



JI-TN-001-001

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

RECEIVED FOR ENTRY  
4:50 P M  
1-15-79

A.N., et al.,

Plaintiffs,

v.

JAMES C. SCOTT, et al.,

Defendants.

RECEIVED

JAN 31 1979

NATIONAL CLEARINGHOUSE  
FOR LEGAL SERVICES

NO. 79-3010-NA-CV

Julia B. Cross  
Clerk

BY *[Signature]*  
Deputy Clerk

25,913

D  
28.

CONSENT ORDER

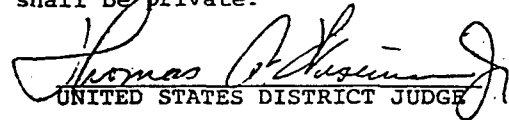
This cause came on to be heard on January 15, 1979, on plaintiffs' application for a temporary restraining order to restrain defendants from preventing the plaintiffs from meeting and speaking privately with their attorney while in detention at the Tennessee Preparatory School. At the hearing plaintiffs' attorney announced that he had had an opportunity to confer with the individually named plaintiffs and that, therefore, it would be unnecessary for the court to enter any relief as to those plaintiffs.

Based upon affidavits filed with the Court, the pleadings, and oral argument of counsel, the Court is of the opinion that the rule or policy of Tennessee Preparatory School prohibiting students in detention from conferring privately with an attorney was, in the circumstances and exigencies of this particular case, too strictly applied. Accordingly it is hereby ORDERED that the defendants shall allow any student of Tennessee Preparatory School placed in detention to confer with an attorney by telephone at any time during such period of detention. Defendants shall allow any student in detention at Tennessee Preparatory School to confer either in person or by telephone, with a previously engaged attorney, provided that any such person-to-person conference shall take place between the hours of 9:00 A.M. and 6:00 P.M., and further provided

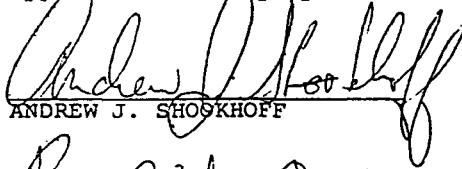
that a person-to-person conference may occur at other hours of the day if emergency or exceptional circumstances exist.

It is further ORDERED that this cause be and hereby is dismissed with Court costs taxed to the defendants.

It is further ordered that any communication that a student has with an attorney shall be private.

  
UNITED STATES DISTRICT JUDGE


Approved for entry by:

  
ANDREW J. SHOSKHOFF

 by *ATS*  
RUSSELL J. OVERBY

Attorneys for Plaintiffs  
LEGAL SERVICES OF NASHVILLE  
AND MIDDLE TENNESSEE, INC.  
1512 Parkway Towers  
Nashville, TN. 37219

(615) 244-6610

  
R. STEPHEN DOUGHTY  
Assistant Attorney General  
450 James Robertson Parkway  
Nashville, tN. 37219  
(615) 741-6438

Attorney for Defendants