



County Technical Assistance Service
INSTITUTE for PUBLIC SERVICE

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Chapter V - Court System

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Chapter V - Court System

Circuit Court

Public Acts of 1974 Chapter 596

COMPILER'S NOTE: This is a special public act and does not appear in Tennessee Code Annotated.

SECTION 1. The Judge of Part 2, Seventh Judicial Circuit, shall be authorized the sum of eighteen hundred dollars (\$1,800.00) per annum for the expense of maintaining an office, which expense shall include office rent, stationery, telephone service and kindred expense and which expense shall be paid by the state of Tennessee in the same manner as paid to the several judges by virtue of Section 8-2502 [8-26-105], Tennessee Code Annotated.

SECTION 2. This Act shall take effect on becoming a law, the public welfare requiring it.

Passed: March 19, 1974.

General Sessions Court

Private Acts of 1998 Chapter 102

SECTION 1. Chapter 376 of the Private Acts of 1953 and Chapter 32 of the Private Acts of 1983 and all acts amendatory thereto, are hereby repealed effective September 1, 1998.

SECTION 2. Beginning on September 1, 1998, there shall be two (2) full-time judges for the General Sessions Court of Coffee County. Each judge shall have the same jurisdiction, consisting of all civil and criminal jurisdiction prescribed by general law for judges of general sessions courts, and jurisdiction over juvenile and domestic relations proceedings, including divorce jurisdiction. Each judge shall be elected in the regular August elections in 1998, and every eight (8) years thereafter. Each judge's qualifications, compensation, and all other matters shall be governed by general law.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Coffee County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body of Coffee County and certified to the Secretary of State.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 3.

Passed: January 26, 1998.

Court System - Historical Notes

Board of Jury Commissioners - Jurors

The following acts once affected jurors or boards of jury commissioners in Coffee County, but are no longer operative.

1. Private Acts of 1915, Chapter 605, created a three member Board of Jury Commissioners for Coffee County, who would be appointed to a term of one year by the Circuit Judge. The Clerk of the Circuit Court would serve as Clerk to the Board. The Board would select jurors from the tax books and other sources, a list of between 300 and 750 potential jurors. The list would be entered into a book and placed on slips of paper and placed in the jury box to serve as the jury list for the next two years. At least 10 days before the start of the term of the court, the Board would cause the box to be opened, and a child under the age of ten would draw 37 names, or as many as ordered by the Circuit Judge, to constitute the jurors for that term. If additional jurors were needed, the names would be drawn from the box in open court. The Jury Commissioners would receive \$3 per day for each day spent in making up jury lists.
2. Private Acts of 1949, Chapter 109, provided that in Coffee County all jurors would receive \$4.00 per day each as compensation for their services.

Chancery Court

The following acts form an outline of the development of equity jurisdiction in Coffee County, although they no longer have the force of law since they have either been superseded by general law, repealed, or failed to receive local ratification.

1. Private Acts of 1835-36, Chapter 40, Section 2, directed that until a courthouse for Coffee County was ready, the courts for the County would be held at the Stone Fort or some house near that place.
2. Private Acts of 1839-40, Chapter 66, Section 2, provided that the citizens of Coffee County could file their bills in chancery in the Chancery Courts at Shelbyville, Winchester or McMinnville.
3. Private Acts of 1845-46, Chapter 44, established a Chancery Court to be held in Manchester in Coffee County and to be attached to the Fourth Chancery Division. Court would be held on the third Mondays in February and August. The Chancellor was required to appoint a Clerk and Master for said court as soon as practicable.
4. Public Acts of 1857-58, Chapter 88, divided the State into six Chancery Divisions. Coffee County was made a part of the 4th Division with the court held on the third Monday of February and August at Manchester.
5. Public Acts of 1866-67, Chapter 33, established the 12th Chancery Division, composed of the Counties of White, Van Buren, Grundy, Franklin, Coffee, Putnam, Smith, DeKalb, Cannon and Warren. Court would be held at Manchester for Coffee County on the second Monday in February and August.
6. Public Acts of 1870, Chapter 32, divided Tennessee into twelve Chancery Districts. Coffee county was part of the Fourth District along with the Counties of Franklin, Lincoln, Bedford, Rutherford, Cannon, Warren and Grundy.
7. Public Acts of 1870, Chapter 47, set the time for holding Chancery Courts across the State. In Coffee County, court would be held on the second Monday of February and August.
8. Public Acts of 1885 (Ex. Sess.), Chapter 20, divided the State into eleven Chancery Divisions. Coffee County was part of the Third Chancery Division along with Bradley, Polk, Rhea, Marion, McMinn, Hamilton, James, Monroe, Meigs, Bledsoe, Sequatchie, Van Buren and Grundy. Court would be held in Coffee County on the Second Monday in February and August.
9. Public Acts of 1887, Chapter 13, Section 10, reset the times of holding court in the Third Chancery Division. Coffee County's court would meet on the second Monday in January and June.
10. Public Acts of 1887, Chapter 201, amended Public Acts of 1885 (Ex. Sess.), Chapter 20, by detaching Coffee County from the Third Chancery Division and attaching it to the Fourth Chancery Division. Court would be held on the second Monday of February and August.
11. Public Acts of 1899, Chapter 427, divided the State into ten Chancery Divisions. Coffee County was part of the Third Chancery Division with Franklin, Rhea, Bradley, James, Marion, Bledsoe, Sequatchie, Grundy, McMinn, Moore, Warren, Monroe, Polk, Meigs and Hamilton Counties. Court would be held in Coffee County on the fourth Monday in May and November.
12. Private Acts of 1911, Chapter 435, divided the Third Chancery Division and thereby created the Twelfth Chancery Division. Coffee County was in the new Twelfth Division, but the time of holding court remained unchanged. A new Chancellor would be popularly elected to serve an eight year term.
13. Private Acts of 1925, Chapter 500, changed the time for holding Chancery Court in Coffee County to the third Monday in May and November.

Chancery Court - Clerk and Master

The reference list below contains acts which once applied to the clerk and master in Coffee County.

1. Private Acts of 1913 (Ex. Sess.), Chapter 20, set the salary of the Coffee County Clerk and Master at \$750 per year. If the fees fail to equal the salary, then the County was required to make up the difference. Any fees in excess of the salary could be retained by the Clerk and Master.
2. Private Acts of 1929, Chapter 17, set the compensation of the Coffee County Clerk and Master at \$1,200 per year. The provisions for a shortfall or excess of fees remained as in Private Acts of 1913 (Ex. Sess.), Chapter 20.
3. Private Acts of 1933, Chapter 351, set the salary of the Clerk and Master of Coffee County at \$1,200 per year, with provisions similar to Private Acts of 1929, Chapter 17.
4. Private Acts of 1935, Chapter 358, amended Private Acts of 1933, Chapter 351, so as to allow the Clerk and Master to receive his compensation in monthly rather than quarterly payments.
5. Private Acts of 1937, Chapter 383, set the compensation of the Clerk and Master at \$1,200 per

annum, payable in monthly installments. The County would cover any shortfall in fees up to the amount of the salary, and the Clerk and Master could retain any excess. Certain types of fees were excluded from the provisions of this Act.

Circuit Court - Clerk

The following acts have no current effect, but once applied to the Coffee County Circuit Court Clerk. They were repealed, superseded, or never received local approval. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1921, Chapter 763, in establishing the Circuit Court at Tullahoma provided that the Clerk of the Circuit Court of Coffee County would also be Clerk of this Court. This Act was repealed by Private Acts of 1923, Chapter 31.
2. Private Acts of 1929, Chapter 719, provided that the compensation of the Circuit Court Clerk be set at \$1,200 per year, with any difference between this amount and the fees received by the Clerk to be paid out of the County Treasury. The Clerk could retain any excess fees.
3. Private Acts of 1933, Chapter 352, set the compensation of the Circuit Court Clerk at \$1,200 per year, to be paid quarterly. The remaining provisions were similar to Private Acts of 1929, Chapter 719.
4. Private Acts of 1937, Chapter 382, set the salary of the Circuit Court Clerk at \$1,200 per annum, to be paid in monthly installments.
5. Private Acts of 1957, Chapter 396, attempted to provide for the employment of a clerical assistant to the Circuit Court Clerk, but the Quarterly County Court did not approve this Act so it never became operative. The assistant would have been paid \$1,200 per annum.

District Attorney General - Assistants and Criminal Investigators

The following acts once affecting Coffee County are no longer in effect but are listed here for historical purposes.

1. Public Acts of 1971, Chapter 271, Public Acts of 1975, Chapter 221, Public Acts of 1976, Chapter 510, and Public Acts of 1978, Chapter 768, created additional positions for assistant district attorneys general in the Seventh Judicial Circuit. Coffee County is now in the Fourteenth Judicial District, according to T.C.A. § 16-2-506, which also provides the number of judges, assistant district attorneys general and investigators for the district.

Juvenile Court

The following acts once affecting juvenile courts in Coffee County are included herein for reference purposes.

1. Private Acts of 1925, Chapter 461, amended the general law, Public Acts of 1911, Chapter 58, to provide that in Coffee County the Recorder of any incorporated town having a population of not less than 3,000 nor more than 4,000 by the Federal Census of 1920 would be vested with all the rights and powers to try and dispose of any case arising within the corporate limits of said town involving juvenile delinquents or offenders. The Municipal government would pay all expenses of such juvenile court.
2. Private Acts of 1961, Chapter 299, vested the Judge of the General Sessions Court with exclusive jurisdiction in juvenile matters. This Act was not approved by the local authorities and never became effective.
3. Private Acts of 1965, Chapter 15, created a Juvenile and Probate Court for Coffee County. The Judge of this Court would also serve as County Attorney. The Judge would be elected to an eight year term and would receive a salary of \$3,600 per annum. The County Court Clerk would serve as Clerk of this Court. This Act was not approved by the local authorities and never became effective.
4. Private Acts of 1982, Chapter 308, created a Juvenile Court for Coffee County which would have all the authority granted under the general law. The Judge would be elected to an eight year term and the Coffee County Clerk would serve as the Clerk of this Court. This Act was not approved by the local authorities and never took effect.

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