

IN THE CIRCUIT COURTS OF THE 20<sup>TH</sup> JUDICIAL DISTRICT FOR DAVIDSON  
COUNTY, TENNESSEE

In Re: Weekly Settlement Approvals

20PJ

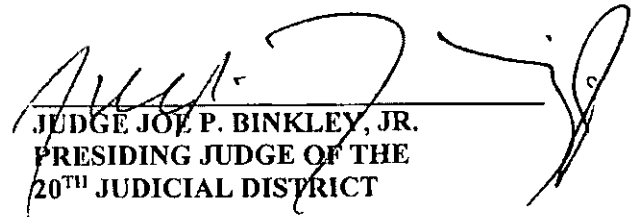
**FILED**  
MAR 26 2020  
RICHARD R. BOOKER, Clerk  
Deputy

**ORDER**

Due to the current health crisis and pursuant to the pertinent orders from the Supreme Court, the Circuit Courts of the 20<sup>th</sup> Judicial have determined that it is necessary to eliminate as much person to person interaction as possible during this time. Accordingly, the method of obtaining judicial approval of settlements is modified as follows:

1. The rotation between Circuit judges shall remain in effect, but there shall be no personal appearance before a judge unless specifically scheduled by that judge.
2. Except in cases involving the settlement of a minor's claim in the amount of ten thousand (\$10,000.00) dollars or more, all settlement orders shall be accompanied by an affidavit of the appropriate parties.
3. Counsel shall contact the staff for the Court before whom they wish to submit a settlement order and arrange to submit the proposed order and supporting documents via electronic means.
4. Counsel shall contact the staff for the Court before whom they wish to submit a settlement order involving the settlement of a minor's claim in the amount of ten thousand (\$10,000.00) dollars or more and arrange to schedule a Chambers hearing, to be conducted in a manner determined by the judge.

**IT IS SO ORDERED.**

  
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JUDGE JOE P. BINKLEY, JR.  
PRESIDING JUDGE OF THE  
20<sup>TH</sup> JUDICIAL DISTRICT

cc All Circuit Court Judges

West's Tennessee Code Annotated  
Title 29 Remedies and Special Proceedings  
Chapter 34 Torts  
Part 1 Generally--Privity

T C A § 29-34-105

§ 29-34-105 Settlements on behalf of minors

Effective July 9, 2012

Currentness

(a) Notwithstanding any other law or rule to the contrary, a judge or chancellor may sign an order approving any tort claim settlement involving a minor that is less than ten thousand dollars (\$10,000) by relying on affidavits from the legal guardian. The court shall conduct a chambers hearing at which the minor and legal guardian are present to approve any tort claim settlement involving a minor that is ten thousand dollars (\$10,000) or more.

(b) Such affidavit as described in subsection (a) shall contain the following

(1) Description of the tort,

(2) Description of the injuries to the minor involved,

(3) Statement that the affiant is the legal guardian,

(4) Amount of the settlement,

(5) Statement that it is in the best interest of the minor to settle the claim in the approved amount, and

(6) Statement of what the legal guardian intends to do with the settlement proceeds until the minor reaches the age of eighteen (18)

(c) This section shall not apply to structured settlements

(d) In the order approving any tort claim settlement authorized by this section, the court shall have the discretion to determine whether the settlement proceeds are to be paid to the minor's legal guardian or held in trust by the court until the appropriate time

**Credits**

2004 Pub Acts, c. 701, § 1, eff. July 1, 2004

Notes of Decisions (2)

T C A § 29-34-105, TN ST § 29-34-105

Current with laws from the 2019 First Reg Sess of the 111th Tennessee General Assembly Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T C A until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text.

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