


IN THE CRIMINAL COURT FOR SULLIVAN COUNTY AT  
BLOUNTVILLE, TENNESSEE

FILED

2020 MAR 17 PM 4:27

BOB WILSON, JR.  D.C.  
CLERK OF THE CRIMINAL COURT  
SULLIVAN COUNTY, TN

IN RE:

RESPONSE TO THE  
COVID-19 PANDEMIC

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CASE NO.: \_\_\_\_\_

ORDER SUSPENDING IN-PERSON COURT PROCEEDINGS

In response to the novel coronavirus, COVID-19, pandemic and the resulting public health emergency and in an effort to protect the health and welfare of the citizenry, litigants, witnesses, attorneys, and court personnel, as mandated by Order of the Supreme Court of Tennessee (No. ADM-2020-00428, dated 13 March 2020), it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. The above referenced Order of the Tennessee Supreme Court is adopted as the Order of the Criminal Court for the Second Judicial District and incorporated herein by reference, as if fully set forth verbatim herein. Said Order is attached hereto as "Exhibit 1."
2. All in-person proceedings before the Criminal Court for the Second Judicial District are suspended from close of business on 13 March 2020 through close of business on 31 March 2020, with the exceptions set forth in Exhibit 1, and subject to modification, clarification, and extension by Order of the Tennessee Supreme Court.
3. The judges holding Criminal Court will appear per the regular Court schedule, with the exception of jury trial dates, which will be rescheduled

after due communication with counsel of record and the Office of the District Attorney General.

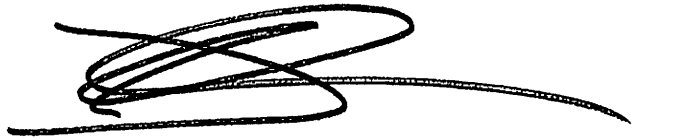
4. On all dates scheduled for Criminal Court, with the exception of jury trial dates, a Notice will be clearly and visibly posted by the Clerk of the Criminal Court advising all defendants, who are not incarcerated, appearing on that Court's docket, the date of the next scheduled appearance and the consequences of failing to appear on the date provided in the Notice. A template of the Notice has been provided to the Clerk of the Court.
5. Counsel, parties, and witnesses for those rescheduled cases should not appear in Court until the next scheduled date per the Notice.
6. NO spectators will be permitted entry into any Criminal Courtroom pending the Court's resuming regular operations on or after 1 April 2020.
7. All representatives of the media should direct inquiries regarding permission to attend any hearings during this period to the Judge scheduled for that hearing. Any and all prior requests and approvals for media attendance are hereby temporarily suspended, and a new request must be submitted while this Order is in effect.
8. Hearings will be limited to arraignments, appointment of counsel and bond motions for incarcerated defendants on the regularly scheduled dates for their appearance. Pleas on violation of probation warrants or new charges will be accepted ONLY if the resolution provides for the defendant to be released from jail prior to April 1, 2020, UNLESS the hearing is accomplished by video. No other matters will be addressed by the Criminal Court Judges during the suspension period. NO other inmates will be transported to

Court on these dates and their next scheduled date for Court will be consistent with the date posted on the exterior of the Courthouse.

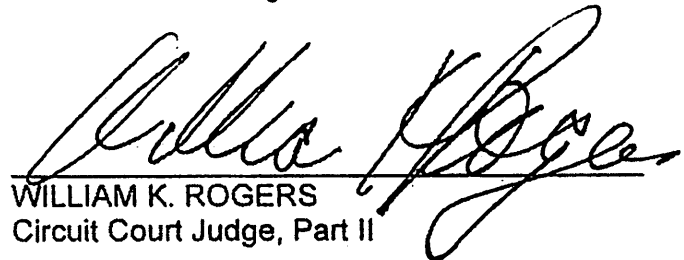
9. Appointed or retained counsel or the staff of the Public Defender assigned to these individuals should be present in Court on these dates. Staff of the District Attorney General Should be present on these dates.
10. To the extent possible, with the availability or limitations of technology in each county, all proceedings will be completed electronically or by video.
11. Necessary Court personnel, counsel of record, assistant district attorneys general, court reporters and witnesses approved by the Court, if necessary, will be the only persons permitted to attend any Criminal Court proceedings during the suspension period, and any continuation thereof.
12. To reschedule any motions, trials or appearances set during the suspension period, attorneys should not appear in person in Court. Counsel of record should contact the office of the Judge presiding over the case by phone or email to reschedule these matters.
13. The Court Clerks will be available during this period to receive filings in all counties. However, all counsel and pro-se defendant are encouraged to file any motions, notices or other pleadings electronically, by facsimile transmission or, if possible, by Dropbox.
14. Any other scheduling matters, appearance questions or issues concerning compliance with this Order and the attached Order of the Supreme Court of Tennessee should be directed to the office of the Judge presiding over your particular case.

14. Any other scheduling matters, appearance questions or issues concerning compliance with this Order and the attached Order of the Supreme Court of Tennessee should be directed to the office of the Judge presiding over your particular case.
15. Ex Parte Orders of Protection issued during the suspension period (March 13, 2020 – March 31, 2020) are automatically extended until April 6, 2020, and are subject to enforcement during this period.

ENTER this the 17<sup>th</sup> day of March, 2020.



JAMES F. GOODWIN, JR.  
Criminal Court Judge



WILLIAM K. ROGERS  
Circuit Court Judge, Part II

# Exhibit 1

## IN THE SUPREME COURT OF TENNESSEE AT NASHVILLE

FILED

03/13/2020

Clerk of the  
Appellate Courts

### IN RE: COVID-19 PANDEMIC

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No. ADM2020-00428

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### ORDER SUSPENDING IN-PERSON COURT PROCEEDINGS

In response to the COVID-19 pandemic, the Chief Justice of the Tennessee Supreme Court hereby declares a state of emergency for the Judicial Branch of Tennessee government and activates the following Continuity of Operations Plan for the courts of Tennessee. See Tenn. Const. Art. VI, § 1; Tenn. Code Ann. §§ 16-3-501 to 16-3-504 (2009); Moore-Pennoyer v. State, 515 S.W.3d 271, 276-77 (Tenn. 2017); Tenn. Sup. Ct. R. 49. First and foremost, the local and state courts of the State of Tennessee are open and will remain open under all circumstances, subject to the provisions of this order.

Under the constitutional, statutory, and inherent authority of the Tennessee Supreme Court, we adopt the following provisions. All in-person proceedings in all state and local courts in Tennessee, including but not limited to municipal, juvenile, general sessions, trial, and appellate courts, are suspended from the close of business on Friday, March 13, 2020 through Tuesday, March 31, 2020, subject to the exceptions below.

Exceptions to this suspension of in-person court proceedings include, but are not limited to:

- Proceedings necessary to protect constitutional rights of criminal defendants, including bond-related matters and plea agreements for incarcerated individuals
- Civil and criminal jury trials that are in progress as of March 13, 2020
- Proceedings related to relief from abuse, including but not limited to orders of protection
- Proceedings related to emergency child custody orders
- Department of Children's Services emergency matters related to child protection
- Proceedings related to petitions for temporary injunctive relief
- Proceedings related to emergency mental health orders
- Proceedings related to emergency protection of elderly or vulnerable persons
- Proceedings directly related to the COVID-19 public health emergency
- Other exceptions as approved by the Chief Justice

The presiding judge or the designee of the presiding judge of each judicial district is authorized to determine the manner in which in-person court proceedings for the exceptions listed above are to be conducted. Other exceptions to the suspension of in-person court proceedings must be approved by the Chief Justice. Any permitted in-court proceedings shall be limited to attorneys, parties, witnesses, security officers, and other necessary persons, as determined by the trial judge.

Judges are charged with the responsibility of ensuring that core constitutional functions and rights are protected. Additionally, court clerks are charged with ensuring that court functions continue. See Tenn. Code Ann. §§ 18-1-101 (2009); 18-1-105 (Supp. 2019). Nevertheless, all judges and court clerks are urged to limit in-person courtroom contact as much as possible by utilizing available technologies, including alternative means of filing, teleconferencing, email, and video conferencing. Any Tennessee state or local rule, criminal or civil, that impedes a judge's or court clerk's ability to utilize available technologies to limit in-person contact is suspended until March 31, 2020. See, e.g., Tenn. R. Civ. P. 43.01.

If it becomes necessary to close judges' offices or court clerks' offices during the period of suspension, these offices shall remain accessible by telephone and email to the extent possible during their regular business hours. If available, drop boxes should be used for conventionally filed documents.

This order expressly does not prohibit court proceedings by telephone, video, teleconferencing, email, or other means that do not involve in-person contact. This order does not affect courts' consideration of matters that can be resolved without in-person proceedings.

Deadlines set forth in court rules, statutes, ordinances, administrative rules, or otherwise that are set to expire between March 13 and March 31, 2020 are hereby extended through April 6, 2020. Statutes of limitations and statutes of repose that would otherwise expire during the period between March 13 and April 6, 2020 are hereby extended through April 6, 2020. See Tenn. Code Ann. § 28-1-116 (2017). Deadlines, statutes of limitations, and statutes of repose that are not set to expire between March 13 and April 6, 2020 are not extended or tolled by this order.

Orders of protection and temporary injunctions that would otherwise expire between March 13 and March 31, 2020 are hereby extended until April 6, 2020.

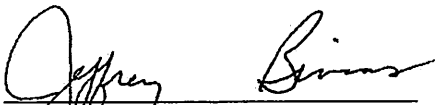
This order applies statewide to all courts and court clerks' offices except administrative courts within the Executive Branch and federal courts and federal court clerks' offices located in Tennessee.

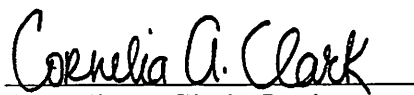
Under the terms of this order, the courts of Tennessee remain open, consistent with the Judicial Branch's obligation to mitigate the risks associated with COVID-19.

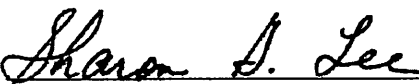
This order is intended to be interpreted broadly for protection of the public from risks associated with COVID-19.

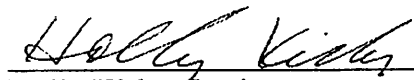
It is so ORDERED.

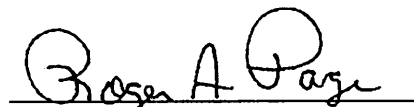
FOR THE COURT:

  
\_\_\_\_\_  
Jeffrey S. Bivins, Chief Justice

  
\_\_\_\_\_  
Cornelia A. Clark, Justice

  
\_\_\_\_\_  
Sharon G. Lee, Justice

  
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Holly Kirby, Justice

  
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Roger A. Page, Justice