

LOCAL RULES OF PRACTICE FOR
MONTGOMERY COUNTY GENERAL SESSIONS COURT

01/01/2026

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WENDY DAVIS, CLERK CIRCUIT COURT	
BY: <i>W Davis</i>	D.C.

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Rule 1. ADOPTION OF RULES

On the effective date indicated below, the General Sessions Court of Montgomery County, Tennessee, Divisions I, II, III, IV and V abrogates all existing local rules of practice and adopts these rules for General Sessions Divisions.

Rule 2. SCOPE AND PURPOSE

These rules, or in applicable cases, the Tennessee Rules of Civil Procedure, and the relevant statutes pertaining to General Sessions Court shall govern the practice and procedure in all cases before all Divisions of the General Sessions Court of Montgomery County, Tennessee, unless specifically excluded or where justice so requires. They are intended to secure simplicity in procedure, fairness in administration, and the elimination of unjustifiable expense and delay.

Rule 3. COURTROOM DECORUM AND TIMELINESS

Atmosphere of Solemnity. Upon entry into the courtroom, whether court is in or out of session, all person shall desist from loud or excessive conversation, laughter, boisterous behavior, unnecessary departures, re-entries and any other conduct inconsistent with the degree of solemnity necessary to reflect the serious nature of the proceedings about to be or being conducted in the courtroom.

No participant shall dress in a manner which detracts from proper decorum in the Court. No shorts shall be worn in the courtrooms. There shall be no use of tobacco products, vapes, eating, or chewing gum in the courtroom. There shall be no telephones or other electronic devices allowed in the courtroom unless the device is silenced. NO RECORDING OR PHOTOGRAPHY WILL BE ALLOWED IN THE COURTROOM WHILE COURT IS IN SESSION, ABSENT SPECIFIC PERMISSION OF THE COURT.

Any attorney that expects to be late to their hearing time shall give notice to opposing counsel and the Court as soon as the conflict is known.

Any negotiations regarding cases set on the Court's Docket shall take place prior to the commencement of the Docket or outside of the Courtroom when appropriate.

Rule 4. LEGAL GUARDIAN REQUIRED

In any case in which there is a child involved as a victim or witness, 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.

Rule 5. COURT SESSIONS

There shall be a session of court daily, except on non-judicial days, which are Saturdays, Sundays, and Montgomery County Holidays.

Arraignments for incarcerated defendants are held at 8:00 a.m. each day in Room 210 by video and are presided over by a Judicial Commissioner or Judge. If a defendant is charged with any homicide, a bond hearing shall be set in front of a Judge within a reasonable period of time.

Rule 6. SCHEDULING

The General Sessions Criminal and Traffic Court will consist of a "Morning Docket" which shall take place between 9:00am and 12:00pm. Included in the "Morning Docket" is the 10:30am Arraignment Docket specifically for first appearances only. The "Afternoon Docket" shall take place between 1:30pm and 4:30pm. Any session of court shall be extended to conclude all matters on that day's docket. Dockets are posted daily online at <https://montgomerytn.gov/circuit/docket-files>.

Special settings may take place on agreed upon dates and times with the Judge and/or the Judicial Assistant or the Clerk of the Court. Matters involving Special Judges shall be set at the discretion of the Judge's office. All special settings shall be scheduled in communication with the Judge's office.

Rule 7. CONFLICTS

Any conflicts that exist between the Judge's office and a party shall be brought to the Court's attention as soon as possible and a new Judge will be assigned to the case at issue. The Court may seek a substitute judge *sua sponte* should a conflict be discovered. Any Motion to Recuse shall be heard as soon as practicable. Should the Judge have a conflict, one of the other division Judges will hear the case, if possible. Should all judges have a conflict, the case will be referred to the Administrative Office of the Courts for the process of assigning a Judge from out of county.

Rule 8. OFFICE HOURS AND CONTACT

The Office of the Clerk of Court is open for the regular transaction of business from 8:00 am until 4:30 p.m. except on non-judicial days, which are Saturdays, Sundays, and Montgomery County holidays. Any direct contact with the Judge shall be made through his/her office with the Judges' assistant and/or through the Clerk of the Court.

Rule 9. ATTORNEYS

All attorneys licensed to practice law in Tennessee shall be allowed to appear in any matter coming before the Court. All attorneys shall file a Notice of Appearance. An attorney of record who wishes to be relieved from his/her duty to represent a client may do so only by permission of the Court and after Motion and Notice or agreement by the client. Failure of an attorney to appear for Court on a case in which the attorney has not properly been relieved may result in a show cause being issued, as well as other remedies available to the Court.

Rule 10. PLEADINGS

All pleadings filed or presented to this Court shall be on letter-sized (8.5" x 11"), opaque and unglazed paper. An original pleading shall be filed in all causes and shall be accompanied by sufficient copies necessary for service upon the parties. Attorneys shall provide copies of all exhibits for the Court and parties.

Form petitions which meet the requirements of law are provided by the Court for every type of proceeding within the jurisdiction of the Court, and court personnel are available to appropriately assist as necessary in the preparation of petitions.

Pro Se parties may find certain approved standardized forms available for their use at:
<https://www.tncourts.gov/forms-publications> and/or <https://montgomerytn.gov/circuit/forms>

Rule 11. ELECTRONIC AND FACSIMILE FILING

The General Sessions Court Clerk accepts papers for filing by facsimile transmission as provided in Rule 5A.02 of the Rules of Civil Procedure. No facsimile filing shall exceed fifty (50) pages in length, including the cover sheet unless authorized by the Court.

The General Sessions Court Clerk will accept documents for filing by electronic means that comply with technological standards promulgated by the Tennessee Supreme Court soon. Please consult the General Sessions Court Clerk for case types and document types that can be filed electronically, as well as for instructions for e-filing and the requisite fees.

Rule 12. MOTIONS

Motions shall be in writing and cite the rule, statute, or other authority for the relief sought and will be set for hearing on the docket designated by the Judicial Officers to whom the case has been newly assigned or has previously been assigned in a related matter. Legal arguments may be heard and agreements announced on the regular docket.

Rule 13. SCHEDULING OF HEARING CONTINUANCES

All motions for continuance shall be made as soon as practicable before the trial date. Agreed upon continuances, shall be by Order signed by counsel for all parties and/or by all the parties if not represented by counsel and shall specify a new trial date. It is the requesting party's responsibility to notify all parties and witnesses subpoenaed of the continuance and the reset court date.

Rule 14. SERVICE OF PROCESS, SUBPOENAS, NOTICE

Service of Process. If service of process is effectuated by personal service for an initial setting and the party has presented him/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. All service of process shall comply with Rule 4 of the Tennessee Rules of Civil Procedure. Regarding the return and filing of service in Civil Cases, service **must** be returned and filed with the Clerk of the Court no later than the close of business the Thursday prior to the scheduled court date. Service returned and presented for filing after this deadline will not be set on the following General Sessions Civil Docket. If so, that matter will be stricken from the Court's docket. It will be incumbent on the pro se litigant, attorney or law firm to reset the case after this cutoff and send notice to the defendant (s) of the updated court date.

Subpoenas. All subpoenas shall be typed or printed on forms provided by the Court and submitted to the Clerk of the Court and shall otherwise comply with Rule 45 of the Tennessee Rules of Civil Procedure, as applicable.

Notice. Notice for all proceedings shall comply with the Tennessee Rules of Civil Procedure as applicable. Hearings may be scheduled in an expedited fashion for emergency matters by contacting the Judge's office.

Rule 15. DISCOVERY

Discovery may be allowed under such terms as set forth in Rule 26, 29, and 37 of the Tennessee Rules of Civil Procedure, as applicable. Prior to filing a Motion related to Discovery, the interested party shall exhaust all efforts to come to an agreement for discovery and shall have so certified to the Court in the Motion.

Rule 16. CONFIDENTIAL RECORDS

All medical records submitted or filed with the Montgomery County General Sessions Court shall be kept confidential and not released without further authorization from the Judge presiding over the case.

Rule 17. PRETRIAL MOTIONS

All pretrial Motions shall be in writing and must be filed with the Court and served by 4:00 pm at least five (5) business days before the hearing in the matter.

Rule 18. CONDUCT OF TRIALS

Proceedings in the General Sessions Court shall not be closed hearings, except in those cases where a private hearing may be required by statute.

Rule 19. ORDERS AND DECREES

Orders shall be prepared by the attorney designated by the Judge or the prevailing party. If the parties are pro se, the Judge or Magistrate shall prepare the order.

The order shall be signed by all parties or their counsel or certified pursuant to Rule 58 of the Tennessee Rules of Civil Procedure, where applicable.

All orders shall be submitted to the Judge's office for review and entry no later than 10 calendar days from the date of the hearing.

Rule 20. DORMANT CASES

In order to expedite cases, the Court may take reasonable measures to dismiss cases that have not been disposed of or scheduled for hearing within one year 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. The Court shall notify the parties to a dormant case or their counsel, in writing, of its intent to dismiss the case at issue, and the parties or their counsel shall then have thirty (30) days to file for relief from this Rule prior to the dismissal. This does not preclude the Court from dismissing all other cases for failure to prosecute if Petitioners fail to appear.

Rule 21. WEBEX OR TELEPHONIC PARTICIPATION

Any party, witness, or third party wishing to appear by Webex shall request permission from the Court to appear by Webex by contacting the appropriate Clerk's office, as well as any other party/Counsel for another party. The Court typically has no opposition to these requests, depending on the type of case, witness, information sought and evidence that may be offered through the witness.

The Court will not find acceptable any exhibits offered to the Court by way of holding them up to the camera. Any evidence that a party intends to introduce shall be provided to the Court in hard paper format at least five (5) days prior to the hearing. Emailed exhibits shall not be accepted.

In the event, that a hearing is expected to be contested or exceed thirty (30) minutes in length, parties are required to attend the hearing in person unless an exception is granted from the Court.

Rule 22. DETAINDER WARRANTS

All detainer warrants shall include with the filing a copy of the Notice to Vacate that was served on the Respondent, unless a waiver of notice of non-payment of rent was included in the parties' lease agreement.

After possession is granted upon a Detainer Summons, the case must be set for a damages hearing within ninety (90) days of the possession hearing. If the case is not set for a damages hearing, the Clerk of the Court shall have the authority to issue a show cause, or the Court has the discretion to dismiss the damages request.

Service of all detainer warrants shall comply with T.C.A. 29-18-115. Specifically, if the landlord utilizes the services of a local constable pursuant to T.C.A. 29-18-115(e)(2), the landlord shall supply the constable with a pre-stamped envelope to mail a copy of the warrant to the named defendants at the address of the subject premises or the defendants' last known address, should service be made by posting on the door pursuant to statute.

(e)(1) In addition to the methods set out in this section, service of process for an action commenced under this chapter shall be good and sufficient to enable the landlord to regain possession of such landlord's property if a sheriff, sheriff's deputy, constable, or private process server personally serves a copy of the warrant or summons upon any one (1) named defendant who has a contractual or possessory property right in the subject premises.

(2) If, after attempting personal service of process on three (3) different dates and documenting such attempts on the face of the warrant, the sheriff, sheriff's deputy, constable, or private process server is unable to serve any such one (1) named defendant personally, service of process for determining the right of possession of the subject premises as to all who may have a contractual or possessory property right therein may be had by the sheriff, sheriff's deputy, constable, or private process server taking the following actions at least six (6) days prior to the date specified therein for the defendant or defendants to appear and make a defense:

(A) Posting a copy of the warrant or summons on the door of the premises.

(B) Sending by United States postal service first class mail a copy of the warrant or summons to the so named defendant or defendants at the address of the subject premises or the defendants' last known address, if any; and

(C) Making an entry of this action on the face of the warrant or summons filed in the action.

(3) Subdivision (e)(2) shall apply only to service of process to regain possession of real property and shall not apply to service of process to recover monetary judgment.

Rule 23. WAIVERS OR MODIFICATION 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 a waiver or modification is necessary to do justice or to arrive at the equities of the case between or among the parties involved.

Rule 24. ORDERS OF PROTECTION

Shall be heard by the Judge assigned for the specific day of the week. In the event there is a pending custody, modification, divorce, or other case, the Order of Protection shall be transferred to be heard by the corresponding Court and/or Judge. If a divorce or other case is filed after the Order of Protection, the case shall then be transferred to that Court.

In the event there is a pending Juvenile case, the case shall be set on the date of the Juvenile hearing and heard with the juvenile case. The case remains a General Sessions case.

All Orders of Protection shall be completed by a written order at the completion of the case at the final disposition.

Rule 25. GENERAL SESSIONS CIVIL DOCKET

The General Sessions civil docket shall be limited to 200 cases per docket. Available court dates may be found at <https://montgomerytn.gov/circuit/court-dates>. The afternoon dockets for trial are limited to ten (10) cases per docket. It is within the Court's discretion to modify these numbers.

Rule 26. REQUEST FOR INTERPRETER SERVICES

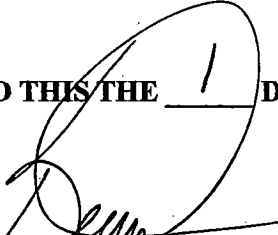
Any request for Interpreter services must be made in a timely manner for scheduling with the service. The dates and times for hearings may be affected by the availability of said Interpreter, including resetting of cases due to the demand and schedule of the interpreter.

Rule 27. MEDIA PRESENCE IN THE COURTROOM

Any request for media coverage by any person, agency or entity, must be made in writing at least 24 hours in advance of the hearing. The Judge has the final authority regarding the presence or absence of media in the courtroom. There shall be no media allowed in any dependency and neglect cases.

ADOPTED AND ENTERED in the minutes of the Court and filed with the General Sessions Court
Clerk this 7th day of January, 2026, with an effective date of the ~~5th~~ 7th day of
January 2026.

ENTERED THIS THE 1 DAY OF January, 2026.


Kenneth R. Goble, Judge, Division I


H. Reid Poland, Judge, Division II


Sharon Massey-Grimes, Judge, Division III


Tim Barnes, Judge, Division IV


Erin Poland Nolder, Division V