

KNOX COUNTY SESSIONS COURT REOPENING PLAN PRACTICE POINTS

Capacity: Once the Tennessee Supreme Court grants permission to commence in-person court proceedings Knox County Sessions Courts will reopen all 4 criminal sessions courts as previously scheduled, but with much smaller docket sizes, meaning less than 50% capacity and still within CDC guidelines.

Masks: The request is that all in-court participants wear a mask. General Sessions Court will not provide a mask; however, GS judges are construing “mask” liberally – a bandana, t-shirt, or any similar cloth may be tied around the nose/mouth and serve as a “mask.”

Court Attendees: On all cases, the Sessions Judges request that Defendants enter the courtrooms without family members or support individuals until safe spacing is available.

1st Sessions (Misdemeanor) Courtroom:

8:30 AM Monday – Friday: Convening at 8:30 am the jail case docket will continue. This docket will include incarcerated defendants charged with misdemeanors typically set for preliminary hearings or matters to be argued before the judge.

9:00 AM Monday – Friday: The regular Misdemeanor docket starts at 9am and the Defendants will enter as space becomes available.

2nd Sessions (DUI) Courtroom:

8:30 AM Monday – Friday: Guilty pleas, agreed announcements (Example: Defendant is submitting on a VOP) and agreed Waivers of Preliminary Hearings will continue by video from the Detention Facility (DF) convening at 8:30am. ALSO Convening at 8:30 am the jail case docket will continue. This docket will include incarcerated defendants charged with DUIs typically set for preliminary hearings or matters to be argued before the judge.

9:00 AM Monday – Friday: DUI docket starts at 9am.

3rd Sessions (Felony) Courtroom:

8:30 AM Monday – Friday: Convening at 8:30 am the jail case docket will continue. This docket will include incarcerated defendants charged with felonies typically set for preliminary hearings or matters to be argued before the judge.

9:00 AM Monday – Friday: Felony docket starts at 9am.

4th Sessions (Cited/Bonded Arraignment) Courtroom:

8:30 AM Monday – Friday: Cited Docket starts at 8:30 am.

(10:00 AM Monday – Friday): Bonded Arraignment docket technically starts at 10am but will commence as Defendants appear and space is available.

PRACTICE POINTS:

All information, dates, schedules, etc., contained in this document are subject to change should the Tennessee Supreme Court modify the current court reopening schedule of June 15, 2020.

This schedule is a proposal and is subject to change depending on jail docket sizes and other factors.

On any case where there is an agreement to waive the Defendant's presence because the case is going to be reset or the Defendant has provided written proof of compliance with plea conditions, etc., the Court encourages parties by agreement to remove those cases from the docket or make the announcement in court without the Defendant.

The Court asks that all attorneys consult JIMS and know when their cases are set. ADAs are encouraged to reach out to defense attorneys they have not heard from when there are cases set the following day. There is concern about the lack of input from the private bar in docketing of cases and hope that they will appear as scheduled.

ATTACHMENTS:

Due to multiple resets of cases resulting from COVID-related closings, once dockets commence, *on a temporary basis as the courts reopen*, the Knox County General Sessions Court policy for attachments due to failures to appear without a verified compelling reason will be:

For Booking, the first missed booking will result in a reset; the second missed booking will result in an attachment issuing.

For DUIs and any non-violent misdemeanor or felony failure to appear (FTA), the Court will grant 1 reset, then issue an attachment for the next failure to appear.

In Violent offenses such as Domestic Assault, Aggravated Assault, Robberies, etc. the Court can attach on the first missed court appearance/FTA.

Even when attachments issue, the Courts have the authority and discretion to set an appropriate bond, including ROR, Pretrial release at Levels 1 through 3, appearance bonds etc.

Per Curiam

Knox County General Sessions Judges