

IN THE JUVENILE COURT OF RUTHERFORD COUNTY, TENNESSEE  
AT MURFREESBORO

**IN RE: MOTIONS FOR EARLY RELEASE FROM DETENTION**

\_\_\_\_\_  
No. [Unassigned] - Filed: July 25, 2011  
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**FILED**

JUL 25 2011

12:55 O'CLOCK P M  
LAURA BOHLING, CLERK  
DEPUTY CLERK

**TEMPORARY ORDER**

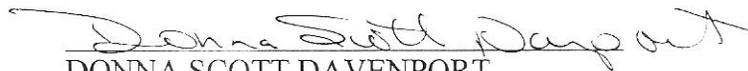
The Court is currently in the process of revising its Local Rules of Practice. However, pending revision, publication, and final approval of the new Local Rules, it is necessary to address the scheduling of hearings regarding motions for early release from juvenile detention. The Court is of the opinion that the judicial officer who presided over the child's initial detention hearing is best-suited to make the decision as to whether the child should be released prior to his or her regularly-scheduled detention review hearing. Otherwise, such decisions would be made by a judicial officer who did not hear the testimony at the initial detention hearing, resulting in a less-informed decision being made regarding the need for continued detention.

Therefore, in the interest of judicial economy, the Court hereby adopts the following rule regarding the scheduling of motions for early release from juvenile detention, pending final approval of the revised Local Rules of Practice:

All motions for early release from juvenile detention shall be heard by the judicial officer who presided over the child's initial detention hearing regarding the charge(s) for which the child is being detained.

A copy of this Order shall be placed in the attorneys' boxes in the Clerk's office. In addition, this Order shall be posted on the Court's website.

IT IS SO ORDERED.

  
DONNA SCOTT DAVENPORT  
JUVENILE COURT JUDGE

IN THE JUVENILE COURT OF RUTHERFORD COUNTY, TENNESSEE  
AT MURFREESBORO

IN RE: TEMPORARY CUSTODY AND VISITATION HEARINGS

**FILED**

No. [Unassigned] - Filed: July 25, 2011

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LAURA BOHNING/CLERK

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**TEMPORARY ORDER**

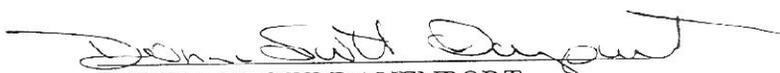
The Court is currently in the process of revising its Local Rules of Practice. However, pending revision, publication, and final approval of the new Local Rules, it is necessary to address the conduct of temporary custody and visitation hearings in private cases. Specifically, the Court is concerned that, in many of these temporary hearings, attorneys are calling numerous witnesses in addition to the parties, resulting in lengthy hearings consuming much of the Court's time. While the Court appreciates the need for attorneys to present relevant evidence, the Court also recognizes that allowing lengthy temporary hearings for some litigants necessarily results in fewer available temporary hearing dates for all other litigants. Furthermore, the Court is mindful of the fact that the very purpose of *temporary* hearings is to provide the parties with quick and easy access to the Court to obtain interim relief pending the full litigation of the case at the final hearing.

Therefore, in the interest of judicial economy, the Court hereby adopts the following rules for all private temporary custody and visitation hearings, pending final approval of the revised Local Rules of Practice:

1. Only the parties may testify, unless a formal motion and proposed witness list is filed with the Juvenile Court Clerk and provided to opposing counsel (or party, if *pro se*) at least seventy-two (72) hours prior to the hearing;
2. If a timely motion is filed pursuant to paragraph 1, *supra*, the Court may, for good cause shown, hear from additional witnesses. However, the parties shall testify first, and the Court may, in its discretion, hear from the additional witnesses following the parties' testimony, time permitting.

A copy of this Order shall be placed in the attorneys' boxes in the Clerk's office. In addition, this Order shall be posted on the Court's website.

IT IS SO ORDERED.

  
DONNA SCOTT DAVENPORT  
JUVENILE COURT JUDGE