

IN THE JUVENILE COURT OF TIPTON COUNTY, TENNESSEE

LOCAL RULES OF PRACTICE

Amended and Restated July 27, 2026

Effective August 26, 2026

PREFACE

Pursuant to the provisions of Tennessee Code Annotated, Section 37-1-101 et seq., Tennessee Supreme Court Rule 18, and the inherent powers of the Courts, the following Rules are hereby adopted. Upon their effective date, these Rules supersede and replace in their entirety all prior Local Rules of Practice of the Juvenile Court of Tipton County, Tennessee, including the Local Rules of Practice amended December 2, 2024, and the Addendum thereto filed October 21, 2025.

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RULE 1

SCOPE AND CONSTRUCTION OF THE RULES; DEFINITION OF TERMS

1.01 SCOPE OF THE RULES

Subject to such exceptions as are stated herein, these Rules shall supplement the Tennessee Rules of Juvenile Practice and Procedure and the Tennessee Rules of Civil Procedure in the Juvenile Court for Tipton County, Tennessee. In the event of any conflict, the Tennessee Rules of Juvenile Practice and Procedure shall prevail. All former Rules of Local Practice for the Juvenile Court of Tipton County, Tennessee, except as re-adopted herein, are abrogated. Any of the rules herein enacted may be waived or modified by special Order of the Court when, in the Court's opinion, such waiver or modification is necessary in order to protect the child(ren)'s best interests, to do justice, or to arrive at the equities of the case between or among the parties involved.

1.02 CONSTRUCTION AND CITATION OF THE RULES

These Rules shall be construed to secure simplicity in procedure, fairness in administration, and promote the efficient and cost-effective resolution and disposition of cases brought in the Juvenile Court for Tipton County, Tennessee. These Rules shall be cited as Rule ____ Local Rules of Practice, Tipton County Juvenile Court.

1.03 DEFINITION OF TERMS

- A) Within these Rules, the term "Clerk" shall refer to the Clerk of the Juvenile Court.
- B) Within these Rules, the term "Judicial Days" in Tipton County cases shall refer to days when the Tipton County Juvenile Court office and the Tipton County Juvenile Court Clerk's office in Covington are open for business. The date of filing shall not be included in the calculation of days.

RULE 2

GENERAL RULES APPLICABLE TO ALL CASES

2.01 COURTROOM DECORUM

- A) Every person appearing in this Court is charged with knowledge of these rules. Failure of an attorney or pro se litigant to have knowledge of these rules will not constitute grounds for waiver of these rules.
- B) There will be no tobacco products, use of electronic vapor products, chewing of gum, eating, or drinking in the courtroom.
- C) All cellular devices, laptops, notebooks, or any other technology-based communication or social networking device in the courtroom shall be silenced. Allowed electronic devices should be used for professional purposes and shall not create a disruption to the activity of the courtroom. Any such devices that disrupt Court proceedings are subject to seizure and confiscation, and any person who is in possession of such a device that disrupts Court proceedings may be held in contempt of Court and sanctioned accordingly.
- D) Juvenile Court proceedings are confidential. There shall be no recordings of Juvenile Court proceedings except by the Juvenile Court Clerk or with the express permission of the Court.
- E) Attorneys, court attendants, and all persons will be appropriately dressed while in Court attendance. The Court's Dress Code is attached hereto as Appendix A.
- F) The Court Officer or Court Security in attendance upon Court will be charged with the responsibility of requiring compliance with these standards of courtroom conduct.

2.02 OFFICE HOURS

The Office of Tipton County Juvenile Court and the Office of the Juvenile Court Clerk shall be open for the regular transaction of business Monday through Friday from 8:00 AM until 5:00 PM, except on non-judicial days.

2.03 SESSIONS

- A) All court hearings shall be in-person unless otherwise specified by the Court or by order of the Tennessee Supreme Court. Subject to such variations as the Judge may find necessary

or convenient, there will be a session of Court on Mondays and the first and third Fridays, except non-judicial days. The regularly scheduled Court dockets shall begin at 9:00 AM. Hearings may be scheduled outside of the regularly scheduled docket times at the discretion of the Judge presiding over the matter. There may be a one-hour recess for lunch as directed by the Judge. The appearance, readiness, and sanctions provisions of Section 2.16 apply to all Juvenile Judicial Days.

- B) Parties and attorneys are strongly urged to discuss their pending matters PRIOR to the beginning of the Court session. Parties are expected to be prepared to proceed promptly at the beginning of the morning session and special settings. Attorneys or parties to proceedings shall notify the Court as soon as possible if there is an anticipated delay in their arrival. This notice shall be directed to the Court Administrator or, in the Administrator's absence, to the Juvenile Court Clerk.
- C) Attorneys shall be mindful of scheduling matters that would prevent their timely availability for matters on the Juvenile Court docket. If there is an unavoidable conflict, the attorney must communicate the conflict with the Court Administrator (contact information is attached hereto as Appendix C), in an attempt to move their matter to another time on the docket. The Court Administrator has discretion to rearrange the docket for the most efficient operation of the Court. The attorney's unavailability may result in their matter being reset.
- D) In the event of a weather or environmental-based emergency, the Court may, at the Judge's discretion, continue to hold scheduled sessions. If parties are unable to commute to Court, they must notify the Court of the inability to be present by contacting the Tipton County Juvenile Court Clerk's Office and the Court Administrator for the Judge. All efforts will be made to conduct the hearing for the parties that appear. In the unlikely event that Court is canceled due to a weather or environmental-based emergency, notice of such will be provided on the Court's website, www.tiptoncourts.com, and relayed to local television and radio stations to add to public closure listings.
- E) Computation of time under these local rules shall be the same as set forth in the Tennessee Rules of Juvenile Practice and Procedure.
- F) Court Sessions shall take place as provided in Appendix D attached hereto.

2.04 JUVENILE JUSTICE COURT PROCEDURES; FIRST AND THIRD FRIDAYS

Court will begin promptly at 9:00 AM. All attorneys, parties, Juvenile Court personnel including the Youth Service Officer, the Assistant District Attorney, Tipton County School Representative, and DCS personnel shall be present in the courtroom at 8:30 AM and ready to proceed at 9:00 AM. The Court will take announcements, appoint attorneys, and take up any procedural matters.

Following the aforementioned, the Court will take up substantive matters as announced by the Assistant District Attorney. All persons with matters pending before the Court shall be present with their attorneys when their case is called to allow for the expedient management of the docket. Failure of a party or attorney to report when called may result in delay of the hearing and may subject the responsible attorney and/or party to sanctions from the Court. Attorneys shall prepare their calendar in accordance with Rule 2.03(C) to avoid causing unnecessary delay of the proceedings.

2.05 JUVENILE D&N AND CUSTODY COURT PROCEDURES; MONDAYS

The Tennessee Department of Children's Services attorney shall email or call the Court Administrator (contact information is attached hereto as Appendix C), no later than the Friday prior to the Monday Juvenile D&N and Custody Court session to discuss the docket and determine whether the matter will require procedural or substantive action or both. The Court Administrator will then prepare the docket for the next judicial day.

Court will begin promptly at 9:00 AM. All attorneys, parties, and DCS personnel shall be present in the courtroom at 8:30 AM and ready to proceed at 9:00 AM. The Court will first take up any announcements, then the DCS attorney will begin calling the docket to address all procedural matters. After all procedural matters are completed, the Court may recess to allow attorneys to communicate with their clients, discuss matters with DCS, and otherwise prepare to take up substantive matters upon the reconvening of the Court.

The courtroom will be cleared and the Court Administrator will have all necessary parties, attorneys, etc. present in the courtroom when Court reconvenes ready to proceed with the first matter. After which, the Court Administrator will notice up the parties and attorneys necessary for the next matter on the docket and provide them with an estimated time to be ready to enter the courtroom.

All attorneys and parties must be ready to proceed when called to enter the courtroom. Failure of a party or attorney to report when called may result in delay of the hearing and may subject the responsible attorney and/or party to sanctions from the Court. Attorneys shall prepare their calendar in accordance with Rule 2.03(C) to avoid causing unnecessary delay of the proceedings. This procedure will continue until the docket is completed.

2.06 COURT COSTS AND FILING FEES

Costs for filing a pleading, service of process, and Court costs are to be established and assessed by the Juvenile Court Clerk. The schedule of fees is available for inspection and copying upon request in the office of the Juvenile Court Clerk. Filing Fees or costs may be waived by the Court for good cause.

2.07 ELECTRONIC AND FACSIMILE FILING

Fax filing shall be accepted according to Tenn. R. Civ. P. Rule 5A. In the event of fax filing, an original is NOT to be filed at a later time as the fax filing will be stamped as an original document. Pursuant to Rule 106 of the Tennessee Rules of Juvenile Practice and Procedure and Tenn. R. Civ. P. 5B, the Juvenile Court of Tipton County permits papers to be filed, signed, or verified by electronic means. Documents required by law to be signed under penalty of perjury or to be notarized may be filed electronically, if the declarant and/or notary signs a printed form of the document, and thereafter scans and files the document in an electronic format that accurately reproduces the original signature(s) and contents of the document. See Tenn. Sup. Ct. R. 46. All other papers may be signed electronically. Upon receipt of an affidavit or other paper requiring examination, the affiant may be examined by the Judge either in person or via electronic audio-visual means. Rules 203 and 302 of the Tennessee Rules of Juvenile Practice and Procedure.

2.08 FORM OF PLEADINGS

All pleadings filed or presented to the Court shall be on letter-sized (8 and one-half inches by 11 inches) paper with paragraph text fully justified, and otherwise compliant with TN R S CT

Rule 36. An original pleading shall be filed in all causes, unless filed via facsimile in accordance with Rule 2.07, and shall be accompanied by sufficient copies necessary for service upon the parties. Attorneys shall provide copies of all exhibits for the Court and all parties.

2.09 COURT FILINGS AND PROCESS

Unless the Court orders otherwise, every pleading or other document filed with the Court subsequent to the original Petition shall be served on all parties and shall contain a Certificate of Service. The Certificate of Service shall contain the date and manner of service and the names and locations of each person served.

After service of process has been effectuated by personal service for an initial scheduling and the party has presented himself or herself to the Court, subsequent notice may be made by mail or in open court. All parties shall appear at all proceedings unless excused by the Court.

2.10 RECORD OF PROCEEDINGS

All proceedings shall be recorded and maintained by the Juvenile Court Clerk pursuant to Rule 115 of the Tennessee Rules of Juvenile Practice and Procedure.

2.11 COURT ORDERS

- A) Unless otherwise directed by the Judge, the prevailing party shall draw the Order and file the same within ten (10) judicial days following the court date. If the parties are unable to agree to the language in an order, the parties shall submit proposed competing orders for consideration by the Court within fifteen (15) business days from the court date. Proposed competing orders shall be emailed to the Court Administrator in both PDF and DOC format. In all cases, orders shall be provided to all necessary parties and include a certificate of service. Any decision from the Court considered to be a final and appealable order shall be clearly indicated on the document and include language regarding the appeal process.
- B) Attorneys shall take care to ensure the orders submitted to the Court are free from clerical errors, misspelled words, improper words, or grammatical errors. The Judge, at his discretion, may return the order to the attorney for correction. The time submission requirements outlined in Rule 2.11(A) are not stayed by a returned order.
- C) Failure to submit an order in a timely manner may result in delay and may subject the responsible attorney and/or party to sanctions from the Court.
- D) A proposed final or appealable order shall expressly adjudicate or reserve each claim for relief raised in the pleadings and shall include the findings and determinations required by law for the type of case, including, in a parentage action, the determinations enumerated in Tennessee Code Annotated § 36-2-311(a). In a matter tried without a jury, the order shall find the facts specially and state separately the conclusions of law as required by Rule 52.01 of the Tennessee Rules of Civil Procedure.

2.12 ATTORNEYS

All attorneys licensed to practice law in Tennessee shall be allowed to appear in any matter coming before the Court. It is the responsibility of the attorney representing the party to bring it to the Court's attention as soon as practical to be made a part of the Court record by filing a Notice of Appearance. In accordance with Rule 104 of the Tennessee Rules of Juvenile Practice and

Procedure, an attorney of record who wishes to terminate their representation may do so only by permission of the Court.

Counsel who has entered an appearance in a case will be counsel of record until relieved by the Court. Entry of appearance shall be made by the filing of pleadings, formal entry of a notice of appearance, or by appointment Order from the Court. Counsel of record shall maintain in the court file information as to where they are to be served notice of all filings from the other attorneys on the case and copies of filings from the Juvenile Court Clerk. Counsel wishing to receive notice of filings and/or copies of filings via email or in their designated box in the Clerk's office must clearly indicate the same in the court file.

No counsel of record will be allowed to withdraw except for good cause and by order of the Court upon motion after notice to the party. Motions to withdraw shall state the reason the motion is made except where such is excused under the Rules governing responsibility of counsel to their client. Notice of filing of the motion shall be given to the party who is represented by the attorney seeking to withdraw and to opposing counsel or pro se litigant.

Before seeking ex parte or emergency relief, counsel shall ascertain from the Court file whether any other party is represented by counsel of record. Counsel of record remains counsel of record until permitted to withdraw under this Rule, and the absence of actual knowledge that a party remains represented does not excuse a failure to give notice. A party seeking ex parte or emergency relief shall give notice of the request to opposing counsel of record or shall certify in the request the efforts made to give notice and the reasons notice was not given.

2.13 CONFIDENTIAL RECORDS

All records submitted or filed with the Tipton County Juvenile Court shall be confidential records (which include, but are not limited to, medical records or evaluations, mental health records or evaluations, substance abuse assessment or treatment records, drug screen results reports from the Tennessee Department of Children's Services or other agencies, CASA reports and probation reports) and shall not be disclosed or re-released to anyone for any purpose other than the proceedings currently before this Court without further authorization from the Judge of Tipton County Juvenile Court.

2.14 CONDUCT OF TRIALS

Proceedings in the Court shall be closed hearings except in those cases where the public is allowed by statute. In juvenile delinquency proceedings, a parent or guardian must be present at every adjudicatory hearing.

2.15 DORMANT CASES

The Court may take reasonable measures to dismiss cases that have not been disposed of or scheduled for hearing within twelve (12) months of the date of filing, last summons issued or service, whichever is later, unless the petitioner files for relief from this Rule prior to the dismissal.

2.16 APPEARANCE, READINESS, AND SANCTIONS

- A) This Section applies to all proceedings on the Juvenile Court's docket, including matters of delinquency, unruly status, dependency and neglect, custody or visitation, parentage, and Title IV-D child support, whether scheduled on a regular docket or specially set (each, a "Juvenile Judicial Day").

- B) On each Juvenile Judicial Day, all attorneys of record, parties, guardians ad litem, and personnel of the Tennessee Department of Children's Services shall be physically present in the courtroom no later than 8:30 AM. All negotiations, settlement conferences, discussions of plea or agreement, and other pre-hearing preparations shall be completed before 9:00 AM, so that when the Court takes the bench the matters are able to proceed without delay. The courtroom will open at 8:30 AM to allow for the signing of agreed Orders and other necessary documentation before the start of Court. The Court shall take the bench promptly at 9:00 AM unless otherwise ordered.
- C) Counsel and parties shall be fully prepared when their matter is called, with knowledge of the relevant facts, legal issues, and necessary documents and witnesses, and ready to proceed without unreasonable delay. If a matter is not ready when called, the Court may continue the case, reschedule the matter at the Court's discretion, and impose sanctions as set forth below.
- D) The Court retains and may exercise its inherent authority, and its authority under applicable procedural rules and these Local Rules, to impose sanctions for unreasonable delay, failure to be ready, or avoidable continuances. Available sanctions include, but are not limited to: continuing the matter and placing the burden of rescheduling on the responsible party or attorney; requiring payment of costs or reasonable attorney fees incurred by other parties because of the delay; imposing a monetary penalty where permitted by law; placing conditions on future continuances; and referral of repeated or egregious noncompliance to the appropriate disciplinary authority.
- E) Before imposing a monetary sanction under this Section, the Court will issue an order to show cause and afford the responsible party or attorney notice and an opportunity to respond, consistent with due process.

2.17 REQUESTS FOR RELIEF; EX PARTE COMMUNICATIONS

- A) Every request for relief, and every request that a matter be set for hearing, shall be made by a pleading or motion filed with the Clerk. Correspondence or electronic mail directed to the Judge or the Court Administrator does not invoke the authority of the Court, does not constitute a request for relief, and will not be acted upon as a request for relief. Scheduling and administrative communications directed to the Court Administrator as these Rules otherwise permit are not affected by this Section.
- B) Except as authorized by law or by these Rules, counsel and parties shall not communicate with the Judge ex parte concerning the substance of a pending or impending matter, consistent with the Tennessee Code of Judicial Conduct, Tennessee Supreme Court Rule 10, Rule of Judicial Conduct 2.9. An application for emergency or ex parte relief made under Rule 4.11 or Rule 4.12 and the applicable Rules of Civil and Juvenile Procedure is permitted, provided the applicant complies with the notice, affidavit, and certification requirements of those Rules and of Rule of Judicial Conduct 2.9, including prompt notice to the other parties and an opportunity to respond. The delivery to the Court of a copy of a document that has been filed and served, and communications with the Court Administrator regarding scheduling and docket management, are not prohibited ex parte communications.

2.18 REMOTE PARTICIPATION BY ZOOM OR OTHER ELECTRONIC MEANS

- A) Consistent with Rule 2.03(A), all hearings are conducted in person unless the Court specifies otherwise. Upon approval of the Court, the Court may allow a party, witness, attorney, or other participant to appear or to testify by Zoom, telephonic, or other electronic means. The Court is equipped with an integrated audio-visual system that allows remote participants to be seen and heard and that captures their audio and video as part of the official record.
- B) A party, witness, attorney, or third party wishing to appear by electronic means shall request permission from the Court by emailing the Court Administrator (contact information is attached hereto as Appendix C), with a copy to every other party or the party's counsel, to any guardian ad litem or CASA appointed in the matter (who are deemed parties for notice under Rule 4.16), and to the Department of Children's Services where it is a party. The request shall be made a reasonable time before the hearing, shall identify each person who would appear electronically and that person's role, and shall state the reason for the request. Such a request is a scheduling and administrative communication permitted under Rule 2.17.
- C) The Court will consider each request in light of the type of case, the witness, the information sought, the evidence that may be offered through the witness, the best interest of any child, and the need to preserve the confidentiality, solemnity, and integrity of the proceeding.
- D) In delinquency and unruly proceedings, the child's right to confront the witnesses against the child is preserved. The Court will not permit adverse testimony by electronic means over objection unless the Court first makes any findings required by law.
- E) Juvenile Court proceedings are confidential. See Rules 2.01(D), 2.13, 2.14, and 4.19. A person appearing by electronic means shall do so from a private location where no unauthorized person can see, hear, or otherwise access the proceeding, and shall not record, photograph, broadcast, or retransmit any part of the proceeding, consistent with Rule 2.01(D). The Court may require a remote participant to confirm the participant's identity, to identify any other person present, and to confirm that the participant is not being coached or assisted, and may require the participant to appear in person if these conditions are not satisfied.
- F) Any evidence a party intends to introduce through a participant appearing by electronic means must be available in digital format so that it may be displayed and shared electronically. The Court will not accept an exhibit offered by holding it up to the camera. Exhibits shall be exchanged as required by Rule 4.07, and a copy of each exhibit shall be delivered to the Juvenile Court Clerk before the hearing so that it may be marked and made part of the record.
- G) The Court's audio-visual system captures the official record at the source, including the audio and video of participants appearing by electronic means, so that the verbatim record is preserved with the same accuracy as for in-person proceedings. The record shall be maintained by the Juvenile Court Clerk as provided in Rule 2.10. Remote participation does not alter the prohibition on recording by any other person under Rule 2.01(D).

- H) If a hearing is expected to be contested or to exceed thirty (30) minutes, the parties shall appear in person unless the Court grants an exception well in advance of the hearing. In granting an exception, the Court may direct that the matter proceed as a hybrid hearing using the Court's audio-visual system.
- I) If an electronic connection fails, or its audio or video quality is inadequate to protect the record or the fairness of the proceeding, the Court may recess, continue, or reset the matter, or require a participant to appear in person or by telephone.

RULE 3

LOCAL RULES REGARDING DELINQUENT AND STATUS MATTERS; JUVENILE JUSTICE COURT

3.01 LEGAL GUARDIAN REQUIRED

In juvenile delinquency proceedings, a parent or legal guardian must be present at every hearing unless excused by the Court in writing or on the record. Unless otherwise authorized in writing, children released from detention will only be released pursuant to Rule 203(d)(4) of the Tennessee Rules of Juvenile Practice and Procedure.

3.02 JUVENILE JUSTICE COURT DAYS

To move cases forward in a timely manner and to assist with judicial economy, the following Rules are adopted:

- A. Court begins at 9:00 AM. The Judge will take the bench at 9:00 AM or as soon thereafter as his schedule allows. All defense attorneys will be ready to move forward with their docketed cases when the Judge takes the bench. The courtroom shall open at 8:30 AM on Juvenile Justice Court days to allow for the signing of agreed Orders and other necessary documentation prior to the start of Court. The appearance, readiness, and sanctions provisions of Section 2.16 also apply.
- B. Defense attorneys shall communicate with their clients prior to the opening of court to discuss the case and allow the client to assist in his or her defense.
- C. The Juvenile Court staff will meet with the Assistant District Attorney (ADA) immediately after Court adjourns to prepare for the next scheduled Juvenile Justice Court date, or as soon thereafter as practicable, to discuss the next docket and make recommendations. Following the meeting, Juvenile Court staff shall email the recommendations to all defense attorneys scheduled to appear with their clients at the next Juvenile Justice Court date, and defense attorneys shall confirm receipt of said email.
- D. In the event the ADA is unable to attend the meeting, Juvenile Court staff shall email the ADA the docket and copies of the docketed petitions. Additionally, Juvenile Court staff shall send emails to all defense attorneys advising that they were unable to have a meeting and it is the defense attorney's responsibility to contact the ADA to discuss the matter prior to the next scheduled Juvenile Justice Court date.
- E. The decision to prosecute, amend, and/or dismiss all cases that would constitute a felony, if committed by an adult, shall reside with the District Attorney General's Office.

3.03 SERVICE OF PROCESS, SUBPOENAS AND OTHER DOCUMENTS

All subpoenas shall be typed or printed and served on the party, witness, or officer. Forms are available at the Juvenile Court Clerk's office. If the party is represented by an attorney, then it is the attorney's responsibility to prepare, print and serve the subpoena. Once served, original documents shall be filed with the Juvenile Court Clerk. Subject to the discretion of the Court, the service shall occur as quickly as possible, but not later than five (5) days, excluding non-judicial days, before the scheduled date of trial. If the matter requires an emergency or expedited hearing, the five (5) day requirement may be waived. Parties not represented by attorneys may use the forms provided in the Juvenile Court Clerk's Office.

3.04 PRETRIAL MOTIONS

All filings and settings of all motions shall be done consistent with Rule 105 of the Tennessee Rules of Juvenile Practice and Procedure. Additionally, all pretrial motions filed by attorneys shall be in writing and cite the rule, statute or other authority for the relief sought and must be filed with the Court and served on opposing counsel or party five (5) days, excluding non-judicial days, before the hearing in the matter. A copy of all motions filed with the Clerk shall be emailed to the Court Administrator (contact information is attached hereto as Appendix C), at the time of filing.

When a child is in detention or an emergency hearing is necessary, this Rule may be suspended to allow quick preparation for court. In cases involving more than one (1) party or involving Guardians ad Litem, service shall be had on those persons under the same deadline. Failure to properly serve all persons in a timely manner may result in delay of the hearing and may subject the responsible attorney and/or party to sanctions from the Court.

3.05 DISCOVERY

In all delinquent proceedings, the attorney for the child, upon request, shall be given access to inspect and/or copy, or be informed of all matters in the possession or control of the State which would be discoverable in Criminal Court under the Tennessee Rules of Criminal Procedure, Rule 16, and consistent with Rule 206 of the Tennessee Rules of Juvenile Practice and Procedure. To the extent possible, discovery shall be done informally.

3.06 SCHEDULING OF HEARINGS AND CONTINUANCES

Cases may be continued only by leave of Court. Cases will not be continued except for good cause shown. All cases continued by leave of the Court will be by written order stating the reason for the continuance, at whose request, and the date of the reassignment. Agreed continuances shall be by order signed by counsel for all parties and shall specify a new hearing date. It is the responsibility of the party requesting the continuance to notify all other parties and witnesses under subpoena of the continuance and the reset date. No case shall be "continued indefinitely."

All dispositional hearings shall occur immediately after the adjudication of a petition unless the Court deems otherwise. The Court may, upon proper motion or on its own motion, set a later dispositional date.

In cases where a potential hearing date is provided to the parties as a special setting by the Juvenile Court Clerk or the Court Administrator (contact information is attached hereto as Appendix C), whether in open Court, at the Clerk's office, or via telephone, the attorney(s)

receiving said date are required to email the Juvenile Court Clerk and the Court Administrator to obtain written confirmation of such setting. Failure to email the Juvenile Court Clerk and the Court Administrator for confirmation may result in the matter not being heard on the date in question despite having verbal confirmation of the matter being set.

3.07 CONDUCT OF TRIALS

In the discretion of Court, the general public may be excluded from any juvenile or paternity proceeding and only those persons having a direct interest in the case may be admitted. In juvenile proceedings, a parent or guardian must be present at every adjudicatory hearing unless excused by the Court in writing or on the record.

3.08 DELINQUENT AND UNRULY CASES

- A) Detention Hearings: When conducting detention hearings pursuant to Rule 203, Tennessee Rules of Juvenile Practice and Procedure, and T.C.A. § 37-1-114, the detention hearings, unless otherwise scheduled, will be heard on the first and third Fridays of each month, excluding non-judicial days. A parent, custodian, or guardian must be present.
- B) Following the filing of a petition, and if applicable, after the detention hearing, a preliminary inquiry court date will be scheduled pursuant to Rule 201 of the Tennessee Rules of Juvenile Practice and Procedure. If the matter remains unresolved after the preliminary inquiry court date, an adjudicatory hearing shall be scheduled. The District Attorney and defense attorney will submit a list of witnesses, to include name(s), address, and phone numbers to the Juvenile Court Clerk for the issuance and service of subpoenas for that hearing. Pretrial diversion can be considered for all first-time offenders, pursuant to Rule 202 of the Tennessee Rules of Juvenile Practice and Procedure.
- C) All cases in which the State has announced its intention to transfer the case to Circuit Court shall be conducted in accordance with Rule 208 of the Tennessee Rules of Juvenile Practice and Procedure.

3.09 INFORMAL ADJUSTMENT

The Court shall administer informal adjustments through the Youth Services Officer in accordance with Rule 201 of the Tennessee Rules of Juvenile Practice and Procedure. The designated court officer shall determine which cases are appropriate for an informal adjustment and may consult with the District Attorney General's Office for guidance. The juvenile, parents, guardian, or legal custodian must agree to resolve the matter, prior to appearing before the Court, with the assistance of the designated court officer or other court staff, and without formal Court action. Cases to consider for informal adjustments shall include these first-time offenses:

- Assault: § 39-13-101
- Theft of Property: § 39-14-103
- Vandalism: § 39-14-408
- Unauthorized Use of a Vehicle: § 39-14-106
- Disorderly Conduct: § 39-17-305
- Harassment: § 39-17-308
- Criminal Trespass: § 39-14-405

- Traffic Offenses: § 37-1-146
- Runaway: § 37-1-102(b)(34)(D)
- Truancy: § 37-1-102(b)(34)(A)
- Curfew Violations: § 39-17-1702
- Possession or Casual Exchange of a Controlled Substance: § 39-17-418(a) or (b)
- Possession or Casual Exchange of a Controlled Substance Analogue: § 39-17-454
- Any violation or prohibited conduct involving possession, use, or consumption of any alcoholic beverage, wine, or beer

3.10 PRETRIAL DIVERSION

The Court shall administer pretrial diversions in accordance with Rule 202 of the Tennessee Rules of Juvenile Practice and Procedure. The procedures set forth in the rule essentially allow for a process similar to informal adjustment, with no official finding as to guilt, except that the Court is involved in that there must be Court approval for any agreement. The designated court officer shall follow the procedures set forth in Rule 201(a) through (c) regarding the preliminary inquiry. The Youth Service Officer will notify the District Attorney General's Office on more serious cases.

3.11 RESTITUTION

The Court may, at the dispositional hearing, set restitution in Delinquency cases as provided by Tennessee Code Annotated § 37-1-131 on motion of proper parties or on the Court's motion. The Court may require limited discovery for the purpose of restitution.

The amount of restitution may be "reserved" at disposition for future action when, in the opinion of the Court, it is in the child's best interest to begin treatment and rehabilitation despite the fact that the amount of restitution is unresolved.

3.12 APPEALS

Consistent with Rule 118 of the Tennessee Rules of Juvenile Practice and Procedure and T.C.A. § 37-1-159, an appeal from the Court's decision in a delinquency or unruly case may be perfected by filing, in Juvenile Court, a notice of appeal within ten (10) days, excluding non-judicial days, of the entry of the final order in the Juvenile Court. The notice of appeal shall also be filed in the Circuit Court reflecting the appeal. An appeal shall not operate as a stay and the Order of this Court shall remain in effect until or unless this Court or the appeals court enters an order to the contrary.

RULE 4

LOCAL RULES REGARDING CIVIL MATTERS

4.01 SERVICE OF PROCESS

- A) Every petition, pleading, or other document filed with the Court shall be served on all parties and contain either a Certificate of Service or summons pursuant to Rule 103 of the Tennessee Rules of Juvenile Practice and Procedure.

- B) A copy of the petition shall accompany the summons unless the summons is served by publication, in which case a general nature of the allegations may suffice, with instructions as to where to obtain a copy of the petition provided in lieu of the entire petition.
- C) If the petitioner or respondent is represented by an attorney, then that attorney shall be responsible for preparation and service of summons and for providing a certificate of service to the Juvenile Court Clerk.
- D) All returned summons and return of service shall be filed with the Juvenile Court Clerk.

4.02 SUBPOENAS

- A) Every subpoena shall be issued by the Clerk in accordance with Rule 107(a) of the Tennessee Rules of Juvenile Practice and Procedure. Forms may be obtained from the Juvenile Court Clerk's Office.
- B) Subpoenas shall be served in conformity with Rule 107 of the Tennessee Rules of Juvenile Practice and Procedure.
 - (1) Once served, original documents shall be filed with the Juvenile Court Clerk.
 - (2) If the matter requires an emergency or expedited hearing, or a preliminary hearing, the time limitations set forth for service of subpoenas may be waived; however, subpoenas shall be served as far in advance of the hearing as practicable.

4.03 MOTIONS

All motions are subject to the requirement of Rule 105, Rules of Juvenile Practice and Procedure. If made prior to trial, they must be filed with the Court and served pursuant to Rule 106 at least five (5) days prior to the hearing date.

Unless otherwise docketed for a special setting, motion hearings will be set by the Juvenile Court Clerk on Mondays. Legal argument may be heard, and agreement announced, on these days. Each side is allowed a maximum of fifteen (15) minutes to present all motions. Motions which cannot be heard within thirty (30) minutes shall not be set on Mondays without leave of the Court and will be specially set by the Court. Briefs and responses may be required at the discretion of the Judge.

Contested hearings requiring witness testimony shall be set on a temporary hearing docket date which may be obtained from the Juvenile Court Clerk or the Court Administrator (contact information is attached hereto as Appendix C).

4.04 TEMPORARY HEARINGS

- A. Temporary Custody or Visitation Hearings shall be limited in time per the Court's discretion depending on the complexity of the matters before the Court. Each party will be allowed up to sixty (60) minutes for opening, presentation of witnesses, cross examination of adverse witnesses, and closing arguments unless the Court determines otherwise. The Judge shall set the time on a case-by-case basis when the temporary hearing is set on each case.
- B. The Court will hear the parties to the action before hearing other witnesses unless, for good cause shown, the Court finds it necessary to proceed otherwise.

- C. If one or both parties desire entry of a temporary parenting plan, or if the Court so requires, parties shall submit proposed temporary parenting plans to the Juvenile Court Clerk to be lodged no later than three (3) judicial days prior to the hearing.

4.05 PETITIONS FOR PATERNITY, CUSTODY, VISITATION

In initial petitions for custody, or after establishment of parentage in the event there is a request for visitation, and there is no agreement between the parties regarding visitation, unless the Court finds otherwise, the Court's standard visitation schedule shall be entered until there is an agreement of the parties, or order of the Court is entered. In the event either party disagrees with standard visitation they may request the matter be scheduled on the appropriate docket for determination by the Court.

Standard visitation is considered 285 days with the primary residential parent and 80 days with the nonresidential parent. Barring agreement among the parties, the following schedule will be ordered: The nonresidential parent will have the child on the first, third, and fifth weekend of each month from 6:00 PM, Friday until 6:00 PM, Sunday, beginning _____; and each year, Thanksgiving day from 3:00 PM until 6:00 PM the day after Thanksgiving; December 24th from 9:00 AM until 6:00 PM; and December 25th from 3:00 PM until December 27th at 6:00 PM. The nonresidential parent shall have visitation each summer from 6:00 PM, June 1st until 6:00 PM, June 15th and 6:00 PM, July 1st until 6:00 PM, July 15th. There shall be no visitation from June 16th to June 30th or July 16th to July 31st, each year.

Each parent shall have the right to regular telephone conversations with their child(ren) between 7:00 PM and 7:30 PM each night for reasonable durations.

4.06 VISITATION

In initial petitions for visitation, in the event there is no agreement between the parties and/or guardian regarding visitation, unless the Court finds otherwise, the Court may enter an order for co-parenting time with the current nonresidential parent according to the Court's standard visitation schedule, as outlined in Section 4.05, until an agreement is reached or the Court makes a further determination.

4.07 PRE-TRIAL EXCHANGES AND BRIEFS

- A) In cases set for trial, a list of all witnesses and a list of all exhibits, other than impeachment and rebuttal witnesses and exhibits, shall be filed with the Juvenile Court Clerk and exchanged between counsel at least three (3) full judicial days prior to the hearing. The date of filing shall not be included in the calculation of days. Witnesses and exhibits not listed may not be called or used, except for impeachment or rebuttal purposes. For cases involving the Department of Children's Services (DCS), this Rule shall apply only to Dependency and Neglect trials alleging severe abuse and all trials for Termination of Parental Rights.
- B) The requirement to file and exchange witness and exhibit lists under subsection (A) applies whether or not any party has propounded discovery. Witnesses and exhibits not timely listed shall be excluded, except for impeachment or rebuttal, and except as the Court may otherwise permit for good cause or to serve the best interest of a child. A party who has failed to comply with the discovery rules may not use a witness or exhibit list to introduce evidence that should have been disclosed in discovery.

- C) If a party desires or is ordered to file a pre-trial brief, such shall be filed no less than five (5) full judicial days prior to the hearing. The date of filing shall not be included in the calculation of days. Responsive briefs are not required but may be filed no later than 48 hours prior to the hearing with a courtesy copy sent to the Judge via the Court Administrator (contact information is attached hereto as Appendix C).
- D) The Court may suspend or modify this Rule for cause stated on the record or by written order, including where suspension is necessary to protect the best interest of a child, to do justice, or to arrive at the equities of the case. Notwithstanding any suspension, a party may object under Rule 403 of the Tennessee Rules of Evidence to any witness or exhibit that the party could not reasonably have anticipated.

4.08 STATISTICAL DATA FORMS IN PARENTAGE ACTIONS

In parentage cases, no case will be set for hearing until the party seeking the hearing files a completed "Exhibit A" (Statistical Data) form with the Juvenile Court Clerk. A copy of said form is attached hereto as Appendix B and will also be made available to parties by the Juvenile Court Clerk.

4.09 DISCOVERY

- A) Filing required only for use by the Court.

Interrogatories or Requests for Admissions or Production of Documents or other discovery material shall NOT be filed with the Clerk unless and until it is to be considered by the Court for some purpose. Specifically, neither attorneys nor parties may file discovery material with the Clerk unless it is attached as an Exhibit to a pleading that requests the Court to consider the same. Filing a Notice of Discovery Propounded on a Party is permissible.

- B) Number of Interrogatories.

No party shall serve on any other party more than thirty (30) single question interrogatories, including subparts, without leave of Court. Parties seeking to serve a greater number of interrogatories may do so with leave of Court. Any motion seeking permission to serve additional interrogatories shall contain the proposed interrogatories and shall be accompanied by a memorandum establishing good cause for such service. If a party is served with more than thirty (30) interrogatories, without an order of the Court, he or she shall respond only to the first thirty (30) in the manner provided by the Rules of Tennessee Civil Procedure.

- C) Motion regarding discovery issues.

- (1) The Court shall refuse to rule on any motion related to discovery, including a motion to compel for failure to timely respond, unless the motion contains a statement which certifies the attorney for the moving party, or the moving party when said party is pro se, has conferred with opposing counsel, or party, in a good faith effort to resolve the matters alleged in the motion and that the effort has not been successful. Such good faith effort shall be evidenced by a writing from the moving party to the non-moving party describing the alleged deficiencies in discovery and shall include the date for delivery of discovery.
- (2) When a Motion to Compel Answers to Interrogatories or Motion to Compel Production of Documents or other Exhibits is filed, counsel shall file the Interrogatories or Requests for Production of Documents for which answers are

sought as an exhibit to the motion. Where the opposing party has not been diligent in submitting responses, attorney fees may be awarded.

(3) Discovery in dependency and neglect matters shall be subject to Rule 305, Tennessee Rules of Juvenile Practice and Procedure.

(4) Discovery in all other civil matters shall be subject to the Tennessee Rules of Civil Procedure.

4.10 INTERPRETERS; TRANSPORT OF INCARCERATED PARTIES

A) If a party or witness requires an interpreter, including a hearing impaired or sign language interpreter, counsel for the party calling the witness shall notify the Judge's office via the Court Administrator (contact information is attached hereto as Appendix C), as soon as possible, but in no event later than fifteen (15) judicial days prior to the hearing, with notice of the language to be interpreted so that arrangements may be made to ensure the interpreter's availability and to avoid a continuance.

B) If counsel has a client who is incarcerated and whose attendance is required at a hearing, counsel must submit a lodged transport Order with the Clerk's office at least ten (10) judicial days prior to the hearing, designating the individual's name, date of birth, facility and/or agency having custody of the individual, the type of hearing to be conducted, including the approximate length of hearing, and the date and time of hearing.

4.11 PRELIMINARY HEARINGS IN DEPENDENCY-NEGLECT PROCEEDINGS

A) Preliminary hearings shall be conducted in accordance with Rule 108 and Rule 302, Tennessee Rules of Juvenile Practice and Procedure. Preliminary Hearings shall be limited to two (2) hours. Each side will be allowed a maximum of sixty (60) minutes for opening, presentation of witnesses, cross-examination of adverse witnesses and closing arguments.

It is unnecessary for the Court to hear more of the Petitioner's proof than is necessary to establish probable cause, and the Court may terminate the hearing at any time that probable cause has been established and each Respondent has been afforded the opportunity to cross-examine the witnesses called by the Petitioner and to present defense proof reasonably tending to rebut probable cause.

B) If a party determines to waive the Preliminary hearing, he or she must, under oath, acknowledge that he or she is waiving the right to Preliminary hearing knowingly and voluntarily after discussions with his or her attorney. After which, the party's counsel must submit to the Court a written waiver acknowledging the same, signed by the party and his or her attorney.

C) A petition seeking an ex parte protective custody order or the emergency removal of a child shall state, by specific sworn facts, the grounds under Tennessee Code Annotated § 37-1-102 and the circumstances showing that the child is subject to an immediate threat to the child's health or safety, as required by Tennessee Code Annotated § 37-1-114 and § 37-1-117 and Rule 302 of the Tennessee Rules of Juvenile Practice and Procedure. A request to modify custody or a parenting plan under Title 36 is governed by the material change and best interest standards and shall NOT be adjudicated within a dependency and neglect proceeding. Where a petition pleads both, the Court may sever the requests and schedule them separately.

4.12 INJUNCTIVE AND RESTRAINING RELIEF

- A) A request for injunctive or restraining relief shall be made by verified petition or by motion supported by affidavit and shall identify the specific rule under which relief is sought. In a proceeding to modify a permanent parenting plan or for custody under Title 36, Chapter 6, the request shall comply with Rule 65 of the Tennessee Rules of Civil Procedure. In other juvenile matters, the request shall comply with Rule 108 of the Tennessee Rules of Juvenile Practice and Procedure.
- B) An injunction is entered only after the party to be enjoined has been afforded notice and an opportunity to be heard. Relief sought before a hearing is a restraining order. An ex parte restraining order may only restrain the doing of an act and may not compel affirmative conduct.
- C) A request for relief before the adverse party is heard shall set forth, by specific facts stated in an affidavit or verified petition, the immediate and irreparable harm that will result before the adverse party can be heard and shall include the certification of counsel required by Rule 65.03 of the Tennessee Rules of Civil Procedure concerning the efforts made to give notice and the reasons notice should not be required.
- D) Where the relief would restrain or limit a parent's exercise of parental rights, a preliminary hearing shall be held within seventy-two (72) hours as required by Rule 108(c)(8) and Rule 302 of the Tennessee Rules of Juvenile Practice and Procedure.
- E) Every request for injunctive or restraining relief shall state whether any previous application for the same or similar relief has been made in this or any other court and, if so, its disposition, as required by Rule 108(a)(2) of the Tennessee Rules of Juvenile Practice and Procedure.

4.13 RATIFICATION OF PERMANENCY PLANS

The Department of Children's Services shall lodge a proposed Permanency Plan with the Juvenile Court Clerk, along with a Notice of Filing containing a Certificate of Service to all parties at least ten (10) days prior to the date set for the ratification hearing. If no party files a written objection, with notice to all parties, with the Juvenile Court Clerk within three (3) days of the date of the hearing, the Court will deem there to be no opposition to ratification of the proposed Permanency Plan. In either event, the Court will hold the required hearing to determine if approval of the Permanency Plan is appropriate and, in the child's, or children's best interest.

4.14 CHILD AND FAMILY TEAM NON-DCS AND NON-PCO CASES

Parties shall be made aware that the Tennessee Department of Children's Services is available to conduct a Child and Family Team conference to aid the Court and to assist the parties to resolve issues alleging that a child is dependent and neglected, unless the department is a party or a protective custody order has been entered. The parties' participation in scheduled meetings may be ordered at the discretion of the Court in contested cases upon review by the Court of the department's initial investigative report of the allegations of the petition.

In the event the Court orders a child and family conference, the department will inform the parties, at their last known address, to appear at a place to be designated, either together or separately, as may be appropriate for them to be instructed as to the department's function in facilitating child and family meetings, and shall be informed of the duties and responsibilities of

the parties. In the event the parties fail or refuse to participate in said meeting, the Court may render sanctions against the offending party unless good cause is shown for such failure.

4.15 MEDIATION AND PARENTING PLANS

Custody and visitation matters may be referred to mediation at the initiation of the case. Upon the filing of a formal Petition for shared parenting, or of any contested petition to establish or modify custody, a residential schedule, or a permanent parenting plan, and before the case is to be heard before the Court, the Parties shall attend mediation conducted by a Tennessee Supreme Court Rule 31 Listed Family Mediator. The Parties shall make a good faith effort to address the issues in the best interests of the child and be made aware that mediation services are available that consider income and ability to pay a reduced fee.

If the parties cannot agree on a Rule 31 Mediator, the Court may enter an order designating a mediator. The Court may also order that a Parenting Plan be submitted and incorporated by reference into any Final Order. If a Petition for Child Support is filed with the Court, the Parenting Plan should include the Child Support Worksheet and Order that addresses Child Support per Tennessee Child Support Guidelines.

The mediators' fees may be taxed as Court cost, or the Court may determine the case is appropriate for pro bono mediation. The parents or guardian may directly negotiate the fees with the mediator.

The parties shall cooperate in good faith to schedule and complete mediation before the final hearing and, unless the Court sets a different date, within sixty (60) days after the entry of an order of referral or, if no order of referral is entered, within sixty (60) days after the responding party first appears or files a responsive pleading. Not later than five (5) judicial days before the final hearing, the parties shall file a mediator's report, or a joint certificate signed by counsel, stating whether mediation was conducted, the date, the name of the Rule 31 listed mediator, and whether the matter was resolved in whole, in part, or not at all. If mediation has been excused or waived by the Court, the order doing so shall be identified.

If a party fails to cooperate in scheduling, the Court may impose sanctions, may extend the deadline, or may proceed or continue as the best interest of the child requires. If mediation has not been conducted as ordered, the Court may continue the cause for mediation, or, for reasons stated in a written order and upon a finding that proceeding serves the best interest of the child, may elect to proceed. The Court may set a status date at which the parties shall report on the outcome of mediation.

4.16 GUARDIAN AD LITEM AND C.A.S.A.

In addition to any requirement for appointment of a GAL in the Juvenile Rules of Practice and Procedure, the Court may, either on its own motion, or at the request of any party, appoint a Guardian ad Litem and/or CASA to act on behalf of a child in determining the best interest of the child in an action pending before the Court.

For the purposes of notice, the GAL and/or CASA shall be deemed a party that shall be notified of all hearings and meetings. Failure to properly serve all persons in a timely manner may result in delay of the hearing and may subject the responsible attorney and/or party to sanctions from the Court. Notice shall be given for all hearings; staffing, family and team meetings;

adjudications; dispositions; and any other notices given to the parties with regard to the case in which they were appointed.

4.17 TIPTON COUNTY FOSTER CARE REVIEW BOARD

The Tipton County Juvenile Court Judge may establish a Tipton County Foster Care Review Board (FCRB) by appointing members to the Board. The FCRB program will be conducted according to Rule 403 of the Tennessee Rules of Juvenile Practice and Procedure and the local rules set forth herein.

A. Scheduling and Notice

The review shall be held in a neutral facility separate and away from the Tipton County Juvenile Court. The Tennessee Department of Children's Services (DCS) is required to provide written notice to all parties, their attorneys, guardian ad litem (GAL), foster parents, and the Court Appointed Special Advocate (CASA), if a CASA is appointed to the case. Timely notice must be given not less than ten (10) calendar days prior to the scheduled review by the Board. If notice is not provided in a timely manner, the DCS liaison shall notify the Court Facilitator (YSO), who will have the case reset for the following month. If a party is not present, and it is determined by the Board that timely notice was not provided, the Board will not review the case and it shall be reset. The DCS Regional Administrator will be notified of the rescheduled review by the Court Facilitator.

If it is determined by the Board that required documents are missing or outdated, the Board shall reset the review for the following month. The DCS Regional Administrator will be notified of the rescheduled review by the Court Facilitator. The Board will reschedule the review for the following month if the child is absent without prior approval from the Court Facilitator. The Court Facilitator will notify the DCS Regional Administrator of the rescheduled review. If unable to proceed with the rescheduled review because of the child's absence, the Board will file a direct referral to the Court and notify the DCS Regional Administrator and the DCS Commissioner. Timely notice must be provided to all parties prior to any rescheduled review. If it is determined timely notice was not provided to all parties or the necessary documentation was not provided, the Board will file a direct referral to the Court notifying the DCS Regional Administrator of the noncompliance.

B. Documentation

A copy of each notification letter must be included in the case documentation packet submitted to the Court. Each notification letter must identify the intended party, their association to the case, method of contacting the party with address, email address and/or telephone number, and the date notice was provided. All required documentation shall be transmitted to the Court Facilitator at least ten (10) calendar days prior to the scheduled review. The DCS Liaison shall ensure the documentation is accurate and complete prior to submission to the Court. The DCS Liaison shall ensure compliance with this policy.

The Court Facilitator will review the case packets when received and notify the DCS Liaison, via email, if any documentation is missing and/or outdated. DCS shall supplement the missing information as necessary.

C. Quorum and Attendance

The Court Facilitator is responsible for determining that a quorum of members, a minimum of four (4), is present prior to each review. The review will only proceed if all necessary persons are present or it is determined that those who are absent were provided proper notice. All children and youth in Foster Care shall attend all initial and subsequent reviews. DCS is responsible to facilitate the transportation for the child to attend the reviews. DCS shall arrange for transportation whether the child's placement is in a DCS foster home, a contract facility, or an agency placement. Prior approval from the Court Facilitator is necessary for any child's absence from the review. Such absence will only be approved if a medical doctor determines attendance poses some risk to the child or if there are extenuating circumstances and supporting documentation is provided. The Board will reschedule the review for the following month if a child is absent as set forth above. The Board members will vote on resetting the review upon late arrival of any party.

D. Conduct of the Review

The Board members will ask questions and hear testimony from the parties. All testimony shall be given to the Board in the presence of all parties. The Board may hear from the child outside the presence of the parties. All parties including children, parents, attorneys, CASA, and DCS will exit the meeting room for the Board to deliberate. Only the Court Facilitator and the Board members are allowed to be present for the deliberation and recommendations.

E. Recommendations

The Board shall make written recommendations to the Court that address the child's safety, well-being, and permanency. Recommendations shall be made addressing the needs pursuant to Rule 402(b). All recommendations shall be agreed upon by the majority of the Board. The Court Facilitator shall follow the steps set forth in Rule 403(e) for any recommendations not agreed upon by the majority of the Board.

F. Announcement of Recommendation

After deliberation, the Board shall announce their recommendations to the parties and set a date for the next review. No additional information may be presented to the Board during the announcement of the recommendations. The Court Facilitator shall ensure the signatures of all parties present are obtained on the summary form, noting others present for the review.

G. Summary Form Filed with Clerk

The Court Facilitator shall file the FCRB summary form with the Juvenile Court Clerk, who shall record the date and time of the filing. The Clerk shall send a copy of the summary form to all parties, including attorneys and the guardian ad litem.

H. Review by the Judge

The recommendations shall be provided to the Judge within ten (10) judicial days after the FCRB review. If the recommendations are determined to be in the best interest of the child, the Court shall confirm the recommendations as an Order of the Court at the next ratification hearing, periodic progress review, or permanency hearing.

I. Direct Referral

When the Board makes the determination that a direct referral shall be made to the Court, the Court Facilitator will determine the type of direct referral as provided in T.C.A. § 37-2-406(c)(2). The Court Facilitator shall file the referral with the Clerk of the Court. The Court Facilitator shall inform the Board of the outcome of the direct referral at the next review of the child's case before the foster care review Board.

4.18 DEPOSING VICTIMS OR CHILDREN IN NEGLECT AND ABUSE CASES

Attorneys filing motions to depose victims in neglect, abuse, or sexual abuse cases, or children in custody cases where neglect, abuse, or sexual abuse is alleged, shall provide notice to the District Attorney and criminal defense counsel when the attorneys are aware that a criminal case is pending regarding the same matters.

4.19 CONDUCT OF TRIALS

- A. In the discretion of the Court, the general public may be excluded from any juvenile or paternity proceeding and only those persons having a direct interest in the case may be admitted. In juvenile proceedings a parent or guardian must be present at every adjudicatory hearing unless excused by the Court in writing or on the record.
- B. Dependency and neglect proceedings shall NOT be open to the public. When a child testifies, the examination shall be conducted either in chambers or in a courtroom which has been cleared of observers or non-party witnesses. The manner in which the Court shall take the child's testimony shall be at the discretion of the Court, considering all factors set forth in Rule 306, Rules of Juvenile Practice and Procedure.
- C. Attorneys not representing a party or acting as Guardian ad Litem may remain in the courtroom during a hearing or trial of a case in which they have no interest at the discretion of the Court. The Tennessee Department of Children's Services' attorneys, case managers, and investigators may remain in the courtroom during all DCS proceedings, unless the Court determines to limit their presence.
- D. CASA members and the Court's staff may remain in the courtroom at the discretion of the Court.

4.20 APPEALS

- A) An appeal from a final order in a dependency and neglect proceeding shall be taken to the Circuit Court for a de novo hearing under Tennessee Code Annotated § 37-1-159(a) and Rule 118 of the Tennessee Rules of Juvenile Practice and Procedure, by filing a notice of appeal with the clerk of this Court within ten (10) days of the entry of the final order.
- B) An appeal from a final order in any other civil matter heard by this Court, including custody, visitation, parentage, and Title IV-D child support, which matters are governed by the Tennessee Rules of Civil Procedure under Rule 101(c)(3) of the Tennessee Rules of Juvenile Practice and Procedure, shall be taken to the Court of Appeals under Tennessee Code Annotated § 37-1-159(i) and the Tennessee Rules of Appellate Procedure, by filing a notice of appeal within thirty (30) days of the entry of the final order as provided by Rule 4 of the Tennessee Rules of Appellate Procedure.

- C) Appeals in delinquency and unruly matters are governed by Rule 3.12 and are not affected by this Rule.
- D) The right to appeal attaches upon the entry of a final order.
- E) An appeal shall not operate as a stay, and the Order of the Court shall remain in effect until or unless the appeals court enters an order to the contrary.

4.21 WAIVERS OR MODIFICATIONS OF RULES

Any of the Rules herein enacted may be waived or modified by special order of the Court when in the Court's opinion such waiver or modification is necessary in order to protect the child(ren)'s best interests, to do justice, or to arrive at the equities of the case between or among the parties involved.

4.22 CONSENT ORDERS IN CIVIL MATTERS

- (A) General Provisions. Most civil matters within the jurisdiction of this Court may be resolved by written agreement of the parties. After a petition is filed, parties who have resolved their matter may submit a written agreement for the Judge's approval and signature. The agreement shall recite that the parties understand that, once approved and signed by the Judge, it becomes an order of the Court, and that a failure to comply with it, without just cause, may subject them to a finding of contempt and to any other action the Court deems proper within its jurisdiction.

- (B) In child custody cases, and in parentage cases brought under Tennessee Code Annotated § 36-2-301 et seq., when the parties have reached complete agreement on custody, support (with completed child support worksheets), and visitation, and a court hearing appears unnecessary, the parties may enter into a consent order. The Court shall nonetheless review the agreement and confirm that its terms are in the best interests of the child(ren).

A consent order may be modified upon a change of circumstances, either by agreement of the parties with the approval of the Court, or by order of the Court after notice to the parties and a hearing. A modification shall not result in a child being placed in the custody of the Department of Children's Services unless an appropriate petition has been filed with the Clerk alleging the child to be dependent, neglected, abused, unruly, or delinquent.

- (C) In a proceeding alleging dependency, neglect, or abuse, the Court shall not approve a consent order awarding custody, support, or visitation to a party other than the State unless a social investigation has been conducted as required by law and the investigating agency's recommendation concurs with the parties' agreement. Nothing in this subsection eliminates the judicial findings required for a child in state custody by Tennessee Code Annotated § 37-1-166 and § 37-2-409, or as otherwise required by case law and federal regulations. The consent order shall set forth those findings to the Court's satisfaction and be signed by the Judge.

Counsel is urged to review carefully the holding in *Blair v. Badenhope*, 77 S.W.3d 137 (Tenn. 2002), which addresses how a consent order changing custody from a parent to a third party may affect any later effort to modify that order.

4.23 RESTRAINING ORDERS

- (A) On application of a party or on the Court's own motion, the Court may make an order restraining or otherwise controlling the conduct of a person, if: (1) An order of disposition of a delinquent, unruly, or dependent or neglected child has been or is about to be made in a proceeding under this chapter, or as otherwise authorized by law; (2) The Court finds that the conduct (i) is or may be detrimental or harmful to the child and (ii) will tend to defeat the execution of the order of disposition; and (3) Due notice of the application or motion and the grounds therefor and an opportunity to be heard thereon have been given to the person against whom the order is directed.
- (B) Restraining orders may be issued upon such terms and conditions, and shall remain in force for such time, as shall seem just and proper to the Judge. Tennessee Rules of Juvenile Practice and Procedure, Rule 108.

4.24 PERMANENT PARENTING PLANS AND CHILD SUPPORT WORKSHEETS

- A) A party who proposes a permanent parenting plan shall use the parenting plan form promulgated by the Administrative Office of the Courts under Tennessee Code Annotated § 36-6-404(d) and shall conform the plan to Title 36, Chapter 6, Part 4 of the Tennessee Code Annotated.
- B) When a child is scheduled to reside with one parent more than fifty percent (50%) of the time, the residential schedule shall designate that parent as the primary residential parent, as required by Tennessee Code Annotated § 36-6-402(5). When the child is scheduled to reside an equal amount of time with each parent, a single primary residential parent shall be designated unless the parties agree to a designation as joint primary residential parents or to waive the designation, as permitted by Tennessee Code Annotated § 36-6-410(b). This designation does not affect either parent's rights and responsibilities under the parenting plan.
- C) The plan shall allocate decision making authority as either mutual or sole, consistent with Tennessee Code Annotated § 36-6-407. A plan that gives one parent final or controlling authority over a major decision shall be treated as a request for sole decision-making authority and shall identify the ground under § 36-6-407(b) on which it is sought.
- D) The plan shall contain the mandatory provisions required by Tennessee Code Annotated § 36-6-404(a).
- E) Every proposed parenting plan, and every proposed order affecting child support or the residential schedule, shall be accompanied by a current Income Shares Child Support Worksheet prepared under the Tennessee Child Support Guidelines, Tenn. Comp. R. & Regs. 1240-2-4, and keyed to the number of parenting days proposed or ordered. Any deviation from the presumptive obligation shall be accompanied by the written findings required by Tennessee Code Annotated § 36-5-101(e) and the Guidelines.
- F) All proposed plans, worksheets, and orders shall bear the correct case style and docket number.

4.25 PARENT EDUCATION SEMINAR

In any action in which a permanent parenting plan is or will be entered, each parent shall attend the parent educational seminar required by Tennessee Code Annotated § 36-6-408 as soon

as possible after the filing of the action and shall file the certificate of completion with the Clerk not later than five (5) judicial days before the final hearing, unless the requirement is waived by the Court for good cause under § 36-6-408(d). A parent's failure, without just cause, to attend a court ordered seminar may be considered by the Court under Tennessee Code Annotated § 36-6-106(a)(3) and § 36-6-407(b).

4.26 RELATED PROCEEDINGS; CONSOLIDATION

- A) Any petition or motion concerning a child shall disclose whether any other proceeding concerning the same child is pending in this Court or in any other court, and the status of that proceeding. A request for relief concerning a child for whom a permanent parenting plan is in effect shall be filed in the cause in which that plan was entered.
- B) Where two or more pending petitions concerning the same child present common questions of law or fact, including competing petitions to establish or modify custody or a parenting plan, the Court may, on motion or on its own motion, consolidate the matters for hearing under Rule 42 of the Tennessee Rules of Civil Procedure and Rule 111 of the Tennessee Rules of Juvenile Practice and Procedure.

RULE 5

LOCAL RULES REGARDING TITLE IV-D CHILD SUPPORT CASES

5.01 INITIAL APPEARANCE OF RESPONDENT UPON ARREST

Any person who is arrested upon an Attachment or Capias issued by the Court and fails to post bond shall be brought before the Court within ten (10) days of being served with the Attachment or Capias. The date for the ten (10) day bond hearing shall be set by the Juvenile Court Clerk.

5.02 SERVICE OF PROCESS

If the parties are not represented by counsel, service of process in Title IV-D Child Support matters shall be the responsibility of the Child Support Enforcement Office in accordance with Tenn. R. Juv. P. 103. Once the pleading is served, the original shall be submitted to the Juvenile Court Clerk's Office, which shall accept them for filing.

5.03 MOTIONS IN TITLE IV-D SUPPORT CASES

All motions regarding child support issues in Title IV-D child support cases shall be set on a Title IV-D child support docket.

5.04 BIFURCATION OF TITLE IV-D CHILD SUPPORT CASES FROM PARENTAGE OR PARENTING TIME LITIGATION

Unless the file contains a waiver of the State of Tennessee's interest in the case or other notice relieving the State of Tennessee through the IV-D office as a party to the action, all cases involving determination of Parentage or Parenting time shall be bifurcated from the issue of child support where the IV-D office is or has been involved in the matter involving the same parties and the same child or children.

5.05 ERROR AND EXCEPTIONS

Any error, defect, irregularity or variance which does not affect substantial rights shall be disregarded. Exceptions to rulings of the Court are unnecessary. If a party makes no objection to a ruling or order, absence of an objection does not in itself prejudice the party thereafter.

RULE 6

USE OF ARTIFICIAL INTELLIGENCE IN FILINGS AND PROCEEDINGS

6.01 PURPOSE AND APPLICABILITY

- A) The Court recognizes that artificial intelligence, used responsibly, may assist attorneys and self-represented litigants and may improve the efficiency, quality, and accessibility of the work presented to the Court. Nothing in this Rule is intended to discourage the responsible and ethical use of such tools. This Rule does not create, diminish, or displace any duty otherwise imposed by law, by the Tennessee Rules of Juvenile Practice and Procedure, the Tennessee Rules of Civil Procedure, these Local Rules, or the Tennessee Rules of Professional Conduct; it states how those existing duties apply when artificial intelligence is used.
- B) This Rule applies to every attorney and every self-represented person who prepares, signs, files, or submits any pleading, motion, brief, proposed order, affidavit, or other document in any matter before this Court, including matters of delinquency, unruly conduct, dependency and neglect, custody or visitation, parentage, and Title IV-D child support. Consistent with Rule 2.01(A), every person appearing before the Court is charged with knowledge of this Rule.

6.02 DEFINITION

As used in this Rule, artificial intelligence means any computer-based tool, system, or service that generates, drafts, composes, summarizes, translates, analyzes, or otherwise produces text, citations, data, or images, in whole or in part, in response to a prompt or other input, including generative artificial intelligence and large language model tools.

6.03 RESPONSIBILITY FOR FILINGS

- A) The use of artificial intelligence does not alter, reduce, or excuse any obligation of the person who signs or files a document. That person remains fully and personally responsible for the entire filing, including every legal contention, factual assertion, and citation, and for the filing's compliance with these Local Rules, including Rule 2.08 (form of pleadings), Rule 2.09 (court filings and process), and Rule 2.11 (court orders), the Tennessee Rules of Juvenile Practice and Procedure, the Tennessee Rules of Civil Procedure, and all applicable statutes.
- B) An attorney remains bound by the Tennessee Rules of Professional Conduct, Tennessee Supreme Court Rule 8, including the duty of competence, which includes competence in the benefits and risks of relevant technology (Rule of Professional Conduct 1.1), the duty of confidentiality, the duty of candor toward the tribunal (Rule of Professional Conduct 3.3), and the prohibition against conduct involving dishonesty or misrepresentation (Rule of Professional Conduct 8.4); the attorney remains subject to the disciplinary authority of the Board of Professional Responsibility under Tennessee Supreme Court Rule 9. A self-

represented person is held to the same duties of candor, accuracy, and good faith required of any person appearing before the Court and remains subject to the prohibition against the unauthorized practice of law under Tennessee Code Annotated § 23-3-103.

- C) Artificial intelligence is a tool. It does not carry the professional or legal responsibility of the person who uses it, and reliance upon it is not a defense to an inaccurate, unsupported, or false filing.

6.04 DISCLOSURE OF USE

- A) A person who used artificial intelligence in any way in the preparation of a filing shall disclose that use in the filing. The disclosure shall be brief and shall state: (1) that artificial intelligence was used; (2) the name of the specific artificial intelligence tool or system and its model, version, or checkpoint, to the extent known; and (3) the general nature of the assistance, such as drafting, legal research, identification of authorities, summarization, or calculation.
- B) The disclosure may appear in a single sentence within the filing or immediately above the signature. The following statement is sufficient:

The undersigned used [name and version of the artificial intelligence tool] to [describe the assistance provided] in preparing this filing.

6.05 CERTIFICATION AND VERIFICATION

- A) Every filing in which artificial intelligence was used shall contain, above the signature, a certification, sworn or made under penalty of perjury as permitted by law or otherwise verified in the manner required for the filing, that the signer has:
 - (1) located and independently verified every legal authority and citation in the filing against a trusted, official, or primary source outside of the artificial intelligence tool, and confirmed that each authority exists, is accurately cited, and read in context supports the proposition for which it is cited;
 - (2) confirmed that each authority remains valid and has not been reversed, superseded, amended, limited, or questioned in a manner that undermines its use in the filing;
 - (3) confirmed that the factual assertions in the filing have record or evidentiary support and are not fabricated;
 - (4) removed, replaced, or appropriately disclosed any authority or assertion that could not be verified;
 - (5) reviewed the filing for compliance with these Local Rules and applicable law; and
 - (6) accepted full responsibility for the contents of the filing.

- B) The following form of certification is sufficient:

I certify, under penalty of perjury, that artificial intelligence was used in the preparation of this filing; that I have independently verified every legal citation and authority against a trusted, official, or primary source outside the artificial intelligence tool and confirmed that each exists, is accurately cited, supports the statement for which it is cited, and remains valid; that the factual assertions in this filing have record or evidentiary support; that I have removed or disclosed

anything I could not verify; and that I accept full responsibility for the contents of this filing.

- C) The signer should retain, until the conclusion of the matter, a record sufficient to identify where and when each authority prepared or assisted by artificial intelligence was verified.
- D) The disclosure and certification required by this Rule are limited to the fact and nature of the use of artificial intelligence and to the signer's verification. They do not require, and shall not be construed to require, disclosure of the content of any prompt, of attorney work product, or of privileged communications.

6.06 CONFIDENTIALITY

- A) The files, records, and proceedings of this Court are confidential as provided by law and by Rule 2.13. See Tennessee Code Annotated § 37-1-153 and § 37-1-154; Rules 2.13, 2.14, and 4.19.
- B) A person using artificial intelligence shall not enter, upload, or submit confidential, sealed, or non-public juvenile case information, including information that identifies a child or family, into any artificial intelligence tool that may retain, train on, disclose, or expose the information submitted to it. Such information may be entered only into a tool that is subject to protections sufficient to ensure that the information will not be retained, used for training or model improvement, disclosed, or exposed beyond the service requested. The duty of confidentiality applies whether or not artificial intelligence is used.

6.07 EFFECT OF NONCOMPLIANCE

- A) The failure to disclose the use of artificial intelligence as required by this Rule, the filing of a false certification, the submission of a fabricated, altered, or unverified citation or authority, or the disclosure of confidential information in violation of this Rule, may subject the responsible person to sanctions available under law, under these Local Rules, and under the inherent authority of the Court.
- B) A violation by an attorney may be referred to the Board of Professional Responsibility. The intentional disclosure to the public of confidential juvenile files or records may be punished as criminal contempt as provided in Tennessee Code Annotated § 37-1-153(d).
- C) Before imposing a monetary sanction under this Rule, the Court will issue an order to show cause and afford the responsible person notice and an opportunity to respond, consistent with due process.

RULE 7 **CONFLICTS**

7.01 CONFLICTS

Any alleged conflict that may exist between the Judge and a party shall be brought to the Court's attention by written Motion to Recuse pursuant to the requirements set forth in Tenn. Sup. Ct. R. 10B as soon as possible and heard as soon as practicable.

If the Judge finds that a conflict exists and the conflict is not waived, he will not participate in selecting his successor, absent the agreement of all parties, but will request the designation of a

Judge by the Chief Justice, pursuant to Tenn. Sup. Ct. R. 11, § VII(c)(4), using the designation request form.

ADOPTION

These Amended and Restated Local Rules of Practice of the Juvenile Court of Tipton County, Tennessee are hereby adopted and entered on the minutes of the Court, and shall take effect August 26, 2026, thirty (30) days after filing and public availability, in accordance with Tennessee Supreme Court Rule 18. A copy of these Rules shall be filed with the Administrative Office of the Courts. Upon their effective date, these Rules supersede and replace all prior Local Rules of Practice of the Juvenile Court of Tipton County, Tennessee.

SO ORDERED this 27th day of July, 2026.

M.O. Eckel, III

Tipton County Juvenile Court Judge

APPENDIX A
Dress Code Notice

All persons appearing before the Juvenile Court shall be appropriately dressed and are required to show deference to the Court in both appearance and demeanor. Appropriate dress includes, but is not limited to, the following: Business casual attire, similar to what one would wear to a job interview, which necessitates the following:

- No shorts;
- Pants shall be pulled up to the waist;
- No underwear shall be visible;
- No mesh shirts;
- No bare midriffs; no skin shall be visible between the shirt and the pants or skirt;
- No low-cut tops; no sleeveless tops or dresses, unless worn with jacket;
- No Spandex;
- No lounge wear;
- No slogans on the seat of the pants;
- No sandals, flip-flops, house shoes, or overly casual footwear;
- No sunglasses;
- No head coverings (except for religious head coverings);
- No gang-related or gang-inspired clothing, coloring, accessories, or hairstyles;
- No clothing depicting profanity, alcohol, or illicit drugs.

Failure to comply with the dress code requirements will result in your removal from the courtroom. Your absence from the courtroom will be considered unexcused and may result in the issuance of a *capias* (arrest warrant) or an Order to Show Cause for your failure to appear.

APPENDIX B

Exhibit A: Statistical Data Form

FAILURE TO APPROPRIATELY UPDATE THIS INFORMATION OR GIVING FALSE INFORMATION COULD LEAD TO BEING CITED FOR CONTEMPT OF COURT OR HAVING A DEFAULT JUDGMENT ENTERED AGAINST YOU. BOTH PARTIES MUST UPDATE THE FOLLOWING INFORMATION FOR ANY CHANGES WITHIN 10 DAYS OF THE CHANGE TO THE CLERK OF THE JUVENILE COURT, TIPTON COUNTY, TENNESSEE.

Father's Information

Full Name: _____ S.S.#: _____
Residential Address: _____ Phone: _____
_____ D.O.B.: _____
Mailing Address: _____ D.L.#: _____
Employer (and address): _____

Mother's Information

Full Name: _____ S.S.#: _____
Residential Address: _____ Phone: _____
_____ D.O.B.: _____
Mailing Address: _____ D.L.#: _____
Employer (and address): _____

Guardian's Information

Full Name: _____ S.S.#: _____
Residential Address: _____ Phone: _____
_____ D.O.B.: _____
Mailing Address: _____ D.L.#: _____
Employer (and address): _____

Children's Information

(1) Full Name: _____ S.S.#: _____
Residential Address: _____ D.O.B.: _____

(2) Full Name: _____ S.S.#: _____
Residential Address: _____ D.O.B.: _____

(3) Full Name: _____ S.S.#: _____
Residential Address: _____ D.O.B.: _____

(If more children, please continue on an additional sheet of paper.)

APPENDIX C
Contact Information

Court Administrator: Mr. Scottie Delashmit
phone: (901) 634-0217
email: admin@tiptoncourts.com

Juvenile Court Clerk's Office: (901) 475-3315

Juvenile Court's Office: (901) 475-3322

APPENDIX D
Court Schedule

Effective January 1, 2025, and continuing, the Court Schedule will be as follows:

Monday: Juvenile D&N and Custody;
Recovery Court (first and third Mondays).

Tuesday: Criminal; Night Traffic Court.

Wednesday: Civil; Special Settings.

Thursday: Criminal; Special Settings.

Friday: Juvenile Justice Court (first and third Fridays); Special Settings.

Recovery Court will begin at 2:00 PM and will be in session on the first and third Mondays of each month, unless changed due to holidays or other pertinent circumstances. See the Court's calendar for specific dates.

Night Traffic Court is held on Tuesday evenings from 5:30 PM to 7:30 PM.

All special settings must be calendared through the office of the Judge.

Juvenile Justice Court will be in session on the first and third Fridays of each month, unless changed due to holidays or other pertinent circumstances. See the Court's calendar for specific dates.

Unless otherwise noted above, or upon special setting, all Courts begin promptly at 9:00 AM. All attorneys, parties, and DCS personnel are required to be present in the courtroom at 8:30 AM on Juvenile Court days.