

CITY OF OAK HILL, TENNESSEE

CITY COURT

City Court has jurisdiction within Oak Hill over cases involving violations of city ordinances. The City Court Clerk maintains records of cases that come before City Court and also receives monies for fines and costs. Payment may be made in person or by mail. Acceptable methods of payment are: cash, check and money orders. If you have written a bad check to this office in the past, a check will not be accepted. Credit card payments are not accepted at this time.

CIVIL RULES

RULE 1. APPLICABILITY AND SUSPENSION OF RULES

1.01 As used in these rules “Court” shall mean the City Court of Oak Hill, Tennessee.

1.02 Applicability

Each rule is applicable in Court proceedings. Each rule is applicable in all types of cases unless otherwise indicated by a particular rule.

1.03 Suspension of Rules

Whenever the Court determines that justice requires it, the Court may suspend any of these rules.

1.04 Appropriate Attire Required for Court the Adopted Dress Code

All parties, including Counsel and witnesses, shall dress appropriately for Court. Please do not enter the Courtroom wearing a halter, t-tops, or see through tops, shorts, no exposed midriff, no underwear exposed, hats, caps, or any other inappropriate clothing.

1.05 Cell Phones

Cell phones and pagers shall be turned off prior to the start of Court. Failure to turn off cell phones and pages will result in a forfeiture of the device if they go off during Court.

1.06. No firearms or other weapons are permitted City Hall or City Court.

1.07 No talking is permitted in the court room while court is in session, unless a person is addressing the judge or other court personnel.

RULE 2. APPEARANCE OF COUNSEL

2.01 Counsel of Record; Entry of Appearance

Counsel must be licensed in the state of Tennessee in order to practice law or represent others in Court. A non-licensed person will not be permitted to represent anyone other than him or herself in the Court. Any corporate entity must be represented by Counsel

All Counsels who have entered an appearance in a case will be recorded as Counsel of record. Counsel shall be required to file written Notice of Appearance no less than 48 hours prior to the hearing.

2.02 Withdrawal of Counsel

Prior to entry of a judgment or disposition in Court, no attorney shall be allowed to withdraw except for good cause and by Leave of Court upon motion after notice to his/her client and opposing Counsel or party if without Counsel.

2.03 Conduct of Counsel

Conduct of counsel is subject to the Rule of Professional Conduct.

RULE 3. FILING AND SERVICE OF PAPERS

3.01 Filing Companion or Third-Party Civil Cases

Upon the filing of any civil action, which is related to a pending action in Court (e.g., Cross Warrant to Third Party Complaint), the party filing such companion case shall note the new warrant is a companion case to a pending Court case. All companion or third-party cases shall be consolidated for trial with the original action. Proper notice and service of any companion or third party action shall be required not less than 5 business days prior to the date of the hearing of the original case and shall be required to be served upon the opposing party in accordance with the Laws of the State of Tennessee and the Tennessee Rules of Civil Procedure.

3.02 Filing of Briefs or Memorandum of Law

All Briefs or Memoranda of Law shall be filed with the Clerk of the Court, and a copy shall be delivered to the Judge before whom the case is pending and a copy contemporaneously mailed to the opposing Counsel of party, or to the pro-se party.

RULE 4. TRIAL CALENDAR

4.01 Docket Calls

At the first call of the civil docket, in the absence of the Judge, the Court Clerk is authorized to call the docket to determine which parties are present and ready for trial. All cases requiring entry of a default judgment, a dismissal for nonappearance of a party, or resolution of a disputed matter including a request for a continuance where the opposing party objects such request, shall be reserved for action by the trial Judge.

When a case is dismissed without a trial for want of prosecution, said dismissal shall be without prejudice to either party's right to re-file.

RULE 5. SETTING CASES

5.01 Setting of Cases

Cases shall be tried on the date they are set on the Court's docket unless, for good cause shown, the Court resets case for trial at a later date or continues case . In civil actions the Court may grant a continuance in the Court's discretion.

RULE 6. CONTINUANCES

6.01 Continuances

Continuances will only be granted to a date certain and by order of the Court.

RULE 7. NONSUITS

7.01 Nonsuits

When a defendant satisfies a civil judgment prior to the Court date by paying the monies to the Civil Court Clerk's office and the plaintiff's attorney takes a Non-Suit, the plaintiff's attorney shall prepare an Order entering formal written notice of Non-Suit and requesting disbursement of funds.

RULE 8. NEGOTIATIONS AND SETTLEMENTS

8.01 Settlement Discussions

At the end of the first docket call, all parties and attorneys may be allowed a brief opportunity to discuss possible settlement of their cases before trial. The Court shall advise those present in the Courtroom of the opportunity to discuss settlement with the opposing pro-se party or the opposing Counsel. The Court shall also advise those present a trial will be given to them if the parties or Counsel are not able to agree on a settlement and they are not required to settle their cases. Prior to trial all parties must exchange exhibits and prepare copies for the opposing party and the court.

8.02 Judgments

All judgments which contain more than a single element must list damages and attorney's fee separately before the total.

All parties or their attorneys shall sign all Agreed Orders or Judgments which are presented to the Court or the party presenting the Order or Judgments shall sign the Judgments, thereby certifying that the opposing party has been notified of the entry of the Agreed Order or judgment, its terms and the date of entry.

All judgments on Orders prepared by Attorneys/parties subsequent to hearing shall be returned to trial Judge for signature within five (5) working days.

8.03 Agreed Orders

Agreed judgments must be signed by both parties and/or their attorneys and approved by the Court.

RULE 9. DOCKET INFORMATION

10.01 Court Dockets

Court dockets are currently heard monthly on the first Thursday at 9:00 am, to be held at City Hall, 5548 Franklin Pike, Suite 102, Nashville, Tennessee.

RULE 10. LANGUAGE INTERPRETERS

10.01 Language Interpreters

Pursuant to Supreme Court Rule 42, the appointing of a language interpreter is a matter of judicial discretion. If the Court determines that justice requires an interpreter be appointed, said appointment and scheduling of the interpreter shall be coordinated with the Court Clerk. Notice of the need for an interpreter shall be given to the Court Clerk no later than 48 hours prior to the hearing. Pursuant to Supreme Court Rule 42, section 7(a), the costs for the interpreter shall be taxed as court costs to whichever party the Court deems appropriate. In the event an indigent party is taxed with the court costs, the Court may exercise its discretion to waive said costs.

Cases involving an interpreter will be heard at the beginning of the docket provided the interpreter is prepared for trial.

10.02 Hearing/Sign Interpreters

Sign interpreters are provided for civil proceedings at the Court's expense but notification is to be given to the Court Administration Office as soon as the need is determined, but not less than 48 hours prior to the hearing. Cases involving an interpreter will be heard at the beginning of the docket provided the interpreter is prepared for trial.

RULE 11. NO SMOKING POLICY

11.01 No Smoking Policy

Smoking is prohibited in public buildings.

City of Oak Hill ADA Statement

The Americans with Disabilities Act prohibits discrimination against any qualified individual with a disability. The Tennessee Judicial Branch does not permit discrimination against any individual on the basis of physical or mental disability in accessing its judicial programs. In

accordance with the Americans with Disabilities Act, if necessary, the Tennessee Judicial Branch will provide reasonable modifications in order to access all of its programs, services and activities to qualified individuals with disabilities. This notice is provided as required by Title II of the Americans with Disabilities Act of 1990.

If you need assistance, have questions or need additional information, please contact:

City of Oak Hill ADA Coordinator

Kevin Helms 5548 Franklin Pike

Suite 101

Nashville, TN 37220

If you need assistance, have questions or need additional information, you may also contact the Tennessee Judicial Program ADA Coordinator by mail, telephone or email as follows:

ADA Coordinator

511 Union Street, Ste. 600

Nashville, TN 37219

(615) 741-2687 OR (800) 448-7970

adacoordinator@tncourts.gov