

IN THE SEVENTH JUDICIAL DISTRICT FOR THE STATE OF TENNESSEE
ANDERSON COUNTY CIRCUIT AND CRIMINAL COURT

IN RE:

STANDING ORDER: 2020-03

COVID-19 PANDEMIC

AMENDED
STANDING ORDER REGARDING
GRADUALLY OPENING THE COURT

On or about March 13, 2020, the Supreme Court declared a state of emergency, and an Order was entered setting out guidelines for the in-person court proceedings as a result of the “disaster”, caused by the COVID-19 PANDEMIC. That Order was supplemented by the Order of March 25, 2020, and both Orders were supplemented by Order filed on April 24, 2020. The Order of April 24, 2020, and specifically paragraph number three on page two of that Order required the Presiding Judge of each District or other designee, to develop a comprehensive plan to begin non-emergency in person proceedings. The Presiding Judge of the Seventh Judicial District, the undersigned, personally consulted with every sitting Judge in the Seventh Judicial District, either by telephone, or in person at a joint meeting with those Judges on April 28, 2020. On that date, as a result of that contact with all Judges, either by phone, and as a result of our meeting on April 28, 2020, and in compliance with paragraph three of the Supreme Court Order of April 24, 2020, the Judges agreed thereafter and submitted an Order to the Tennessee Supreme Court for approval. That Order was denied on Friday, May 1, 2020. That denial also contained suggestions, and the Courts have used those suggestions to otherwise modify that Order, and the Amended Order shall be as here and after set out and shall so be ORDERED:

1. That each Court will conduct as much business as possible by means other than in person Court proceedings and those proceedings will continue as in the past

pursuant to the previous Orders of this Court, and by telephone, teleconferencing, email, video conferencing, or other means that do not directly involve in person contact.

2. That the Clerk's Office for each Court, shall continue to fully cooperate as they in the past with the Clerks of this District doing a tremendous job for each Court in this District.
3. That the facility where any judicial proceeding being held in the county continues to be open to conduct court business. County and court officials recognize the importance of following the guidelines and recommendations of the CDC and the State of Tennessee' Department of Health for the individuals accessing these facilities.
4. Chancery, Circuit, Criminal, General Sessions Division I and Child Support Courts are located on the 3rd floor of the Courthouse in Anderson County Tennessee. The dedicated point of access to all of these Courts and the Court Clerk's office is through the front door of the main floor. Individuals accessing the 3rd floor will be immediately directed to the appropriate Courtroom and/or Court Clerk's office. Witnesses accessing this courthouse will be asked to wait in their vehicle or outside the courthouse until they are called to testify. If there is sufficient space in a vacant room, witnesses will be permitted to wait there while at all times observing social distancing guidelines.
5. The General Sessions Court, Division II, as well as the Juvenile Courtroom, are each located in separate facilities. There will be a designated point of access to all of these Courts and the Court Clerk's office. Individuals will be immediately directed to the appropriate Courtroom and/or Court Clerk's office. Witnesses

accessing this facility will be asked to wait in their vehicle or outside the courthouse until they are called to testify. If there is sufficient space in a vacant room, witnesses will be permitted to wait there while at all times observing social distancing guidelines.

6. The five municipal Courts, those Courts being for Oliver Springs, Rocky Top, Clinton, Norris and Oak Ridge, There will be a designated point of access to all of these Courts and the Court Clerk's office. Individuals will be immediately directed to the appropriate Courtroom and/or Court Clerk's office. Witnesses accessing this facility will be asked to wait in their vehicle or outside the courthouse until they are called to testify. If there is sufficient space in a vacant room, witnesses will be permitted to wait there while at all times observing social distancing guidelines.
7. That each Judge of each Court shall ensure that there are a maximum of no more than 10 people in a courtroom at any time as it pertains to attorneys and litigants plus the necessary court personnel, such as the Judge, court reporter, security and the clerk while physical distancing is to be maintained. Benches are marked where seating is appropriate in each courtroom and only attorneys and court personnel are allowed in front of the bar while utilizing physical distancing. Wearing of cloth masks by staff and the public are encouraged.
8. The Sheriff's staff shall screen all staff, its officers and inmates prior to being brought to the Courthouse and prior to entering the facilities. Security at the entrance to the Courtrooms shall also check any other persons who are attempting to enter the Courtroom, and they shall be screened by a touchless thermometer, and any individual with temperatures of 100.4 Fahrenheit shall be required to

leave the premises immediately. Witnesses are only allowed by exception and when called utilizing witness holding rooms, and automobiles when necessary as set out above.

9. Court Officers shall also post information about health precaution for attorneys, litigants, and staff (such as maintain an appropriate physical distance). Hallway and stairwell doors shall remain open, 2 persons maximum in elevators , hand sanitizer shall be utilized to the extent possible. All personnel are advised to bring and wear appropriate mask over nose and mouth. Daily cleanings according to Tennessee Health Department guidelines of offices and courtrooms when used. Attorneys should advise litigants with any symptoms of illness to be tested and to stay home until they receive test results.
10. That there are five Municipal Courts, one Juvenile Court, two General Sessions, one Child Support Court, one Chancery Court and one Circuit/Criminal Court. Many of these Courts are located in different facilities, however the parties have agreed that as it pertains to witnesses, the previous guidelines shall be enforced in each case that a witness is to testify, and the “Rule” is requested so that the witness is excluded from the Courtroom. The Courts further recognize that most people have a great fear of contracting COVID-19 virus, and therefore if in fact there is any witness that objects to a hearing before the Courtrooms are fully opened up and back to normal, then each Court is encouraged to continue the case until another time that is agreeable to all parties including the witness.
11. Non-jury cases, whether criminal or civil may be heard at the Judge’s discretion based upon the projected length of case, and number of witness who may testify.

12. That the total number of cases to be heard by each Judge in each Court shall be set based upon the Judge's expectation of time for each case; the staggering of total cases per hour; and limiting the number of cases to be heard each hour in each day. It is important that cases be staggered so that the Courtroom capacity is not exceeded, and this may even mean one case with their witnesses will be heard with the Courtroom otherwise empty. This applies to both Criminal and Civil cases.
13. Upon entering each Courtroom, everyone is "encouraged" to use both gloves and facemasks. This is not an order of the Court; it is simply an encouragement.
14. Understanding that the Municipal Courts may not have the assets to purchase these individual thermometers.
15. There shall be no jury trial until the Supreme Court lifts its restriction of jury trials.
16. That all types of hearings previously sanctioned by the Tennessee Supreme Court, shall continue to be heard, and again, each Judge is encouraged to utilize available technologies such as and telephone, teleconferencing, email, video conferencing, as set out above.
17. That the Grand Jury for Anderson County shall be able to meet in the County Commission Room, which is the normal Grand Jury meeting room and that room has sufficient spacing so that each member of the Grand Jury can exercise physical distancing.
18. That this Order shall take effect only upon approval by the Tennessee Supreme Court.

19. That if this Plan/Order is approved by the Tennessee Supreme Court, then it shall remain in effect until otherwise terminated or modified by Order of the Tennessee Supreme Court or this District.
20. That it is expected that this plan shall take effect on May 11, 2020 if and only if approved by the Tennessee Supreme Court.

ENTER THIS THE 6th DAY OF MAY 2020

JUDGE DONALD ELLEDGE
CIRCUIT AND CRIMINAL COURT PRESIDING JUDGE

Clerk's Certificate of Service

I hereby certify that a copy of this Order has been served on M. Nichole Cantrell, Chancellor General Sessions Division I Judge, Don A. Layton, General Sessions Division II Judge, Roger Miller, Juvenile Court Judge, Brian Hunt, Child Support Magistrate, Josephine Clark, City Judges for the City of Norris, Rocky Top, Oak Ridge, Oliver Springs and Clinton by placing the same in the United States Mail, postage prepaid this the _____ day of _____, 2020.

Deputy Clerk Deputy Clerk