

JUDGE KELVIN JONES
8th 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, his Juris Doctorate from the University of Alabama School of Law in 1993 and his Master of Laws Degree from Duke University Law School in 2020. 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. He is a Fellow of the Tennessee, Nashville and Napier-Looby Bar Associations and alumnus of Leadership Nashville, Leadership Coffee County and the Tennessee Bar Association's Leadership Law program. Judge Jones is also a former 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. Familiarity with Local Standards

Judge Jones expects all attorneys who appear before him to be familiar with, and to abide by, all local rules, standing orders, these preferences and local standards of practice and civility.

B. Correspondence with the Court

Judge Jones prefers that all communication be by pleadings, notices, memoranda, and briefs. Written correspondence should not replace or augment pleadings, motions, or other papers that may be filed with the Court.

C. Telephone Conference with the Court

Telephone conferences are permissible whenever the physical presence of out-of-town counsel or in-town counsel is not feasible and/or necessary. 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 Tennessee Supreme Court Rule 19.

III. Pretrial Matters – Civil Cases

A. Scheduling Orders

In jury cases, the Eighth Circuit Court Special Master will schedule a status/case management conference after the expiration of 4-6 months from the initial filing of a jury case. A scheduling order will be entered at this conference. The Judge may refer jury trials deemed as complex (ex. Medical Malpractice) to the Circuit Court Special Master for case management.

Non-jury trials expected to last one day or longer can be scheduled for trial during case management with the Eighth Circuit Court Special Master. Trial dates for non-jury trials scheduled to last less than one day can be obtained from the Assignment Clerk at (615) 862-4209.

All modifications to original scheduling orders must be reviewed by the Special Master and approved by order of the Court 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.

Extensions of Scheduling Order deadlines are generally considered if requested before the deadline has passed and there is no unfair prejudice to the opponent.

C. Pretrial Motions

Pursuant to Rule §26.02, the Motion docket is heard on Fridays at 9:00 a.m. Attorneys may confirm motion dates via the Circuit Court Clerk's website at www.nashville.gov/circuit or by contacting the Eighth Circuit Court.

Eighth Circuit adheres to Local Rule §26.03. 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 email or telephone.

Oral argument of a motion may be waived by agreement of counsel. See Local Rule §25.04. The Court must be notified of this agreement.

Pursuant to Local Rule §26.04(g), parties are not required to appear at the motion docket if no response to their motion was timely filed. However, Judge Jones does call all cases on the docket, even if it does not have a response.

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.

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.

Expert Witnesses – Counsel should not contact expert witnesses engaged by opposing counsel or parties.

E. Settlement

The court encourages settlement of cases, particularly with the use of mediation/ADR. The scheduling order should include mediation/ADR and parties are expected to make a good faith attempt at mediation/ADR.

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 may be called if the opposing attorney is available.

IV. Trial Procedures

A. Out-of-town Parties, Witnesses, or Attorneys

If there is a request to be heard out of order, the Court will reasonably accommodate these parties.

B. Motions in Limine

Motions in Limine should be filed pursuant to Local Rule §30 and set pursuant to the case management order/scheduling order. 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.

C. 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.

D. Voir Dire

1. Counsel should be mindful that voir dire is not an opening statement.
2. Potential jurors are seated in the jury box with the remaining seated in the gallery.
3. Judge Jones will conduct a short preliminary voir dire of jurors who are initially seated in the jury box as well as those who are subsequently seated in the jury box.
4. 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.
5. After you have addressed the first group of jurors in the box, address only the newly seated jurors who replace the excused jurors.
6. You may use your challenges per party against any juror until your challenges are exhausted. Back striking is permitted.

E. 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.

F. 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.

G. Exhibits

The use of courtroom technology is encouraged when presenting exhibits. Once entered, 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.

H. 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.

I. 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.

J. Videotaped Testimony

This type of testimony is permitted.

K. Deposition Reading

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

L. Proposed Jury Instructions and Verdict Forms

Proposed jury instructions and the verdict form should be provided to the Court as soon as possible before trial begins.

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.

M. Jury Deliberations

1. Jury deliberations are conducted 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.