

IN THE CRIMINAL COURT OF HAMILTON COUNTY, TENNESSEE

IN RE: COVID-19 PANDEMIC)
) EN BANC
)
) CASE NO. 310014
)

ORDER AND PROTOCOLS FOR IMPLEMENTING
TENNESSEE SUPREME COURT'S LIMITED SUSPENSION ORDER:

CONTINUED TEMPORARY SUSPENSION OF LOCAL RULE APPENDIX 1, § III(A)

This matter came before the Hamilton County Criminal Court upon petition from Platinum Bonding, Kelly Bonding, A Bonding Co., Huckabee Bonding, Corky's Bonding Co., and ABC Bonding to extend this Court's April 23, 2020 Order suspending Local Rule Appendix 1, § III(A).

By way of background, on May 26, 2020, and in response to the COVID-19 pandemic, the Tennessee Supreme Court entered an order continuing the suspension of in-person court proceedings ("Suspension Order").1 As part of this Suspension Order, the Supreme Court specifically charged judges "with the responsibility of ensuring that core constitutional functions and rights are protected."2 To assist trial court judges in fulfilling this obligation, the Suspension Order authorizes "judges to issue general orders" to implement procedural matters.3 This authority was most recently reaffirmed on November 17, 2020.4

For the reasons given in this Court's April 23, 2020 Order, and consistent with the authority granted by the Supreme Court in its May 26, 2020 Suspension Order, the Hamilton County Criminal Court ORDERS as follows:

- 1. The limitation contained in Local Rule Appendix 1, § III(A) is hereby temporarily suspended; provided that, no bonding company approved by the Court, and

1 See In Re: COVID-19 Pandemic, No. ADM2020-00428 (Tenn. May 26, 2020) (Order Continuing Suspension of In-Person Court Proceedings and Extension of Deadlines); see also In Re: COVID-19 Pandemic, No. ADM2020-00428 (Tenn. March 13, 2020) (Order Suspending In-Person Court Proceedings).

2 See id. at ¶ 4.

3 See id. at ¶ 5 ("For purposes of implementing procedural matters during this time, the provisions of Rule 18(c) of the Rules of the Tennessee Supreme Court are suspended to allow judges to issue general orders.").

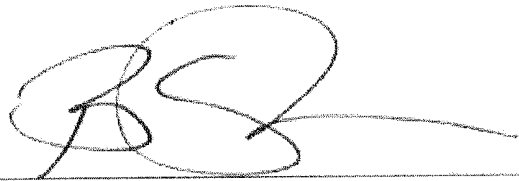
4 See In Re: COVID-19 Pandemic, No. ADM2020-00428 (Tenn. Nov. 17, 2020) (Order Extending State of Emergency and Suspending Jury Trials) ("Except as otherwise provided herein, the provisions of the Court's May 26, 2020 and July 9, 2020 orders shall continue to govern, and the provisions of this order shall remain in effect until further order of this Court.").

operating on posted cash collateral, may write total bonds in excess of an amount equal to fifteen (15) times the amount of the cash collateral posted with the Criminal Court Clerk.

2. This temporary suspension shall end, and Local Rule Appendix 1, § III(A) shall again become effective, ninety (90) days after the Supreme Court files an order completely lifting the limited suspension period, or upon further order of this Court.

It is so ordered.

Enter:



BARRY A. STEELMAN, Judge



TOM GREENHOLTZ, Judge



DON W. POOLE, Judge

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