

## SCHEDULING INFORMATION AND RULES

1. **All motions must contain a statement of facts and legal authority supporting the position of the motion.** Courtesy copies of the motion must be left with Chambers. This copy is in addition to the original filed in the Clerk's office as part of the file.

All motions requiring proof and witness testimony must contain the wording "Counsel anticipates witnesses will be called" or "Motion will require proof". Any motion requiring the Court to view a video or audiotape before the hearing must submit the tape to the Court five (5) days prior to the hearing.

All evidentiary motions requiring testimony (including but not limited to suppression motions or motions made pursuant to T.R.E. 404, 405, 412, 608, or 609) must be filed no less than fourteen (14) days prior to trial. See Division III Trial Procedures document for additional information. These motions are set by the Division III law clerk *after* the motion has been filed.

All motions filed by Wednesday by 3:00 p.m. will be set on the next available Friday docket except those specially set by the Judge for a Wednesday afternoon at 1:00 p.m. or other dates as set by the Court. All motions will be reviewed by the Judge or her designee to determine whether a special setting is necessary for motions requiring a lengthy hearing. After setting of the motions, the clerk will notify the parties.

The Court **shall be** provided a copy of all notices filed by the State to seek the death penalty, life without the possibility of parole, or repeat violent offenders.

2. **All cases set for trial will automatically appear on the Friday docket preceding the Monday/Tuesday trial date for status.** All parties are expected to attend. In the event of a holiday or judicial conference, the trial cases will be added to the last docket before trial. The clerk will automatically add the jail defendants to the jail list, bring in defendants from Tennessee Department of Corrections and notify the bonding companies of the status docket.

**Motions in Limine** should be filed at least seven (7) days prior to trial, to allow discussion at the pre-trial conference.

3. **Sentencing hearings** will be scheduled for the Friday 9:00 a.m. docket. No more than five (5) sentencing hearings will be scheduled on any day without approval of the Judge. Lengthy sentencing hearings will be scheduled for the Wednesday 1:00 p.m. docket or other dates as set by the Court.
4. Defendants arrested **for probation/community corrections violations** by Friday 4:00 p.m. will be set on the next Wednesday's 9:00 a.m. docket, if the defendant remains in jail. Those defendants posting bond may be scheduled as soon as possible allowing time for notice to the bonding companies.

Copies of all probation violations/community corrections warrants will be made by the court clerk and sent to the Public Defender's Office.

Pursuant to the Local Rules of Court, attorneys representing the defendants at the time the defendant was placed on probation, will be expected to continue the representation. The clerk shall notify the attorney of the defendant's arrest on the probation/community corrections violation and the hearing date.

After the initial Wednesday setting if a hearing is necessary on the probation/community corrections violation, the hearing will be set on the Friday 9:00 a.m. docket of the following week, if the defendant remains in jail or the next available Friday 9:00 a.m. docket.

5. **Post convictions/habeas corpus petitions** will be set for hearing by court order for the Wednesday 1:00 p.m. docket. Upon the filing and assignment of post-conviction/habeas corpus petitions the court clerk will immediately bring the petition to the Judge for review, assignment of attorney and entry of a scheduling order, if necessary.
6. All **commitment/competency/NGRI hearings** will be scheduled for Wednesday after the arraignment docket or Wednesday at 11:00 a.m.

**IN THE CRIMINAL COURT FOR DAVIDSON COUNTY  
DIVISION III**

STATE OF TENNESSEE

VS.

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Case No. \_\_\_\_\_

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**PRE-TRIAL SCHEDULING ORDER**

Pursuant to Rule 16.02 of the Local Rules of Practice, the following pre-trial schedule is established.

1. First Discussion Date: \_\_\_\_\_ at \_\_\_\_\_ a.m. / p.m.

**On this date the defendant and his/her attorney shall be present** unless a written waiver is filed pursuant to the Tenn. R. Crim. P. The Assistant District Attorney handling the case will be available for discussion concerning the case.

2. Pre-Trial Motions Filing Date: \_\_\_\_\_.

Pre-trial motions must be filed and served upon opposing counsel no later than this date. The motion shall contain a statement of facts and all relevant case law in support thereof. An additional copy shall be provided to the Trial Judge. **All evidentiary motions requiring testimony (including motions to suppress or motions made pursuant to T.R.E. 404(b), 405(a), 412, 608(b), or 609) must be filed in accordance with this order but in no event less than fourteen (14) days prior to trial.**

3. Responses: All responses to motions must be filled no later than seven (7) days after receipt thereof.  
4. Hearing dates for motions are set after the motions have been filed.

***Note: evidentiary motions requiring testimony shall be set by the Division III law clerk only after the motion has been filed.***

5. Settlement Deadline Date: \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.

This will be the settlement deadline date and any case not disposed of on this date will be set for trial on a date certain. After the case is docketed for trial, no negotiated plea will be accepted by the Court, and the case may only be resolved as authorized by Rule 16.01 of the Local Rules.

ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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Cheryl Blackburn, Judge