

**Division V Circuit Court  
Procedures During the COVID-19 Suspension of In-Person Proceedings  
(Revised 9/1/20)**

**Suspension of In-Person Proceedings**

Under the May 26, 2020 Order of the Tennessee Supreme Court Extending State of Emergency and Easing Suspension of In-Person Court Proceedings, Division V will hold in-person proceedings only as provided by the Order or as Division V specially sets. Contact the Division V courtroom clerk at Circuit.Division5@shelbycountyttn.gov to reschedule all jury trials for a date no earlier than January 4, 2021. All dates are subject to change, depending on when in-person proceedings can be conducted safely.

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**Motions, Status Conferences, and Other Hearings**

**Specially Set Appearances:** To schedule motions, status conferences, and other hearings specially, contact the Division V clerk who will provide a date and time for the matter to proceed via audio or video conference. Prior to the hearing, provide the court login information for the remote session. Email any documents for review before the proceeding and any proposed orders for consideration following the proceeding.

**In-Person Appearances:** If the number of witnesses or other circumstances make it impractical for a hearing to proceed remotely, contact the Division V clerk to set an audio or video pre-hearing conference to determine when and how the matter will proceed. For in-person appearances, only ten persons may be in the courtroom at a time, not including courtroom staff. Sequestered witnesses and all persons in the courtroom must remain at least six feet apart and wear face covering at all times. Hearings that cannot be accommodated safely will be continued.

**Motions:** Although Division V will hear motions Monday through Friday, motions can be set online for the Friday motion docket. For the Friday motion docket, the court will send a 9:00 a.m. Zoom invitation to the movant who will be responsible for providing the login information to opposing counsel and all others who should be in attendance. The login information will be the same each week for motions on Fridays at 9:00 a.m.

For a motion to be heard, the movant must have submitted a certificate of consultation as required by Local Rule 5(H).

**Uncontested Divorces**

Before getting a confirmed hearing date for an uncontested divorce, you must have submitted in advance the paperwork listed below to the Division V divorce referee, Ms Yollander Hardaway, at hardaway@bellsouth.net:

Complaint

Marital Dissolution Agreement

Proposed Final Decree

If applicable, parenting seminar certificate and proposed Parenting Plan

Other paperwork (cost bill, demographic sheet, insurance notice, military affidavit, and divorce certificate)

After Ms Hardaway determines your case is ready to proceed and confirms your date, the court will send you a 9:00 a.m. Zoom invitation. The login information will be the same each week for uncontested divorce hearings on Wednesdays at 9:00 a.m. The Plaintiff and any witnesses must be available via video conference to testify.

Prior to the hearing, email Ms Hardaway and the court the proposed final decree and, if applicable, the proposed parenting plan.

**Note:** Until in-person parental education seminars are available, the court will allow parties to attend on-line classes offered by providers on the Shelby County Circuit Court's approved list.

### **Minor Settlements**

The court will consider minor settlements of less than ten thousand dollars (\$10,000) upon submission of affidavits of the legal guardian in compliance with TCA § 29-34-105 (b). Contact the Division V courtroom clerk for a date and time to appear telephonically or by video conference to present proposed orders for consideration. Before the appearance, email proposed orders and any documents the court needs to review. Provide the court and the courtroom clerk call-in or login information for the appearance.

For minor settlements of ten thousand dollars (\$10,000) or more, contact the Division V courtroom clerk for a date to appear telephonically or by video conference for the court to appoint a guardian ad litem. After the court appoints the GAL and receives the GAL's report, contact the Division V courtroom clerk for a hearing date. Provide the court video conference login information for the appearance. Email proposed orders and any documents the court needs to review before the hearing. The legal guardian and minor must be available for the hearing via video conference.

### **Submission of Orders**

Email proposed orders to the Division V clerk at [Circuit.Division5@shelbycountyttn.gov](mailto:Circuit.Division5@shelbycountyttn.gov) or leave them in the Division V box in Room 208. If available, provide email addresses for all attorneys/parties so the clerk can email attested copies.