

**JUDGE KELVIN JONES**  
**8<sup>th</sup> Circuit**  
**Room 604**

**I. Brief Biography**

Kelvin D. Jones is the Eighth Circuit Court Judge for the 20th Judicial District serving Davidson County (Nashville), Tennessee.

Judge Jones received a Bachelor of Arts Degree with Honors from Howard University in 1990 and his Juris Doctorate from the University of Alabama School of Law in 1993. Upon graduating from law school Judge Jones began his practice as a corporate/securities litigation attorney with the law firm of Holme Roberts and Owen, LLC in Denver, Colorado. While in Denver, Judge Jones served as an adjunct professor at the Metropolitan State College of Denver where he taught courses in Ethics and Pre-Law. In 1997 Judge Jones moved to Nashville to practice with the law firm of Bass, Berry and Sims and in 1999 he joined then Mayor Bill Purcell as his in-house legal advisor. In 2004 Judge Jones was tapped to serve as the Executive Director of the Metro Human Relations Commission where he served until founding The Kelvin Jones Law Group in 2010.

Judge Jones has been admitted to practice law in Tennessee, Alabama, and Colorado and is a Tennessee Supreme Court Rule 31 Listed Civil/Family Mediator. He is a Nashville Bar Association Fellow and alumnus of both Leadership Nashville and the Tennessee Bar Association's Leadership Law program. Judge Jones is also a Master of the Bench of the Belmont University College of Law American Inn of Court.

Judge Jones continues to be actively involved in many nonprofit organizations.

**II. Preliminary General Matters**

**A. Scheduling**

Trial dates for all jury and non-jury trials should be obtained from the Assignment Clerk at (615) 862-4209. All other scheduling should be done with Judge Jones' Judicial Assistant, Ronnell Griffin at (615) 880-2591.

Typically, motions are heard the second and fourth Friday of the month at 9:00 a.m., with a few exceptions. Please check the Circuit Court Clerk's website at [www.nashville.gov/circuit](http://www.nashville.gov/circuit) or in the clerk's office for exact dates.

In all jury cases, the Circuit Court Special Master will schedule a status conference/case management conference after the expiration of approximately 4-6 months from the initial filing of a jury case. These conferences are conducted by the Special Master. Each case is designated as either a general sessions appeal, expedited, standard, or complex pursuant to Local Rule §§ 27.06(f).

Judge Jones hears settlements each morning beginning at 8:45 a.m. in the courtroom. On Fridays when there is a motion docket scheduled, settlements will be heard after the call of the motion docket. Court starts at 9:00 a.m.

**B. Correspondence with the Court**

Judge Jones prefers that all communication be by pleadings, notices, memoranda, and briefs. Letters sent to the Court will be placed in the case file.

**C. Telephone Conference with the Court**

Judge Jones will conduct status conferences or pre-trial conferences by telephone whenever the physical presence of out-of-town counsel or in-town counsel is not feasible.

Judge Jones generally will not resolve discovery disputes by telephone. Attorneys or parties must file the appropriate motion and set for hearing. Judge Jones may conduct emergency motions by telephone whenever it is necessary and/or appropriate. If a conference call is necessary, please contact the Judicial Assistant to Judge Jones.

**D. Pro Hac Vice Admission**

The court follows the Rules of Civil Procedure.

**E. Motion to Ascertain Status**

An attorney may call or write and inquire as to the status of a case under advisement, particularly if the opinion is over 30 days old.

**III. Pretrial Matters – Civil Cases**

**A. Scheduling Orders**

All jury cases designated as standard or expedited must have scheduling orders agreed to by the parties or ordered by the Court. Generally, the Special Master will preside at the scheduling conference. All modifications to original scheduling orders must be approved by order even if agreed to by the parties.

**B. Continuances**

Trial continuances are granted only upon a showing of just cause supported by affidavit and supporting documentation. Parties may not agree to continue a trial without the Court's permission.

**C. Pretrial Motions**

Civil motions are generally heard the second and fourth Friday of each month at 9:00 a.m. Attorneys may check the dates on the Internet at [www.nashville.gov/circuit](http://www.nashville.gov/circuit) or in the clerk's office. Eighth Circuit adheres to Local Rule §§ 26.03 (two-week rule).

Judge Jones may at his discretion allow a motion to be heard earlier than required by Local Rule §§ 26.03 if all parties agree. Court permission is required.

In order to schedule a motion on an expedited basis without the agreement of the parties, a party must file a motion for an expedited hearing, along with the underlying motion. A proposed order granting the motion for expedited hearing shall be filed as well, leaving the date blank for the Court to complete. The motion for expedited hearing should fully explain why Local Rule §§ 26.03(a) or (b) should be waived. If Judge Jones grants the motion for an expedited hearing, he will enter the proposed order and schedule a hearing on the underlying motion. Counsel will be notified of the expedited hearing date by telephone, fax, or email.

Oral argument of a motion may be waived by agreement of counsel. See Local Rule §§ 25.04.

Parties are not required to appear at the Friday morning motion docket if no response to their motion was timely filed.

Late responses generally are not considered by the Court. If the parties agree to allow a non-movant to respond to a motion late, the Court will consider the late response so long as the Court has been notified of the agreement in advance.

**Filing of Orders** - An order should be filed representing the Court's ruling on a motion within seven (7) days of the motion hearing, pursuant to Local Rule §§ 33.01(a). The prevailing party shall draw up the order. If the opposing side objects to the language contained in the submitted order, the Court must be notified of the objection within three (3) days of the order's submission. A competing order must be submitted for the Court's consideration within seven (7) days of the objection.

#### **D. Discovery**

**Discovery Period** – Judge Jones expects the parties to adhere to the case management/scheduling order deadlines. Any extensions must be by Court order and agreement by counsel is not sufficient unless also ordered by the Court.

**Discovery Disputes** - Judge Jones expects that almost all disputes can be solved amongst parties. Disrespectful behavior will not be tolerated. Discovery disputes require the filing of a motion pursuant to Local Rule §§ 22.08.

**Confidentiality Agreements/Filings under seal** – These agreements and discovery matters submitted under seal should be in an envelope with a label marked "to be filed under seal". The envelope should be accompanied by a motion to seal.

#### **E. Settlement**

The court encourages settlement of cases, particularly with the use of ADR. The scheduling order should include ADR and parties are expected to make a good faith attempt at ADR. Judge Jones may conduct a settlement conference upon special request.

#### **F. Injunctions**

Judge Jones will hear Restraining Orders on an ex parte basis so long as the requesting attorney is either unaware of the presence of opposing counsel or provided reasonable notice to opposing counsel and that attorney chose not to appear. An emergency conference will be called if the opposing attorney is available.

### **IV. Trial Procedures**

#### **A. Scheduling**

Trial dates for all jury and non-jury cases can be obtained from the Assignment Clerk at (615) 862-4209, or by motion on the regular motion docket. In jury cases, a court date will typically be set by Judge Jones or the Special Master.

#### **B. Out-of-town Parties, Witnesses, or Attorneys**

The Court will attempt to accommodate these parties.

#### **C. Motions in Limine**

Motions in Limine should be filed pursuant to Local Rule §§ 30. If numerous, contact the Court to schedule a hearing to have the motions heard prior to the morning of trial. This will allow sufficient time for efficient jury selection on the morning of trial.

#### **D. Courtroom Decorum**

1. Attorneys must treat each other with respect. Please do not interrupt opposing counsel in the midst of argument.
2. Please stand when speaking.
3. Please use the podium when addressing the Court.
4. Please ask permission before approaching a witness or Judge Jones.

5. Please wait for the court officer to come forward and receive exhibits. The court officer will pass exhibits to witnesses.

#### **E. Voir Dire**

1. Potential jurors are seated in the box with the remaining seated behind the rail.
2. Please address questions to the jurors seated in the jury box. If you would like to address all jurors in the courtroom, please make that request prior to voir dire.
3. After you have addressed the first group of jurors in the box, address only the newly seated jurors who replace the excused jurors.
4. You may use your challenges per party against any juror until your challenges are exhausted. Back striking is permitted.

#### **F. Note taking by Jurors**

Note taking by jurors is encouraged. Pen and paper are provided. Jurors may take their notes into the jury room for deliberation.

#### **G. Opening Statement**

Please keep in mind that an opening statement is not the time for argument, but rather the presentation of anticipated facts. Opening statements should not exceed a reasonable time based upon the complexity of the case.

#### **H. Exhibits**

As a general rule, the courtroom clerk for Eighth Circuit will mark/label all trial exhibits. Judge Jones asks that counsel and the parties remain silent until each exhibit is marked.

#### **I. Closing Statements**

Judge Jones will set a time limit for closing argument based upon the length and complexity of the case. He will decide the time limit at the time jury instructions are discussed.

#### **J. Side Bar Conferences**

Judge Jones holds side bar conferences to avoid having the jury leave the courtroom unless it is a complicated matter that will take considerable time.

#### **K. Videotaped Testimony**

This type of testimony is permitted.

#### **L. Deposition Reading**

This is permitted. Counsel may use co-counsel or a member of their staff in the witness box to read the answers in the deposition.

#### **M. Proposed Jury Instructions and Verdict Forms**

Proposed jury instructions and the verdict form should be given to the Court's law clerk as soon as possible before trial begins and certainly before the end of trial.

A jury charge conference will be held with the attorneys to discuss the jury instructions and verdict form.

Jurors are allowed to refer to a copy of the instructions and the verdict form in the jury deliberation room.

**N. Jury Deliberations**

1. Jury deliberations are done in the Jury Room.
2. A copy of the instructions are provided to the jurors and the jury is immediately given all exhibits admitted into evidence.
3. Jurors no longer have access to depositions.
4. Counsel does not need to remain in the courthouse during deliberation but must let the court officer know where they will be and how they can be contacted.
5. Jury questions will be submitted to Judge Jones. Judge Jones will communicate with counsel in order to fashion a response.
6. Generally, the jury will be polled by Judge Jones after the verdict is announced by the presiding juror.