

Fourth Circuit Court will soon resume in-person hearings. In light of this, I thought some explanation may be necessary.

Fourth Circuit Court has, on average, disposed of 2,711 cases per year since I took the bench in March 2009. The number of cases disposed of for the 2019-2020 fiscal year is 1,764. The total for the 2020-2021 fiscal year will most likely be lower. These lower numbers are due, in large part, to the pandemic. There is currently a backlog of cases that have accumulated over the course of the pandemic, which is understandable. The priority has been the safety of lawyers, litigants, witnesses and staff rather than pushing our docket management plan. The Tennessee Supreme Court recently announced a plan to re-open Courts for in-person hearings. I chose to remain hearing all cases virtually, apart from certain matters that are required to be heard in-person, to ensure the continued protection of lawyers, litigants and staff. Thankfully, Covid-19 case numbers have dropped significantly since Fourth Circuit Court closed in-person hearings in late November 2020.

The Code of Judicial Conduct Canon 2.5(A) requires that “A judge shall perform judicial and administrative duties competently, promptly and diligently.” To ensure that I comply with Canon 2.5(A), I am going to make some changes regarding how hearings are conducted. I understand many of you would like for some matters to continue to be heard virtually. I also understand the convenience that virtual hearings provide to both lawyers and litigants. Unfortunately, the time to complete a docket with virtual hearings is significantly higher than those that are in person. For example, on uncontested divorce dockets, Fourth Circuit has down time of 7-8 minutes between each hearing. On a docket of 15 uncontested cases, the Court has down time between one hour and 45 minutes to two hours when cases are not being heard. This is additional time added to the docket. Fourth Circuit rarely finishes the uncontested docket before 12:00 p.m. (noon). As the Court attempts to resolve the backlog of cases, many contested matters will be set over the span of the next year. It is untenable for the Court to resolve the backlog when the uncontested dockets prevent contested cases from beginning until after 12:00 p.m. (noon).

Additionally, the Court is in a better position to make and approve necessary tweaks and changes to documents submitted in uncontested divorces when litigants and attorneys are present, which allows for the final paperwork to be processed in a more timely and efficient manner.

As it relates to the Motion dockets, we continue to find that many participants (lawyers and litigants alike) have insufficient technology to meaningfully participate in virtual hearings and therefore, the hearings on the Motion dockets have also been less effective.

Therefore, Fourth Circuit will reinstate in-person docket hearings on the following dates:

April 12, 2021	1:30 p.m. Child Support Services Docket
April 13, 2021	9:00 a.m. Uncontested and Default Docket; Contested Docket
April 15, 2021	9:00 a.m. Show Cause Docket
April 16, 2021	9:00 a.m. Motion Docket in Courtroom Suite 510 on the 5 <sup>th</sup> Floor

May 4, 2021

Adoption docket

Fourth Circuit Court will hear the motion docket on the 5<sup>th</sup> floor of the courthouse in Courtroom 510. The Court will take all safety precautions previously taken when the Court re-opened in June 2020. The safety of the lawyers, litigants, witnesses and staff will always be the Court's first priority.

For those that have special health issues, the Court will attempt to accommodate you. However, you must let us know ahead of time. The Court will reserve the use of virtual hearings to those cases or lawyers, litigants and witnesses with exigent circumstances.

Thank you all for your understanding. I look forward to seeing each of you.