

**IN THE SUPERIOR COURTS FOR THE COUNTIES OF
CHATTOOGA, WALKER, CATOOSA, AND DADE
LOOKOUT MOUNTAIN CIRCUIT**

**STANDING ORDER REGARDING NEW
CIRCUIT CIVIL PROCEDURE AND
CRIMINAL CALENDAR CALL**

IT APPEARING TO THE COURT, that New Civil Procedures should be established for Circuit wide Civil Non-Jury business such that Civil matters can be managed and disposed of in a judicially efficient manner, **AND IT FURTHER APPEARING**, that a New Criminal Procedure is required to ensure that all criminal matters are handled in an expeditious manner, while ensuring that all parties constitutional rights and interests are protected; **THE COURT FINDS** that the public would benefit from a system that would ensure that all matters, both Civil and Criminal, are reached on the date scheduled for same, **THE COURT FINDS** that it is necessary and proper to set forth LOCAL RULES for the Lookout Mountain Judicial Circuit that **SHALL APPLY** to all pending actions and new Civil and Criminal actions filed.

WHEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

CIVIL NON JURY PROCEDURE

- 1.) Any hearing that is requested in every newly filed case OR pending case SHALL be scheduled by Rule Nisi or Order Nisi as the case may require setting same for a hearing. Said Rule Nisi or Order Nisi may be filed electronically or in person with a proposed date

for a hearing, which will be signed and filed by the Clerk or a Superior Court Judge setting same for a hearing.

- 2.) Each Clerk of Court for the respective counties of this Circuit SHALL generate a Civil calendar for each Civil non-jury day appearing on the official calendar for the Lookout Mountain Judicial Circuit's website. Said calendar shall be pulled from the Rule Nisi and Order Nisi codes maintained in each case filed in each respective county of the Circuit, No later than noon on the Friday preceding the upcoming week for Circuit business. Contested cases not scheduled by Rule Nisi or Order Nisi will not be heard unless scheduled by agreement of the parties and with the express permission of the presiding Judge scheduled for a specific date. Any cases added in this fashion to the calendar produced by the Clerk will be added to the end of the calendar. **(NOTE: THE PRESIDING JUDGE FOR ANY SPECIFIC DATE ON THE LOOKOUT MOUNTAIN CIRCUIT OFFICIAL CALENDAR IS DESIGNATED BY THE INITIAL OF THE FIRST JUDGE ON THE CALENDAR FOR THAT DATE WHERE MORE THAN ONE JUDGE IS LISTED, B-HOUSE, T-THOMPSON, A-ARNT, AND H-HISE)**
- 3.) Promptly at 9:00 a.m., a calendar call will take place in the main courtroom of each county during the week of Circuit/Civil Court business. ALL ATTORNEYS and PARTIES shall be present for said calendar call. The presiding judge calling the calendar will require a time estimate regarding the approximate length of each case sounded, a status of the case, and whether same will need to be reported by court reporter. The availability of Court reporters are the responsibility of the attorneys and parties. Cases

will be assigned an order of priority by the presiding judge and will be divided between judges accordingly.

- 4.) Although the calendar of the court prepared by the Clerk will be the official list of all cases for any specific date, attorneys and pro se litigants will sign in using the standard sign in sheets customarily used by this circuit. After the call of the calendar by the presiding judge, each case SHALL be ready for trial within 15 minutes of the case being sounded for hearing; otherwise, the case is subject to being continued by the court or ordered to mediation. Due to logistical challenges in Catoosa County, all Catoosa attorneys or pro se litigants will be assigned pagers upon signing in on the morning of court with the court administrator or judge's secretary, as the case may be.
 - 5.) If an attorney or party wishes to utilize WEBEX for the purpose of having a witness or party appear remotely, ALL parties must agree to same and arrangements for same shall be made at least 72 hours in advance of the hearing, unless otherwise permitted by the court.
 - 6.) At the conclusion of a Temporary Hearing, the parties, by and through their attorneys, may request that the judge presiding over said Temporary Hearing assign further proceedings to himself/herself. If the presiding judge does not assign the case to himself/herself on his/her on motion or if the presiding judge declines such a request, any one of the four judges of the LMJC may hear future proceedings in the matter. A designation of assignment SHALL be contained within the Temporary Order if the presiding judge issues such an assignment.
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CIVIL MOTIONS

All Dispositive Motions, including but not limited to Motions for Summary Judgement and Motions to Dismiss, shall be submitted to the Law Clerk with supporting briefs and citations to authority for the Court's consideration. Requests for Oral Argument will need to be submitted in writing at the time of the filing of said Motion or Responsive Pleading and a copy of same shall be forwarded to the presiding judge of each county, to wit: Catoosa-House, Walker-Thompson, Dade-Arnt, and Chattooga-Hise, unless the case has already been heard by a different judge or has been specifically reserved and assigned to a specific judge. If oral argument is requested, one of the two judges designated on the official calendar for the next available circuit date after same is ripe for hearing (By Rule Nisi) will hear same. Otherwise, the presiding judge for each respective county as set forth above will rule on the pleadings as submitted.

EMERGENCY EX-PARTE ORDERS

All applications/petitions seeking Emergency Ex-Parte relief SHALL state in detail the grounds upon which emergency relief is required. All Petitions shall require the presence IN PERSON of at least one of the filing parties to provide supporting testimony of the allegations set forth in the petition, unless otherwise approved by the court.

PREPARATION OF CIVIL ORDERS

ALL orders announced by the Court being prepared by Attorneys at the direction of the court and ALL announced agreements/orders, SHALL be submitted to the court within 30 days of the hearing or announcement. Failure to comply with this provision without leave of the court, upon motion of a party/attorney, may subject the at fault party/attorney to civil penalty and or attorney's fees.

CRMININAL PROCEDURE/CALENDAR CALL

As designated on the Official Calendar for the Lookout Mountain judicial Circuit, a calendar call shall take place at the beginning of the week for each week designated for criminal jury trials in the respective counties of the circuit. All parties and attorneys shall attend unless otherwise given permission by the presiding judge for the respective county as set forth herein. On each Friday following Criminal Motions day for each of said weeks as designated on the official calendar, ALL remaining cases will be called again for a STATUS announcement. All attorneys and pro se defendants with cases remaining on the calendar at the end of the week SHALL attend and SHALL provide the court with a status update, to wit: READY FOR TRIAL, NOT READY FOR TRIAL WITH AN EXPLANATION, DISMISSAL, OR SOME OTHER NON-JURY DISPOSITION FOR CONSIDERATION. Defendants who are represented by counsel are not required to attend, BUT are invited to attend, the STATUS calendar call. No case will be continued or removed from the court's official calendar unless approved by the presiding judge of the respective county. Parties that announce "NOT READY" with or without explanation, are subject to Trial at the discretion of the presiding judge.

SO ORDERED, THIS 5th DAY OF JANUARY, 2025.



HONORABLE BRIAN M. HOUSE
CHIEF SUPERIOR COURT JUDGE, LMJC



HONORABLE DON W. THOMPSON
SUPERIOR COURT JUDGE, LMJC

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HONORABLE CHRIS ARNT
SUPERIOR COURT JUDGE, LMJC

Melissa Gifford Hise

HONORABLE MELISSA GIFFORD HISE
SUPERIOR COURT JUDGE, LMJC