

CHANCELLOR JOEDAE L. JENKINS
COURT POLICIES AND PROCEDURES
PART III OF THE CHANCERY COURT OF SHELBY COUNTY, TENNESSEE

COURT HOURS

Court convenes Monday and Friday at 9:00 a.m.

Court convenes Tuesday, Wednesday and Thursday at 10:00 a.m.

If matters cannot be concluded before the noon lunch break, the Court will recess until 1:30 p.m. and will continue with the morning docket until completion.

MOTIONS

1. Friday Motion Docket

The Friday Motion Docket is heard from 9 a.m. to 10 a.m. every Friday. Friday motions are primarily scheduled via the Chancery Court website at **chancerycourt.shelbycountyttn.gov**.

Parties may schedule motions either online or on the public access computer in Room 308 of the Chancery Court Clerk's office.

All motions that are to be scheduled for the Friday Motion Docket must be filed with the Clerk's office and notice sent to opposing parties by the previous Friday.

Pursuant to Tenn. R. Civ. P. 7.02 and Local Rule 10, all motions are to be in writing, and:

“For the non-dispositive Friday Motion Docket, counsel for the proponent of the motion must deliver a copy of all briefs and memoranda to the Chancellor, [Judicial Clerk] or the Courtroom Clerk **at least five (5) working court days** before the motion is argued, and counsel for the responding party or parties must deliver a copy of all responsive briefs and memoranda to the Chancellor, [Judicial Clerk,] or the Courtroom Clerk **at least two (2) working days** before the motion is argued, to give the Chancellor a reasonable opportunity to read the briefs before the hearing.”

See Local Rule 10(e) (emphasis added). Failure to follow the above requirements may result in the motion not being heard.

You may email the Judicial Clerk at **Lawclerk3@shelbycountyttn.gov** or call (901) 222-3939.

2. Specially Set Motions

Dispositive motions, such as motions for summary judgment and motions to dismiss, as well as motions that will exceed fifteen minutes to hear or that require proof to be taken, must be specially set with the Courtroom Clerk, Ms. JT Hall. Ms. Hall may be reached at **(901) 222-3941** or **JT.Hall@shelbycountyttn.gov**.

Ms. Hall requires that counsel for all parties be present in the courtroom to specially set motions. Dates will not be provided over phone or email.

3. Dispositive Motions

“All motions for summary judgment and to dismiss shall be filed at least thirty (30) days before hearing of same. Attorneys for the proponent of the motion shall deliver copies of memorandum briefs to the Court (with a copy of affidavits and supporting documents), and shall file with the Clerk all affidavits and supporting documents **at least thirty (30) days prior to the hearing** of the motion.”

Local Rule 10(i) (emphasis added).

“Attorneys for the Respondent shall deliver copies of memorandum briefs to the Court (with a copy of affidavits and supporting documents), and shall file with the Clerk all affidavits and supporting documents **at least ten (10) days prior** to the hearing of the motion.”

Id. (emphasis added). Failure to follow the above requirements may result in the motion not being heard.

ORDERS

All Orders that are to be presented to the Court for signature must first be submitted to the Courtroom Clerk to ensure the Order is in compliance with the rules of the Court. All Orders must contain all **attorney names, BPR numbers, addresses, phone numbers and email**

addresses. All Orders must contain all *pro se* party **names, addresses, phone numbers and email addresses.** See Tenn. R. Civ. P. 11.01, and see Local Rule 18. See generally Local Rule Introductory Statement.

All Orders must be submitted **within seven days** of a hearing on a matter.

1. Proposed Findings of Fact and Conclusions of Law

All proposed findings of fact and conclusions of law should be emailed to the Judicial Clerk at **Lclerk3@shelbycountyttn.gov** in **Microsoft Word format** as .doc or .docx files.

2. Consent Orders

Consent Orders may be entered at any time. However, all the facts in the Order must be consented to. The Court should not be asked to adjudicate any aspect of a matter. All attorneys and *pro se* parties must sign the Order. If signatures cannot be obtained or the attorney agrees for another attorney to sign his or her name to the Order, then there must be a certificate of service attached to the Order. The certificate must state who is receiving the Order and the address or addresses where the Order is being sent. *Pro se* parties may not sign by permission.

3. Orders by Interchange

Orders by interchange may be entered if the sitting Judge in Circuit or Chancery is not available. However, an Order by interchange may not be entered when another Judge has heard proof on the case unless both attorneys personally sign the Order and agree with its content. Temporary Restraining Orders and other emergency orders may be heard by interchange if good cause is shown.

4. Certificate of Service

The following Orders must have a certificate of service, unless all parties have signed the Order:

- A. Dispositive Orders;
- B. Orders setting a date for a hearing;
- C. Orders directing a party to some action by a certain date;
- D. Scheduling Orders; and
- E. Orders entered by interchange.

Orders with language such as “sent to last known address” are unacceptable.

TRIALS

TO SET A TRIAL DATE:

No trial date is confirmed unless a Scheduling Order is entered by the Court.

Step 1. See the Courtroom Clerk for a Scheduling Order. Scheduling Orders may be submitted by consent of the attorneys for approval of the Court or pursuant to a status conference. The Courtroom Clerk will provide a proposed Order to guide litigants in drafting the Scheduling Order. All dates must be approved by the Courtroom Clerk prior to presenting a draft Order to the Court. The dates will be **reserved for seven (7) days** by the Court. After seven (7) days, if no Order is entered, the dates will not be set on the Court’s calendar.

Step 2. Move for a trial date. If not set by the Court, when either party believes the case is ready for trial, a party may move for a trial date. The motion may be set on the Friday Motion Docket. All discovery and efforts to settle the case should be completed prior to requesting a trial date. If the motion is granted, the attorneys should address the Courtroom Clerk for a trial setting. **No trial dates will be provided *ex-parte*.** Parties must submit a final Scheduling Order to be entered by the Court **within seven (7) days** after a Motion to Set a Trial Date is granted. Otherwise, the date will not be set on the Court’s calendar.

Step 3. Attend the Pre-Trial Conference. All deadlines should be set pursuant to a Scheduling Order with the Court, including a Pre-Trial Conference. The Pre-Trial Conference date should occur **at least seven (7) days** before a trial is scheduled. All pre-trial briefs, pre-trial orders and motions *in limine* should be submitted before the Pre-Trial Conference date. These documents should be submitted at least three (3) days prior to the Pre-Trial Conference date, but earlier if possible, so that the Court may be prepared. *See* Local Rule 16(b). Except for motions *in limine*, which should be resolved by the date of the Pre-Trial Conference, any outstanding motions should be resolved prior to the Pre-Trial Conference.

****PLEASE NOTE: THERE IS NO “TEN DAY RULE” DOCKET IN PART III.****

CONTINUANCES

Continuances will be granted upon motion, and for good cause. However, the closer the court date is, the more likely the motion will be denied. Parties moving for a continuance on the date of the hearing will have a significant burden to prevail and a continuance will only be granted if it does not prejudice the other party.

STATUS CONFERENCES

Status conferences and scheduling orders are appropriate in all cases pending before the Court.

MISCELLANEOUS

1. Courtroom Procedure

In order to preserve the dignity of the Court and pursuant to Local Rule 1, all attorneys and court attendants shall be appropriately dressed during court sessions. Professional attire is

required of all litigants, witnesses, and jurors. All attorneys, litigants, witnesses, and jurors are expected to conduct themselves with reserve and courtesy.

2. Alternative Dispute Resolution

ADR may be requested by motion or may be ordered by the Court if appropriate. ADR is mandatory prior to trial in contested divorce cases.

3. Pro Se Litigants

Individuals are entitled to represent themselves, but it is not recommended. The law requires that both represented and non-represented individuals be treated equally.

4. Professionalism and Civility

The Court is a proponent of the Memphis Bar Association Guidelines for Professional Courtesy and Conduct, which are incorporated through Local Rule 1(i), and the Court expects attorneys to conduct themselves accordingly. The guidelines may be viewed at memphisbar.org.

PART III CONTACT LIST

Chancellor, JoeDae L. Jenkins	(901) 222-3936
Courtroom Clerk—Ms. JT Hall JT.Hall@shelbycountyttn.gov	(901) 222-3941
Judicial Clerk—Lucas Vaughn Lclerk3@shelbycountyttn.gov	(901) 222-3939
Judicial Assistant—Tracy Askew Tracy.Askew@shelbycountyttn.gov	(901) 222-3936
Deputy Sheriff, Officer J.B. Flowers	