

AS YOU KNOW, THIS IS A FLUID AND DYNAMIC SITUATION. PLEASE KEEP REFERRING TO THIS WEBSITE FOR UPDATES!

Pursuant to Tennessee Supreme Court order No. ADM2020-00428 that suspended most in-court proceedings through March 31, here are the procedures the Seventh Circuit Court is now implementing until further notice:

THERE WILL BE NO IN-COURT PROCEEDINGS IN MARCH UNLESS YOU ARE CONTACTED BY THE COURT AND ONLY IF YOUR CASE FALLS WITHIN THE SUPREME COURT EXCEPTIONS.

PRO SE LITIGANTS:

- If you know how to e-file, see the attorneys section below.
- If you don't know how to e-file, contact the Probate Court Clerk for information on what its procedure is for filing. This is a fluid situation and things are changing quickly, so please call before you come to the courthouse. **DO NOT COME TO THE COURTHOUSE WITHOUT CALLING AND TALKING WITH THE CLERK.** The clerk's office or building may be closed to the public on the day you wanted to come, so calling first is necessary.

INTERESTED PARTIES WITHOUT ATTORNEYS:

- **If you wish to contest something that has been filed, including fee motions, you MUST file a written statement with the clerk stating your objection and the reasons why. Please include the case number, case name, and your name printed neatly so the Court can read it. Please also include your phone number! Finally, you must sign your statement.** Because of this public health emergency, some pleadings will be ruled upon without a hearing and the Court won't know of your objection unless you file something! If you don't know how to e-file, contact the Probate Court Clerk for information on what its procedure is for filing. **DO NOT COME TO THE COURTHOUSE WITHOUT CALLING AND TALKING WITH THE CLERK.**

ATTORNEYS:

- Please e-file your pleadings, motions, and other papers as you normally would, and please continue to set those cases on an available Wednesday or Thursday morning docket or Friday motion docket (for motions only). If you are not ready to set your filing on a docket yet, you will need to later file a notice of hearing with an approved date.

CASES DOCKETED ON A WEDNESDAY OR THURSDAY MORNING:

- By blanket order signed by Judge Kennedy on March 17, 2020, all petitions for letters of administration, petitions to probate a will (for full admin or for muniment only), petitions to reopen estates, petitions to appoint an administrator ad litem, name change petitions, and small estate affidavits will be reviewed by the Special Master at some point after the scheduled docket date of your case. The Court will produce the order for the Special Master to sign.
- Any contested case or case that fits outside the normal parameters of what the Special Master hears will, by Local Rule, be declined by the Special Master and sent to the Judge. The Judge will review these cases as well as any other case not sent to the Special Master and decide under his discretion whether to rule on the case without a hearing, rule on part of the case and continue indefinitely another part, hold a telephonic or video hearing, or continue the entire case indefinitely until an in-courtroom hearing can be safely held. If he does not sign the order, you

will be contacted. For now, it is possible the Court will create its own order. Please check back for updates on filing proposed orders.

- *For cases with Wills/Codicils:* the original testamentary instrument will need to be filed with the clerk before the order is signed. There is a drop box outside the clerk's office for your use. Please keep checking this website for further information and procedures in case there are changes to public access to the building.
- If you are opening a full administration of an estate, you will need to arrange with the clerk payment for publication for creditors before your specific letter of authority is issued.

CONSERVATORSHIPS AND GUARDIANSHIP CASES:

THOSE ALREADY DOCKETED

- After the Judge reviews the pleadings and GAL report (if one was appointed), the Court will contact you as to how the Court will proceed with your case (continued, rule upon without hearing, hold a telephonic or video hearing, etc). Under no circumstances is any party to appear at the courthouse without prior instruction from the Court.
- Guardian ad litem must file their report three or more days before the docketed date of the case! This statutory requirement has not been changed. File what you know...you can always file as a supplemental report what you've learned since your initial report.

THOSE FILED BUT NOT YET DOCKETED:

- The Court will, as always, decide whether or not to appoint a guardian ad litem and will contact you about further proceedings. If you have not been contacted after two weeks have passed since you filed the pleading, please feel free to call us and check, but not before then.

CASES SPECIALLY SET IN MARCH (MONDAYS, TUESDAYS, WEDNESDAY AFTERNOONS, THURSDAY AFTERNOONS)

- Your case is continued indefinitely. The Court will be reviewing those cases, however, and if it is apparent to Judge Kennedy immediate action needs to be taken before April, the Court will contact you regarding Judge's decision on how and when to hear your case. Do NOT come to court.
- For all other cases, the Court will contact you to reschedule your hearing when the courtroom is available to safely hold hearings.

CASES SPECIALLY SET IN APRIL OR BEYOND (MONDAYS, TUESDAYS, WEDNESDAY AFTERNOONS, THURSDAY AFTERNOONS)

- Your case will proceed as scheduled, unless the Supreme Court extends its order to include weeks in which your case is scheduled. If that happens, the procedure for your case will be handled the same way as the above March cases.

MOTION DOCKET

- Continue to file your motions and set on an available motion date no less than two weeks after your filing.
- After a particular motion day, the Judge will review your motion and any response filed, and under his discretion determine whether to rule upon the motion without a hearing, to hold a

telephonic hearing with those that filed the motion and those that filed any responses, or to continue the motion until the courtroom can be safely utilized.

- Please file your proposed order as you normally would, but keep checking back to this site for updates on that. Please be patient after a motion day for your order to be signed or for you to be contacted.

Thanks to all of you for your patience and understanding as we all try to heed the advice of experts to hinder the spread of this awful virus. We know our Court is special because of the wonderful attorneys that come before us, and we welcome your suggestions and ideas if this pandemic continues to disrupt court proceedings.