

**IN THE CHANCERY COURT OF SHELBY COUNTY, TENNESSEE  
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS**

MLK50: JUSTICE THROUGH  
JOURNALISM, MEMPHIS FOURTH  
ESTATE INC., MEMPHIS  
PUBLISHING CO., and NEXSTAR  
MEDIA GROUP, INC.,

Plaintiffs,

v.

JUVENILE COURT OF MEMPHIS AND  
SHELBY COUNTY, TENNESSEE,

and

THE HONORABLE TARIK B.  
SUGARMON, in his official capacity as  
Judge for the Juvenile Court for  
Memphis and Shelby County, Tennessee,

Defendants.

No. \_\_\_\_\_

**COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**

**TO THE HONORABLE CHANCELLORS OF THE  
CHANCERY COURT FOR THE THIRTIETH JUDICIAL DISTRICT:**

Plaintiffs MLK50: Justice Through Journalism, Memphis Fourth Estate Inc., Memphis Publishing Co., and Nexstar Media Group, Inc. (collectively “Plaintiffs” or the “Press Coalition”) for their complaint against Defendants the Juvenile Court of Memphis and Shelby County, Tennessee and Judge of the Juvenile Court of Memphis and Shelby County, the Honorable Tarik B. Sugarmon, (collectively, “Defendants”),

who is being sued in his official capacity, allege by and through their attorney as follows:

### **PARTIES**

1. Plaintiff MLK50: Justice Through Journalism (“MLK50”) is an award winning nonprofit online news outlet based in Memphis, Tennessee whose reporting focuses on the intersection of poverty, power and policy.

2. Plaintiff Memphis Fourth Estate Inc. is the publisher of The Daily Memphian (the “Daily Memphian”), a daily online publication for in-depth journalism in the Memphis community.

3. Plaintiff Memphis Publishing Co. publishes the Commercial Appeal (the “Commercial Appeal”), an award-winning daily newspaper covering news in Memphis and the surrounding area, including local news, sports, business, and entertainment.

4. Plaintiff Nexstar Media Group Inc. owns and operates WREG (“WREG”), a television station in Memphis affiliated with CBS, which offers local news and programming to Memphis and surrounding areas.

5. All Plaintiffs employ full-time reporters who gather news on matters of public concern on a routine basis, including news about criminal justice.

6. Defendant the Juvenile Court of Memphis and Shelby County, Tennessee (the “Juvenile Court”) was created by the Tennessee General Assembly by Chapter 219 of the Private Acts of 1967-68 and has “all the jurisdiction, powers, and

authority of a Juvenile court in [Shelby] County contemplated in the laws of Tennessee.”

7. Defendant the Honorable Tarik B. Sugarmon is the publicly elected Juvenile Court Judge for Shelby County and is only being sued in his official capacity.

### **JURISDICTION AND VENUE**

8. This is an action for declaratory and injunctive relief pursuant to Tenn. Code Ann. § 1-3-121 based on Defendants’ adoption and enforcement of a policy governing public access to Juvenile Court proceedings that violates Tennessee Rule of Juvenile Practice & Procedure Rule 114(b). This Court has jurisdiction over Plaintiffs’ claim pursuant to Tenn. Code Ann. § 16-11-102 and Tenn. Code Ann. § 5-1-105.

9. As the county where the cause of action giving rise to the Plaintiffs’ complaint occurred, where all or a substantial part of the events or omissions giving rise to the cause of action accrued, and the county where Defendants maintain their principal office, venue is proper in Shelby County pursuant to Tenn. Code Ann. § 20-4-101 and Tenn. Code Ann. § 20-4-104.

### **FACTUAL ALLEGATIONS**

10. Plaintiffs are organizations that gather and publish the news in Shelby County.

11. Plaintiffs are in the business of regularly publishing newsworthy information and employ journalists who report on Shelby County’s juvenile justice system including its juvenile courts. *See, e.g.,* Rebecca Cadenhead, *Shelby County is*

*jailing more children, even as serious crimes committed by youth fall*, MLK50: Justice through Journalism (Aug. 18, 2025), <https://perma.cc/PZ8U-ELBU>; Brian Didlake, *Juvenile Court to take over youth detention center soon, leaving some worried about transition*, WREG (Dec. 18, 2024), <https://perma.cc/9RH7-TZRC>; Aaron Fleming, *Juvenile Court Judge Sugarmon talks perceptions versus reality*, The Daily Memphian (July 8, 2024), <https://perma.cc/MV3W-NJC3>; Micaela A. Watts, *After reports of problem in TN juvenile justice facilities, new report outlines solutions*, The Commercial Appeal (Feb. 12, 2024), <https://perma.cc/G8TK-CQVF>.

12. Effective and accurate coverage of juvenile justice issues often requires reporters to attend juvenile delinquency proceedings in person.

13. Tennessee Rule of Juvenile Practice & Procedure 114 (“Rule 114”) governs access to juvenile proceedings in Tennessee.

14. While Rule 114(a) provides that “[d]ependent and neglect cases shall not be open to the public,” under Rule 114(b) “[d]elinquent and unruly cases are open to the public.”

15. Rule 114(b) specifies that to close a “delinquent or unruly” juvenile proceeding the Court must balance “the interests of the parties and the public’s interests in open proceedings” while applying the following rules:

**(1)** When closure is sought by a party:

**(A)** The party seeking to close the hearing shall have the burden of proof;

**(B)** The court shall not close proceedings to any extent unless it determines that failure to do so would result in particularized prejudice to the party seeking closure that

would override the public's compelling interest in open proceedings;

(C) Any order of closure must not be broader than necessary to protect the determined interests of the party seeking closure;

(2) The juvenile court must consider reasonable alternatives to closure of proceedings; and

(3) The juvenile court must make adequate written findings to support any order of closure.

16. The Advisory Commission Comments to Rule 114 explain that “*State v. James*, 902 S.W.2d 911 (Tenn. 1995) authorizes the closure process specified in subdivision (b) for delinquent and unruly cases. Such proceedings ‘may’ be closed only through the process as outlined above.”

17. In *State v. James*, the Tennessee Supreme Court held that to close a juvenile delinquency proceeding, a court “shall apply the following rules”:

1. The party seeking to close the hearing shall have the burden of proof;

2. The juvenile court shall not close proceedings to any extent unless it determines that failure to do so would result in particularized prejudice to the party seeking closure that would override the public's compelling interest in open proceedings;

3. Any order of closure must be no broader than necessary to protect the determined interests of the party seeking closure;

4. The juvenile court must consider reasonable alternatives to closure of proceedings; and

5. The juvenile court must make adequate written findings to support any order of closure.

902 S.W.2d at 914.

18. Despite the presumption of openness for “delinquent and unruly” juvenile proceedings, and the stringent, case-by-case, proceeding-by-proceeding requirements for closure mandated by *State v. James* and Rule 114(b), Defendants have adopted and are enforcing a policy that requires members of the public to submit, up to 48 hours in advance, a request to attend a hearing related to a specifically identified juvenile and obtain permission from Defendants to attend any such proceeding (the “Advance Permission Policy”).

19. There does not appear to be any written record memorializing the Advance Permission Policy, but reporters for each of Plaintiffs’ news organizations have been subjected to the policy’s unlawful requirements.

20. Plaintiffs’ ability to report on the Juvenile Court has been impeded by Defendants’ adoption and implementation of the Advance Permission Policy.

21. In particular, Plaintiffs have experienced undue delays in receiving permission to attend proceedings, including not receiving a response to their requests for permission to attend until after the proceeding occurred, and sometimes not receiving a response at all. In addition, in certain instances Plaintiffs’ requests for permission have been improperly denied by Juvenile Court staff.

22. On February 21, 2025, undersigned counsel sent a letter on behalf of Plaintiff MLK50 urging Judge Sugarmon to reconsider Defendants’ Advance Permission Policy, as it violated Rule 114(b) and was impeding lawful news coverage of Juvenile Court proceedings. A true and correct copy of this letter is attached as **Exhibit A**.

23. Judge Sugarmon responded via email on February 23, 2025, stating in pertinent part that “[m]y understanding was that the detention staff advised [MLK50 reporter Rebecca Cadenhead] of the process for requesting permission to appear during proceedings. . . . That request has to be presented prior to the court date. There is currently limited space in the one courtroom at the YJAC and the sheriff’s staff has to restrict access when there isn’t enough room for the families of the detained youth, witnesses and service providers.” A true and correct copy of this email is attached as **Exhibit B**.

24. On March 6, 2025, undersigned counsel received an emailed letter from Chief Judicial Officer Erica Evans on behalf of Judge Sugarmon, stating that Defendants were declining to alter the Advance Permission Policy and asserting the policy was consistent with the law. A true and correct copy of this letter is attached as **Exhibit C**.

25. Specifically, Defendants claimed that the Juvenile Court’s policy did not violate Rule 114(b) but rather conformed with the Juvenile Court’s obligation to keep juvenile records confidential under Tenn. Code Ann. § 37-1-153. In pertinent parts, the letter stated that the “Court cannot apply Rule 114 in a vacuum only; but, instead, must review Rule 114 in conjunction with Tenn. Code Ann. § 37-1-153,” Ex. C at 3, and “allowing the public to attend any and all delinquency proceedings would seemingly require the Court to violate the law,” *id.* at 4.

26. On April 24, 2025, undersigned counsel responded to the March 6, 2025, letter, addressing the issues raised in that correspondence and, again, urging the

Juvenile Court to fully comply with Rule 114(b). A true and correct copy of this letter is attached as **Exhibit D**.

27. The Advance Permission Policy hinders Plaintiffs' ability to attend and report on juvenile delinquency proceedings in Shelby County.

28. In the experience of reporters for the Press Coalition, seeking permission to attend a specific juvenile delinquency proceeding 48 hours in advance is often not feasible. This is so for multiple reasons, including but not limited to because a reporter may not know 48 hours in advance that a particular hearing has been scheduled, the hearing itself may not even be scheduled more than 48 hours in advance, and a reporter may not know the name of the juvenile whose proceeding they want to attend.

29. In addition, a reporter may wish to generally observe and report on delinquency proceedings by attending any "delinquency and unruly" proceedings that take place on a particular day, rather than only attending the hearing for one specific case they know about in advance. By requiring a reporter to seek permission to attend a specific proceeding, the Advance Permission Policy substantially disrupts the ability of news organizations to report on the juvenile justice system in Shelby County.

30. The Advance Permission Policy has also deterred at least one of Plaintiffs' journalists from trying to cover juvenile delinquency proceedings in Shelby County at all.



31. Plaintiffs each intend to continue to cover juvenile delinquency proceedings in Shelby County, including by sending their reporters to observe such proceedings firsthand.

### **CLAIM FOR RELIEF**

#### **Tenn. Code Ann. § 1-3-121 – Violation of Rule 114(b)**

32. Plaintiff incorporates by reference the allegations set forth in paragraphs 1–31 above as though fully set forth herein.

33. Rule 114(b) unequivocally establishes a presumption that juvenile delinquency proceedings are open to the public and provides that any exclusion of the public from a specific proceeding must be based on particularized findings as to the balance of the interests in closure against the public's interest in open proceedings on a case-by-case, proceeding-by-proceeding basis.

34. Rule 114(b) has the full force and effect of law.

35. Defendants' Advance Permission Policy violates Rule 114(b) by requiring members of the public to obtain advance permission from Defendants to attend any juvenile delinquency proceeding, thereby inverting the presumption of openness expressly mandated by the rule and making juvenile delinquency proceedings presumptively closed to the public.

36. Defendants' Advance Permission Policy violates Rule 114(b) by presumptively closing all juvenile delinquency proceedings without requiring the Court to make specific findings as to each proceeding that there is a particularized

need for closure that outweighs the public's compelling interest in open proceedings, and that reasonable alternatives to closure do not exist.

37. Defendants' Advance Permission Policy violates Rule 114(b) by requiring that the Press Coalition provide the name of the juvenile whose hearing they want to attend before they seek to obtain permission to attend.

38. Defendants' Advance Permission Policy violates Rule 114(b) by not permitting the Press Coalition's journalists to attend multiple juvenile delinquency proceedings.

39. Defendants' Advance Permission Policy has adversely affected and continues to affect the Press Coalition's ability to attend and report on juvenile delinquency proceedings in Shelby County.

40. Defendants' Advance Permission Policy unlawfully burdens Plaintiffs' right of access to juvenile delinquency proceedings, stifles public oversight of juvenile delinquency proceedings, and undermines the openness of juvenile delinquent proceedings mandated by Rule 114(b).

### **PRAYER FOR RELIEF**

WHEREFORE, the Press Coalition respectfully requests that this Court:

A. Declare that Defendants' Advance Permission Policy violates Rule 114(b) and is illegal;

B. Enjoin Defendants from enforcing or applying the Advance Permission Policy to any current or future proceedings;

C. Order Defendants to permit public access to juvenile proceedings in accordance with the Rule 114(b);

D. Grant Plaintiffs' their court and discretionary costs; and

E. Grant Plaintiffs any other relief the Court deems just.

Dated: November 10, 2025

/s/ Paul R. McAdoo  
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