
- E. These guidelines will go into effect upon the approval of the Chief Justice of the Tennessee Supreme Court.
- F. These guidelines will remain in effect pending further orders of the Court.
- G. Hand sanitizer will be stationed at entrances of buildings and in courtrooms when available.

**IN THE GENERAL SESSIONS AND JUVENILE COURT OF PERRY COUNTY  
TENNESSEE AT LINDEN**

PLAN FOR IN-PERSON COURT PROCEEDINGS FOR NON-EMERGENCY MATTERS  
REGARDING THE COVID-19 PANDEMIC

I. General Sessions and Juvenile Court will conduct as much business as possible by means other than In-Person Court Proceedings. Video-conferencing and telephone conferencing will be used.

V. Best effort will be made to conduct ALL General Sessions and Juvenile Courts in a safe environment to minimize risk from In-Person Court proceedings. The procedures and protocols set forth above for the entire 21<sup>st</sup> Judicial District will be followed.

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- C. Face coverings and personal protection equipment will be allowed to be worn in any courtroom by those who choose to wear them.
- D. Courthouse security will determine the safest route to be taken to enter and exit a courtroom.
  - (1) If practical, the closest points should be used for these routes.
  - (2) If practical, different entrance and exit points should be used.

2. In-person proceedings:

- H. The Incarcerated.

(1) Local jail:

(i) Inmates incarcerated at the local jails who are to be transported to attend a court proceeding shall wear a face covering. Those who are incarcerated shall avoid contact with those defendants not incarcerated.

(1) Exceptions can be made at the discretion of the Sheriff.

(ii) Exceptions must be approved by the Presiding Judge.

(2) Tennessee Department of Corrections (TDOC):

(i) Inmates incarcerated at a facility operated by the TDOC may be transported to a courtroom at the discretion and under the guidelines of the TDOC.

(ii) A proceeding involving such an inmate shall be scheduled to begin at least 15 minutes after a preceding proceeding has ended and set to end at least 15 minutes before a subsequent proceeding is scheduled to begin.

(iii) Proceedings involving inmates who are transported at the same time and in the same transport vehicle may be scheduled to occur at the same time.

I. Those who may attend court proceedings:

(1) Attendance at in-person court proceedings will be limited to the parties, their counsel, court personnel, and witnesses.

(i) Witnesses shall be kept out of the courtroom until called to testify and then shall immediately exit the courtroom when their testimony ends.

(ii) It will be encouraged that witnesses who have no other business to conduct



in the building where a courtroom is located be denied entrance into that building until they are called to testify.

(2) Exceptions to those who may attend an individual court proceeding can be made on a case by case basis by the Judge

(ii) A care-giver for a party or witness may accompany the person for whom they provide care to the court proceeding.

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D. Seating

(1) Seating shall be at locations designated by courthouse security in accordance with guidelines recommend by the State of Tennessee or the CDC.

E. Social distancing and management in courtroom:

(5) Social distancing distances will be based on the distances recommended by the State of Tennessee or the CDC.

(6) Management of social distancing inside the courtroom will be the responsibility of the Judge and security personnel.

F. Court times:

- (1) When necessary to observe the courtroom capacity of fifteen (15) individuals, court times will be staggered to limit the number of people in the courtroom.
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- (7) If an attorney has multiple cases set on one day every effort will be made to group that attorney's cases into one setting time.
- (8) Parties or attorneys will not be allowed into the courtroom until the time their case is set to be heard.
- (5) A court docket that includes the names of the parties, counsels, and the time set for each case will be provided each day to courthouse security staff. This docket is to be used to regulate entrance into the building.

III. Miscellaneous

- H. Any common area in a building where a party to a court proceeding could touch, such as door handles, should be cleaned by maintenance crews frequently throughout the day. Common areas in the courtrooms, such as podiums, the parties' tables, door handles, etc., will be cleaned more frequently.
- I. Understanding that public access to the court is of utmost importance to the public and our judicial system, one location in every courtroom will be reserved for media, and one member of the media will be allowed into court proceedings on a first come basis. Current media credentials shall be presented before access will be granted.
- J. In instances where courtrooms are used for purposes other than court related proceedings, management of social distancing guidelines will be left to the discretion of local officials.

- K. Those attending court proceedings will be immediately ushered into and out of the courtroom and are not to have access to any other parts of the building. Lingered will not be allowed in the areas near the courtrooms and security will oversee these areas to enforce social distancing guidelines and limit lingering.
- L. These guidelines will go into effect upon the approval of the Chief Justice of the Tennessee Supreme Court.
- M. These guidelines will remain in effect pending further orders of the Court.
- N. Hand sanitizer will be stationed at entrances of buildings and in courtrooms when available.

## CONCLUSION

The Courts of the 21<sup>st</sup> Judicial District have worked in coordination with each other relative to the submission of this Comprehensive Plan. The Courts of the 21<sup>st</sup> Judicial District will continue to work in coordination with each other to afford litigants the greatest social distancing available in each and every Courtroom observing as a minimum standard of the Center for Disease Control recommended social distancing practice. The Courts of the 21<sup>st</sup> Judicial District, recognizing that protecting the health, safety, and welfare of the public as well as assuring the core constitutional functions and rights of all protected individuals are adhered to adopt this plan subject to the approval of the Supreme Court. The Courts of the 21<sup>st</sup> Judicial District have proposed this plan with said goal in mind and anticipate the submission of additional "graduated plans" if and/or when the Supreme Court modifies any provisions of the Administrative Order ADM2020-000428.