

FAMILY MATTERS

IN THE FOURTH CIRCUIT COURT

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UPDATES AND
ANNOUNCEMENTS
FOR THE FOURTH
CIRCUIT COURT

ADMINISTRATIVE PROFESSIONALS DAY: THANK YOU MS. GRIFFIN!

"Dunder Mifflin, this is Pam"

—Pam Beesly, *The Office*

April 23rd is Administrative Professionals Day! This is a day to recognize and appreciate all that hardworking and amazing administrative professionals contribute to their workspaces. From calendaring and answering phones to focusing on details, notetaking, and ensuring an office (or court) run smoothly, there is so much we rely on our administrative professionals for. Without them, our law firms, courts, schools, government entities, and offices would not run nearly as efficiently or effectively as they do.



Our office is always thankful for the incredible work of our Judicial Assistant, Ronnell Griffin. Those who have interacted with Ms. Griffin understand the professionalism and knowledge that she brings to this role. She ensures that our Court runs as smoothly as possible and that litigants and lawyers alike receive the help they need in a timely and kind manner. Thank you, Ms. Griffin, for all that you do! We are so grateful for your presence and hard work in the Fourth Circuit Court.

Take some time this month to show your appreciation to the hardworking administrative professionals in your life.

And to all administrative professionals: thank you for all that you do, your work does not go unnoticed!

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THANK YOU, SYDNEY!



This semester, we were honored and fortunate to have Sydney Scroble, a 3L at Belmont, in our office. Friday, April 11th, was Ms. Scroble's last day interning with us as she now prepares to graduate in May and take the Bar Exam in July. We are so thankful for all the work she did in prepping files for *pro se* and adoption cases, in addition to running the *pro se* docket and supporting the Special Master on Status Conferences and other hearings. Thank you, Ms. Scroble!

LAW DAY WITH THE FOURTH CIRCUIT COURT



Mark your calendars!



Judge Williams is pleased to invite all rising 3L and 4L law school students, recent law school graduates, and those who just took the Bar Exam to a special Law Day event with the Fourth Circuit Court on May 1st! This is an opportunity for emerging lawyers to tour the courthouse, hear ID and default final hearings, meet other judges, learn about internship opportunities and even be sworn in by Judge Williams.

Registration is limited so be sure to sign up now!

Attorneys: If you and your clients are willing to schedule a final ID or default divorce hearing on May 1st so that attendees may witness some in-person hearings, please email RebekahLHaralson@jishnashville.gov. Your participation is greatly appreciated.

If you know someone who may be interested in attending, feel free to share this event. For more information, you may email RebekahLHaralson@jishnashville.gov.

You may click the following link to register: [Law Day Registration](#) or scan the QR code to the right to view the flyer:



YOUR DAY IN COURT: ORDERS OF PROTECTION IN THE FOURTH CIRCUIT COURT

Not sure what to expect from an Order of Protection (OP) case in Fourth Circuit Court? Whether you are a litigant in an OP case or representing someone in an OP case, this video is for you. Special Master Dana Ballinger explains what an Order of Protection is and what to expect from the court hearing.

You may view the video by clicking the image or scanning the QR code below:



STAY IN THE KNOW: PENDING LEGISLATION FOR DOMESTIC VIOLENCE RELATED CASES

Did you know? Tennessee currently has two pending pieces of legislation related to domestic violence and Orders of Protection. Read about them below:

HB1200/SB324

- This bill would enact Savanna's Law, requiring the Tennessee Bureau of Investigation to create and maintain a registry of persistent domestic violence offenders.
- It is currently placed on the calendar of the House Finance, Ways, and Means Committee and the Senate Finance, Ways, and Means Committee and, if passed, would not take full effect until January 1, 2026.

HB602/SB335

- Has been signed into law as the Voyeurism Victims Act (2025 Laws Pub. Ch. 62)
 - Part of the Act takes effect immediately, allowing a victim of "observation without consent" or "unlawful photography" to obtain an Order of Protection.
 - The rest takes effect on July 1, 2025, clarifying the definition of "disseminate" in the unlawful photography statute and tolling the unlawful photography statute of limitations "for any period during which the defendant conceals the crime until such time at which the victim discovers the crime."

ORDER OF PROTECTION CASE BRIEF

The Fourth Circuit Court recently heard a case in which a complaint for divorce was filed while an *ex parte* Order of Protection (OP) was in place. This case raised several important issues that have not been squarely addressed by Tennessee's appellate courts.

Pursuant to Tennessee Code Annotated § 36-3-603, when there is an OP in place and one party to that OP files for divorce against the other party, the OP shall remain in effect until the court to which the divorce action is assigned either modifies the OP, dissolves the OP, or makes the OP part of the divorce decree. However, pursuant to § 36-3-608, "[a]ll orders of protection shall be effective for a fixed period of time, not to exceed one (1) year."

In this case:

- An *ex parte* OP was in place when the complaint for divorce was filed, but the hearing on the *ex parte* OP had not yet taken place.
- After the hearing on the *ex parte* OP, the Court extended the OP for 1 year.
- Prior to that 1 year elapsing, the petitioner filed a motion, which the Court granted, to extend the OP by operation of law for the duration of the divorce case, pursuant to § 36-3-603.
- The Respondent later filed a Motion for a Rule 9 Interlocutory Appeal of the Court's extension of the OP. In the Motion, the Respondent argued the following:
 - That § 36-3-603 does not apply when only an *ex parte* OP is in place when the divorce complaint is filed.
 - That an OP, even when extended pursuant to § 36-3-603, must be for a fixed period of time—not to exceed one year unless a violation occurs.
 - That a court cannot extend its previously set duration for an OP without cause.

Though the Court stood by its decision to extend the OP for the duration of the divorce case, it did find that the Respondent had raised several issues that have not been squarely addressed by Tennessee's appellate courts. As such, the Court granted Respondent's Motion for a Rule 9 Interlocutory Appeal.

The Rule 9 request was ultimately denied by the Tennessee Court of Appeals and has now been appealed to the Tennessee Supreme Court under Rule 11, though the Supreme Court has not yet indicated whether it will hear that appeal.

We eagerly await instruction on these issues from the higher courts.



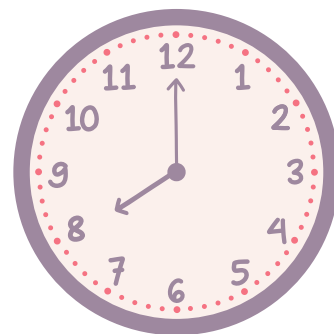
CHAMBER RULE SPOTLIGHT: *EX PARTE* RELIEF: TRO REQUESTS

Rule IX, Page 20: *Ex Parte* Relief: Requests for Temporary Restraining Orders

Please find below a list of the requirements for filing a request for a Temporary Restraining Order (TRO) in the Fourth Circuit Court. This is to ensure timely and thorough submissions so the Court can respond to these requests.

- (A) The power to issue injunctive relief under Tennessee law is regulated by Tennessee Civil Procedure Rule 65. **Rule 65.03 must be consulted and followed when making application to the Court for a TRO.**
- (B) **All requests for TROs must be accompanied by an underlying petition or complaint (if one is not already pending).** The Court does not adjudicate TROs as a stand-alone action.
- (C) A TRO shall be effective and binding on the party to be restrained at the time of service or when the party is informed of the order, whichever is earlier.
- (D) The Court, in reliance on Rule 65.07 of the Tennessee Rules of Civil Procedure, may leave the temporary restraining order in effect indefinitely or until final hearing.
- (E) The Court, in its discretion, may set a TRO for hearing *sua sponte*.
- (F) No TRO resulting in a change in the residential schedule or custody of minor children contained in a permanent parenting plan will be granted unless the requirements of Tenn. Code Ann. § 36-6-405(b) are met.
- (G) **All proposed TROs shall include a line for the date and time of entry and a signature line for the Judge.**

(H) The Court does not get immediate notice from the Circuit Court Clerk's Office that requests for *ex parte* TROs have been filed. **Upon filing the same, please call chambers at: 615-862-5910 AND email a courtesy copy to: ronnellgriffin@jnsnashville.gov** to ensure timely and prompt attention to the request. Requests for TROs filed by 2:00 p.m. on a day the Court is open, will be addressed before the close of business on the day of filing.



(J) All matters requesting a TRO shall include a **proposed Order to Appear and Show Cause**. Show Cause Orders shall be drafted to require the opposing party to appear on a date certain as set by the Circuit Court Clerk to show cause why the relief requested should not immediately be granted or why a TRO previously granted should not remain in effect.

(K) The following is a checklist for a TRO application pursuant to Rule 65.03:

- ✓ **Facts Needed**—Present or imminent circumstances that will result in immediate and irreparable harm before notice can be served and a hearing held under certain conditions as specified above—TRCP 65.03(1)
- ✓ **Facts Must Be Sworn To**—The filing of a verified complaint or application supported by affidavits—TRCP 65.03(1)
- ✓ **Must State It Is The First Application for Such Relief**—T.C.A. § 29-1-107
- ✓ **Notice Affidavit**—Include Verification in Complaint and Separate Certification on Notice—"[S]pecific facts in an affidavit or verified complaint clearly show that immediate and irreparable injury . . . will result to applicant before the adverse party can be heard in opposition" AND certification in writing "that efforts were made to give notice and the reasons why it should not be required. T.R.C.P. 65.03(1).

You may view the entire Chamber Rules on our website by clicking here: [Chamber Rules](#) or by scanning the QR code to the right:



CALENDAR

Check out the list below for changes to our regularly scheduled dockets and Court closures:

S M T W Th F S

				3	4	
				17	18	
			23			

April

4/3: Status Conference Docket Only, No Other Hearings

4/4: No Motion Docket, Office Open

4/17: Status Conference Docket

4/18: Office Closed for Good Friday Holiday

4/23: Administrative Professionals Day

S M T W Th F S

				1		
				15		
					23	
	26					

May

5/1: Law Day with the Fourth Circuit Court

5/15: Status Conference Docket

5/23: No Motion Docket, Office Open

5/26: Office Closed for Memorial Day Holiday

S M T W Th F S

				5		
			11	12		
				19		
	30					

June

6/5: Status Conference Docket

Judicial Conference is June 10th--June 12th. The Court will limit hearings on those dates as follows:

6/11: ID Divorce w/ Appearance Waiver ONLY

6/12: ID Divorce w/ Appearance Waiver ONLY

6/19: Office Closed for Juneteenth Holiday

6/30: No Hearings, Office Open

For a complete view of our regularly scheduled dockets and available Court dates, please see the calendar page on our website by clicking here: [Website Calendar](#) or by scanning the QR code:

