

**JUDGE CAROL SOLOMAN**  
**8th Circuit Court**  
**Room 604**

**I. Brief Biography**

Judge Carol Soloman was elected Judge of Eighth Circuit Court, the newest of the Circuit Courts, in August, 1998, and began her term on September 1, 1998. Judge Soloman was re-elected in August 2006 for another eight year term.

Judge Soloman is a 1979 graduate of the Nashville School of Law. She received her undergraduate degree from Peabody College, now known as Vanderbilt University at Peabody.

Judge Soloman worked for then District Attorney General Shriver before becoming a Law Clerk and Special Prosecutor in the 23rd Judicial Circuit which included the counties of Cheatham, Dickson, Humphreys, Houston and Stewart from 1975-1980. In 1980, she went into private practice with a primary emphasis on family law and criminal law. Her practice continued until she took the bench September 1, 1998. She is a member of the Tennessee Bar Association, Nashville Bar Association, Democratic Women, Women's Political Caucus, Trial Judge's Association, LAW, and the Madison/Rivergate Chamber of Commerce. She is also a board member for the Coalition Against Domestic Violence, Select Committee on Children and Youth, Growth Enterprises Nashville and Blue Knights.

**II. Preliminary General Matters**

These Chamber Rules are in addition to all applicable portions of the Tennessee Code Annotated, the Tennessee Rules of Civil Procedure, and the Local Rules of Practice for the Twentieth Judicial District.

**A. Scheduling**

Most hearings are scheduled by 8th Circuit Court directly. Please refer to Section IV for procedures regarding scheduling of cases.

**B. Correspondence with Court**

Judge Soloman prefers that all matters be communicated to the Court in pleadings, notices, memoranda, or in open court. Letters from parties will be unread and returned to sender or filed with the Circuit Court Clerk if appropriate.

**C. Telephone Conference with Court**

Judge Soloman generally does not hold telephone conferences concerning pending litigation. She prefers all communication occur in open court. However, on occasion for the convenience of attorneys, she will hold such a conference.

**D. Telephone Conference with Clerks**

Telephone conferences are allowed concerning administration and procedure, but not the merits of any litigation. Clerks will not and cannot give legal advice to anyone.

**E. Conduct of Counsel and Other Court Participants**

Judge Soloman expects attorneys to be appropriately attired and to conduct themselves with proper respect. Attorneys may not approach the witness or the Judge unless asked to do so. When addressing the Court, an Attorney must introduce himself/herself to the Court. Attorneys shall stand when addressing the Court or Witnesses, or when making objections. If an Attorney anticipates being late for a court appearance, they shall promptly notify this Court as well as opposing counsel or pro-se litigant.

Judge Soloman does not allow litigants to wear shorts, tank-tops, cut-up shirts, or sunglasses. There shall be no pants allowed in the Courtroom that are sitting below the waistline. Also, no chewing gum, no food or drinks are allowed in the courtroom, and all cell phones must be turned off. Litigants should not speak out of turn, shake their heads, gesture, or in any way distract the Judge from court proceedings. Attorneys are responsible for making their clients aware of these regulations.

#### **F. Children in the Courtroom**

No children under the age of 18 are allowed in the courtroom without prior permission of the Court. If the child or children in question are the children of the litigants, they are not allowed to be on the 6th floor at all. If the child or children are needed as a witness, a request must be made PRIOR to the day of the hearing. If permission is granted, they will then be allowed on the floor and in the courtroom as they are needed, but should remain either at the attorney's office or in the snack room until that time. If the child or children in question desire to observe court, and are not related to any case being heard that day, permission may be requested on that day.

#### **G. Communication directly with the Judge**

Pursuant to Local Rule 5.06, it is improper to communicate ex parte with the Judge directly regarding a case pending before her. **Do not email, fax, or call Judge Soloman with a question or comment regarding anything pending before this Court.**

### **III. Pretrial Matters**

#### **A. Scheduling Orders**

Judge Soloman does not require scheduling orders, but rather, expects attorneys to prepare their lawsuits and bring them to a conclusion in a timely and efficient manner. She will sua sponte set the case if the same has been pending for an unreasonable length of time and will notify the attorneys of record, or she will sua sponte dismiss the case for failure to prosecute.

#### **B. Continuances and Extensions**

##### 1. General Policy

The general policy of the court is that trials shall not be continued without the permission of the court. The Court frowns upon such delays.

##### 2. Requests

All requests for the continuation of a trial shall be made to Judge Soloman in open court, either orally or by written Motion. Only upon good cause will the continuance be granted.

#### **C. Pretrial and Post-trial Motions**

##### 1. Content

Motions shall conform to T.R.C.P. 7.02. A memorandum of law shall be submitted as needed to decide issues. Failure to comply will result in the motion being denied on its face.

No responsive pleading is required in domestic cases. Any mention of a required response in the motion will result in the motion being denied on its face.

Judge Soloman requires that parties file a motion to request Publication in lieu of service.

##### 2. Scheduling

Motions are heard on the second and fourth Fridays at 9:00 am, and on the fifth Friday, of a given month, at 8:30 am. Any changes to this schedule will be available through the Circuit Court Clerk. In order to be heard, the motion must be filed with the Circuit Court Clerk by 4:30 p.m. at least seven

(7) days preceding the hearing date. Motions for default are set in the same manner. If you believe your motion will take longer than 30 minutes to be heard, contact the Judge's office for a special setting.

### 3. Courtroom Procedure for the Motion Docket

#### **Default Docket:**

All Defaults will be heard on 1st call.

#### **Regular Docket:**

There will be **3 calls** of this docket. If you are representing yourself, stand up when your motion is called so that we know you are here.

#### **1st Call:**

Only say one of the following things:

- Ready - no opposition
- Ready - 5 minutes or less, 2nd call
- Ready - more than 5 minutes, 3rd call
- Strike
- Continue
- Agreed Order, and announce agreement

**Motions to withdraw will be heard on first call, as well as any other Motions at the discretion of the Judge. If your Motion is not a Motion to withdraw, or one heard at the discretion of the Judge, mark it ready. DO NOT begin discussing your motion on 1st call.**

#### **2nd Call:**

Each case marked ready for this call will be taken in order. There will be a 5 minute limit. If the case is not completed, it will be moved to third call.

#### **3rd Call:**

Each remaining case will again be taken in order.

**Note: Do not approach the clerk during the motion docket. If you need to relay a message, write it down and hand it to one of the court officers.**

#### 1. Oral Argument

Oral argument is not required in support of or in opposition to all motions. Briefs, responses, and affidavits may be filed. However, attorneys are always required to appear before the court to offer evidence by witnesses or exhibits including on Motions for Default. Oral arguments shall be limited to 10 minutes per side at the 3rd Call of the Motion Docket.

#### 2. Orders

Judge Soloman requires attorneys to submit orders setting forth her rulings. All orders shall be filed with the Circuit Court Clerk within 72 business hours.

If an order is over 30 days from the time of hearing, the Court may deny the order and require the attorney or litigant to re-file the motion.

## **D. Discovery**

### 1. Discovery Period

Discovery shall proceed in accordance with the Tennessee Rules of Civil Procedure and the Local Rules.

### 2. Resolution of Discovery Disputes

Discovery disputes shall be resolved by filing the appropriate motion which will be heard during the court's regular motion docket. However, Judge Soloman discourages such filings and requires a 30 day extension for discovery to be provided by agreement of counsel. At the end of the 60 day period if it is necessary to file a Motion to Compel, in most circumstances, sanctions will be granted.

### 3. Confidential Documents

All confidential documents shall be filed under seal with the Circuit Court Clerk and shall remain under seal until such time as Judge Soloman orders the documents unsealed. Judge Soloman retains the right to remove any seal she finds unnecessary, or one that violates any rulings of the Court of Appeals or Supreme Court.

### 4. Expert Witness

The use of expert witnesses shall be left to the discretion of attorneys. The court requires counsel to follow the appropriate Rules of Civil Procedure.

## **E. Settlement Conferences**

Judge Soloman does not usually hold settlement conferences.

## **F. Pretrial Briefs**

Judge Soloman requests pretrial briefs in complex cases. Briefs should be submitted to the Judge's office at the latest 72 business hours prior to the hearing. Briefs are always welcome and appreciated in any case.

## **G. Temporary Restraining Orders**

Temporary restraining orders remain in effect until further orders of the Court. TRO's concerning pending litigation may be requested through petitions or by Ex Parte Motions when accompanied by an affidavit and Order. If possible, notice should be given to opposing counsel.

## **H. Pendente Lite matters**

Judge Soloman will only hear motions for Pendente Lite matters once. Motions to modify Pendente Lite matters will be routinely denied, except in extreme circumstances at the discretion of the Judge. At no time will Judge Soloman grant a Motion for a Temporary Parenting Plan. Rather, she will simply set a specific parenting schedule for the pendency of the case.

## **IV. Trial Procedure**

### **A. Content**

In addition to the requirements of Tennessee Code Annotated, this Court further requires that the statistical information in the Complaint contains a statement as to whether an Order of Protection is pending or has expired. In addition, in order for a divorce to proceed by default, proper grounds must be pled. Irreconcilable Differences is not a proper grounds for a Default Divorce, and a Motion for Default will not be granted. With regard to child support, Judge Soloman sets support back to the date the parties separated. If, at the final hearing, testimony shows that support had not been paid since that date, an arrearage judgment will be calculated and granted.

## B. Scheduling

Trials are held Monday and Tuesday from 9:00 a.m. to 4:30 p.m. Trial will begin promptly at the conclusion of the Uncontested and Default dockets. Trial dates are acquired through the Judge's Assistant only after the filing of all required documents. Upon receipt of a court date, an Order to Set must be filed no later than seven (7) days prior to the hearing date.

### 1. Contested Cases without children

- a. Proof of Mediation
- b. Notice of Insurance (if this statute does not apply, still file the form, but write the exception on the document and mail a copy to the other side)
- c. Certificate of Readiness

### 2. Contested Cases with Children

- a. Both parties must have completed the parenting seminar, which must be at least four (4) hours, and which must be an in-person class.
- b. on-line survey [uptoparents.org](http://uptoparents.org)
- c. Proposed Parenting Plans with attached worksheets from both parties
- d. Proof of Mediation
- e. Notice of Insurance (if this statute does not apply, still file the form, but write the exception on the document and mail a copy to the other side)
- f. Certificate of Readiness

### 3. Uncontested Cases

Uncontested trials are held every Monday and Tuesday at 9:00 a.m. Trial dates may be set by any of Judge Soloman's clerks. An order to set the final hearing must be filed with the Circuit Court Clerk no later than 7 days prior to the hearing date containing detailed information regarding the case, including when the divorce was filed and when the below required items were signed, filed and/or completed.

For parties representing themselves (pro se), a Motion to Set must be filed and heard on a motion docket. If the motion is granted, an order to set the final hearing must be filed with the Circuit Court Clerk no later than 7 days prior to the hearing date containing detailed information regarding the case, including when the divorce was filed and when the below required items were signed, filed and/or completed. No Motion to Set should be filed until the statutory waiting time has elapsed.

Required documents for uncontested divorces without children:

- a. Marital Dissolution Agreement
- b. Notice of Insurance (if this statute does not apply, still file the form, but write the exception on the document and mail a copy to the other side)

Required documents for uncontested divorces with children:

- a. Marital Dissolution Agreement
- b. Notice of Insurance (if this statute does not apply, still file the form, but write the exception on the document and mail a copy to the other side)
- c. Parenting Plan with attached worksheet
- d. Proof of 4-hour seminar attendance
- e. Proof of [uptoparents.org](http://uptoparents.org) online survey completion

### 4. Default Cases

Default divorces are heard Monday and Tuesday at 9:00 a.m. Trial dates may be set by any of Judge Soloman's clerks. Judge Soloman requires the testimony of the plaintiff **and** two corroborating witnesses. An order to set for trial must be filed with the Circuit Court Clerk no later than **10 days** prior to the hearing date.

## 5. Show Causes and Contempts

Show Causes and Contempts are generally heard on Thursdays at 10:00 am, and are set by the Judge's Office, typically through a Show Cause Order or an Order to Appear filed by the Attorney with the Petition. Any Petition set on a Thursday shall not be allotted more than 30 minutes to be heard. If you believe your Petition will take longer than 30 minutes, you must notify the Court, so that a special hearing can be set on a different day.

## 6. Orders of Protection

Orders of Protection are heard on Wednesdays at 9:00 am, and a hearing date is set by the Sheriff's Department or the Circuit Court Clerk's office. If the Petitioner desires to request a continuance or dismissal of the petition, they still have to appear in person before the Court to make the request.

## 7. Child Support

Cases involving Child Support Services are held every Wednesday at 1:00 p.m. Trial dates for this docket are generally set by the Child Support Office.

### **C. Out-of-Town Parties**

Judge Soloman does allow out-of-town parties to testify by interrogatories in uncontested matters if cleared by the court upon motion. In all contested matters, parties are required to appear before the court.

### **D. Motions in Limine**

Motions in Limine are left to the judgment and discretion of the attorneys.

### **E. Opening Statements**

Judge Soloman has a 10 minute time limit. Judge Soloman requests opening statements to be concise, give a brief history of the case, and set out the relief requested by the parties.

### **F. Exhibits**

Exhibits are to be handed to the court officer who will then pass them to the witness. They will be marked by the clerk, and the number given will be announced.

### **G. Proposals of Property and Debt Divisions**

Judge Soloman requires proposals of property and debt divisions in addition to those items required pursuant to Rule 29 of the Local Rules.

### **H. Court Reporters**

Judge Soloman does not require court reporters in contested trials. However, if no court reporter is present, there will not be a record.

### **V. Adoptions**

As this Court does not routinely hear adoption matters, if an Adoption Petition is assigned to Eighth Circuit Court, please contact the Law Clerk for procedural requirements. Final hearings on adoptions will be conducted by this Court on the second Thursday of each month at 9:00 a.m.