



CHANCERY COURT

STATE OF TENNESSEE
FIRST JUDICIAL DISTRICT
CARTER, JOHNSON, UNICOI, WASHINGTON COUNTIES

CHAMBERS OF
JOHN C. RAMBO

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To: Attorneys Practicing in the Chancery Court for the First
Judicial District

From: Chancellor Rambo

Date: May 1, 2020

Re: *In-Person Chancery Court Hearings and Trials*

As you should be aware, the First Judicial District will be reopening for in-person hearings beginning Monday, May 4, 2020. Thank you for your patience and cooperation throughout these past few weeks. Our attorneys deserve credit for their professionalism. Many of you have questions concerning how this will work, so I am providing you with details about what to expect in Chancery Court. The approved plan that is applicable to the First Judicial District is posted on the Administrative Office of the Court's website. This purpose of this correspondence is to provide insight into how I presently intend to comply with reopening plan for the First Judicial District. Please be patient with me as this is a new challenge for all of us.

Our Goals

The top priority of the Chancery Court is to complete our work and to make the attorneys, court staff, and public feel safe, comfortable and confident in our processes when we reopen. The Court is open to doing everything reasonably possible to accommodate your concerns and to protect your health. Please do not hesitate to bring your concerns to the Clerk and Masters, the

Court, or Ms. Stephanie Radford (judicial assistant for Chancery Court).

Exhibits

The Court intends to limit the passing of paper as much as possible. In Washington and Carter Counties, the use of the Elmo equipment is temporarily required. Sarah Lawson in Washington County and Drew LaPorte in Carter County are your contact persons on assisting you with this equipment. For documents, please make two copies. The originals are for the Court and copies are for you and opposing counsel. The goal is to minimize the passing around of documents. The witness will see the exhibit on the video screens and the originals will be placed in the Court file.

Witnesses

The judges are asking court personnel and the bailiffs to assist us in controlling the entrance to the courthouse. To facilitate this, Chancery Court will need your list of witnesses. Accordingly, for any case that requires testimony, the Chancery Court will require you to comply with the Witness & Exhibit list requirements of the local rules – not just for traditional trials. From this witness list, we will provide the bailiffs with a list of persons expected in Chancery Court. If you fail to provide a witness list, the Court reserves the right to disallow the testimony of your witness(es).

We hope you will consider wearing facial protection. Please let your clients and witnesses know that masking is encouraged. In certain situations, the Court may require a witness to remove a mask before testifying. This is an unknown variable. For examples: 1) one witness may be clearly heard through the mask, or 2) we may have plenty of distance from the witness box as in Carter County. Most importantly, we will strive to make sure your witnesses are not asked to remove their masks if they have a strong opposition to removal. Because hearing through a mask

may be difficult, please plan your questions for a concise examination.

Social Distancing

There is a limit to 10 persons in the courtroom gallery. We are staggering the docket and attempting to group cases by attorney to get you in and out of the courtroom as quickly as possible. The Chancery Court will allow you to use your cellphone in the courtroom to coordinate your witnesses. Please just tell the court you need to make a call to your witness. Witnesses should remain outside of the building until you call them. Place your call or text your witness with enough time to have the witness in the courtroom when it is time for the witness to testify. Our Clerk and Masters will assist you if you have problems getting your witnesses into the courthouse because of security.

Video Conferencing

Video conferencing remains the first choice for hearings that do not involve testimony in a contested hearing. The Court expects the attorneys to coordinate the particulars of their hearing or trial with each other. The Court will allow witnesses to testify by video only by agreement of the parties or for good cause shown. Please contact Ms. Radford regarding telephone and video conferencing.

Depositions

Depositions are allowed, so long as social distancing requirements are in place. Discovery depositions by video conference remain the preferred method. For multiparty litigation, we will attempt to make courtrooms available for depositions to the extent they are available. Obviously, we have a limited ability to accommodate depositions in courtrooms. Please contact the Clerk and Masters regarding the use of a courtroom for a deposition.

Docket Priority

Due to the backlog of cases, please be advised that multiday trials are most at risk for involuntary continuances. Termination of parental rights cases have strict time deadlines and take docket priority.

Courtroom Protocols

Each courtroom is marked for designated seating in the gallery. Attorneys and clients are required to sit at opposite ends of the attorney's table. Please bring a notepad and pen or pencil for your client to communicate with you during trial. Plan to pass notes back and forth to your client. To the extent note passing is insufficient, the Court will allow time for you to consult with your client.

Water will not be provided by the Court. You may bring your own water bottle into the courtroom.

To the extent available, hand sanitizer will be provided in the courtroom. Please bring your own, if you have it. Handwashing breaks will be liberally granted.

The Court will work with appropriate personnel in each county to often sanitize surfaces subject to frequent human contact.

Unfortunately, the Courts have a very limited supply of disposable masks. Again, bring your own and let your client and witnesses know they are encouraged to wear a mask.