



May 01, 2024

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,

The University of Tennessee
County Technical Assistance Service
226 Anne Dallas Dudley Boulevard, Suite 400
Nashville, Tennessee 37219
615.532.3555 phone
615.532.3699 fax
www.ctas.tennessee.edu

Chapter V - Court System	3
Chancery Court	3
Acts of 1879 Chapter 127	3
Private Acts of 1919 Chapter 737	4
Probate Jurisdiction	6
Private Acts of 1988 Chapter 135	6
General Sessions Court	7
Private Acts of 1947 Chapter 349	7
Juvenile Court	11
Private Acts of 1951 Chapter 411	11
Court System - Historical Notes	15

Chapter V - Court System

Chancery Court

Acts of 1879 Chapter 127

SECTION 1. That the 17th Civil District of Sullivan County shall constitute a Chancery District, and the Court shall be held at the Town of Bristol, by the Chancellor of the First Chancery Division of this State, on the second Mondays of June and December of each and every year.

SECTION 2. That the Clerk and Master of the Chancery Court of Sullivan County appointed pursuant to Section 3 of this act by the Chancellor for the Second Judicial District, shall perform all the duties, have all the rights and powers, and be subject to all the duties and liabilities now by law imposed upon such officers, and shall have all the fees and emoluments as are now allowed to such officers, and before entering upon the duties of said office, he shall execute the several bonds now required by law for Clerks and Masters to execute, and shall take the oaths prescribed by law, and shall keep his office in the Town of Bristol.

As amended by: Private Acts of 2000, Chapter 65.

SECTION 3. That the Sheriff of said Sullivan County and his deputies shall serve as the officers of said Court, and shall obey all orders, and execute all process as now required by law to do, by the orders of the Chancery Court of said Sullivan County. He shall execute separate bonds for the faithful performance of his duties as such officer of said Court, and shall have all the rights, and be subject to the same penalties, and receive the same compensation as now provided by law for the various Sheriffs of this State.

SECTION 4. That the fines and forfeitures arising or growing out of any business in said Court, shall be disposed of as the fines and forfeitures which are now collected in the Chancery Courts of this State.

SECTION 5. That any suits now pending or hereafter brought in the Chancery Court at Blountville, may by consent of the parties be transferred to the Chancery Court at Bristol. That upon application of the parties for a removal as aforesaid, the Clerk and Master at Blountville shall transmit all the papers in the case, together with a copy of all orders and decrees to the Clerk of the Chancery Court at Bristol, also a bill of the costs accrued in said Court at Blountville.

SECTION 6. That the citizens of the First, Second and Nineteenth Civil Districts of said Sullivan County, may bring their suits in equity in the said Court at Bristol, against any citizens residing within said Civil Districts, but no citizens residing out of said First, Second and Nineteenth Civil Districts shall be sued in said Courts, unless the subject of said suit is situate in said Civil Districts.

SECTION 7. That no citizen of the said Seventeenth Civil District of said County shall be sued in the Chancery Court at Blountville for said County, unless it be in a local action of which said last mentioned Court has exclusive jurisdiction by reason of the location of the property about which the action may be brought.

SECTION 8. That counterparts of writs may issue from said Court, against joint defendants residing or living beyond the limits of said Seventeenth Civil District, in all cases where the Court has the legal or rightful jurisdiction of the subject matter of the litigation.

SECTION 9. That the expense of erecting or providing a Court House and all necessary offices for said Court shall be paid by the citizens of the Town of Bristol, and none of the citizens of Sullivan County, residing out of the limits of the Town of Bristol, shall never be taxed to pay any portion of the expense of erecting or providing any of said public buildings at Bristol.

SECTION 10. That there shall be held at Bristol, in the County of Sullivan, a Law Court for the Seventeenth Civil District of said County, to be called the Law Court of Bristol, and to constitute one of the Courts of the First Judicial Circuit, and to be held by the Judge thereof, with common law jurisdiction, original and appellate – over all causes of a civil nature, arising within said Seventeenth Civil Districts.

SECTION 11. That the citizens of the First, Second and Nineteenth Districts of said County may bring their civil actions in said Law Court against citizens of the said First, Second, Seventeenth and Nineteenth Districts of said County if they so desire, and said Law Court shall have and exercise jurisdiction over the same, as if all the parties resided in said Seventeenth Civil District, and all civil causes heard and determined before any Justice or Justices of the Peace of said First, Second, Seventeenth and Nineteenth Districts, may be appealed or brought up by writs of certiorari to said Law Court; Provided, the plaintiff or defendant resides in said First, Second, Seventeenth or Nineteenth Districts, and either of them demand

such appeal or writs of certiorari, said Law Courts shall have and exercise jurisdiction over all such cases, as if the same had been heard by a Justice or Justices of the Peace of said Seventeenth Civil District, and between citizens of said Seventeenth Civil District.

SECTION 12. That the citizens of said County of Sullivan, residing outside of said First, Second, Seventeenth and Nineteenth Districts, shall not be liable to be sued in said Law Court at Bristol, unless in real actions, of which said Law Court has exclusive jurisdiction; but any defendant residing outside of said Civil Districts may waive his rights and have his suit returned to said Law Court, notwithstanding the process issued from, and is returnable to, the Circuit Court of Sullivan County in any civil action, unless the cause of action is of such a local nature as to give the Circuit Court of Sullivan County peculiar or exclusive jurisdiction in all cases, as provided for in this Section, where the right is so waived, the said Law Court shall have and exercise jurisdiction over them, as if the same had been brought by citizens of the Seventeenth Civil District against citizens of the same District.

SECTION 13. That said Law Courts shall be held by the Judge of the First Judicial Circuit, on the fourth Mondays of March, July and November of each and every year, and said Judge shall have and exercise all the powers and perform all the duties provided by law for the Circuit Court Judges of this State, and the practice in said Law Court shall be the same as in the Circuit Courts of the State, and whenever said Law Court has jurisdiction over any cause of action, counterpart of any original writs, may issue from said Court, for joint defendants residing outside of said First, Second, Seventeenth and Nineteenth Districts.

SECTION 14. That the Sheriff of said Sullivan County shall by himself or deputy attend the sittings of said Court, and aid in holding the same as is now provided by law for Sheriffs of this State, requiring them to be present and discharge certain duties, and said Sheriff shall himself or have a deputy who shall reside in said 17th Civil District, and shall himself or deputy perform all the duties pertaining to said Law Court, and have all the fees and emoluments that are now allowed by law to the various Sheriffs of this State.

SECTION 15. That the Clerk of the Circuit Court of Sullivan County shall be the Clerk of said Law Court at Bristol, and shall by himself or deputy keep an office in the Town of Bristol for the transaction of all business pertaining to said court, and shall keep the same open constantly, and shall have and exercise all the powers, and receive all the fees and emoluments that are common to all Clerks of the Circuit Courts of this State.

SECTION 16. That the Justices of the Peace of the said 17th Civil District shall, on the first Saturdays of March, July and November, of each and every year, designate twelve good citizens, free-holders or house-holders, residing in said First, Second, Seventeenth and Nineteenth Districts, to serve as jurors to said Law Court for the term immediately ensuing, after their designation. Said Justices shall hand a list containing said jurors to the Clerk of said Law Court who shall immediately issue a writ of venire facias commanding the Sheriff to summons said jurors, named in said writ, to attend as jurors, if said justices fail to designate said jurors the Judge shall at the opening of said Court at each term when such failure occurs appoint the jurors

for said term out of any of the citizens who are qualified, regardless of whether they reside out of said 17th Civil District or not; that the jurors to said Law Court shall have the same pay as the jurors who attend the Circuit Courts of this State, and be paid as other jurors of said Sullivan County.

SECTION 17. That the citizens of the Town of Bristol shall pay all the expenses incurred or to be incurred in erecting or providing suitable buildings for a court house and necessary public offices for said Law Court and none of the other citizens of the said Seventeenth Civil District or of Sullivan County, except the citizens of the Town of Bristol shall ever be taxed for said purposes.

SECTION 18. That any suit or suits of a civil nature, now pending in the Circuit Court of Sullivan County, between citizens of the said First, Second, Seventeenth and Nineteenth Districts, may, by consent of the parties or their attorneys, be transferred to the Law Court at Bristol, and said Court shall have and exercise the same jurisdiction over them as if they had been originally brought in said Law Court. That all fines and forfeitures arising from, or growing out of said Law Court, shall be disposed of as the fines and forfeitures which are imposed by the Circuit Court of Sullivan County. That this Act take effect from and after its passage, the public welfare requiring it. Passed: March 18, 1879.

COMPILER'S NOTE: This private act appears to have been mostly superseded by the general law codified at T.C.A. § 16-2-506(2)(A).

Private Acts of 1919 Chapter 737

SECTION 1. That the Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, and Fifteenth Civil Districts of Sullivan County, shall constitute a Chancery District and the court shall be held in the City of Kingsport by

the Chancellor of the First Chancery Division of this State on the third Mondays of March and September of each and every year.

SECTION 2. That the Clerk and Master of the Chancery Court of Sullivan County appointed pursuant to Section 3 of this act by the Chancellor for the Second Judicial District, shall perform all the duties, have all the rights and power, and be subject to all the duties and liabilities now by law imposed upon such officers, and shall have all the fees and emoluments as are now allowed to such officers, and before entering upon the duties of said office, he shall execute the several bonds now required by law for Clerks and Masters to execute, and shall take the oath prescribed by law and shall keep his office in the City of Kingsport.

As amended by: Private Acts of 2000, Chapter 65.

SECTION 3. That the Sheriff of Sullivan county and his deputies shall serve as the officers of the said court, and shall obey all orders and execute all process as now required by law to do, by the orders of the Chancery Courts of said Sullivan County. He shall execute separate bonds for the faithful performance of his duties as such officer of the said court, and shall have all the rights and be subject to the same penalties, and receive the same compensation as now provided by law for the various Sheriffs of this State.

SECTION 4. That the fines and forfeitures arising, or growing out of any business in said court, shall be disposed of as the fines and forfeitures which are now collected in the Chancery Court of this State.

SECTION 5. That any suit now pending or hereafter brought in the Chancery Court of Blountville, may by consent of the parties, or their attorneys be transferred to the Chancery Court at Kingsport. That upon application of the parties, or by their attorneys, for removal, as aforesaid, the Clerk and Master at Blountville shall transmit all the papers in the case, together with a copy of all orders and decrees, to the Clerk of the Chancery Court at Kingsport, also a bill of the costs accrued in said court at Blountville.

SECTION 6. That the citizens of the tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth civil districts of said Sullivan county shall bring their suits in equity in said court at Kingsport, against any citizens residing within said civil districts, but no citizen residing out of said tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth civil districts shall be sued in said courts, unless the subject of said suit is situated in said civil districts.

SECTION 7. That no citizen of said tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth civil districts of said county shall be sued in the Chancery Court at Blountville, for said county, unless it be in a local action, in which last mentioned court has exclusive jurisdiction by reason of the location of the property about which the action may be brought.

SECTION 8. That counter parts of writs may issue from said court against joint defendants residing or living beyond the limits of the said tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth civil districts in all cases where the court has legal or rightful jurisdiction of the subject matter of the litigation.

SECTION 9. That the expenses of providing a suitable court room and office room for said court, together with heat, lights and water therefor, shall be paid by the city of Kingsport so long as said court shall be continued.

SECTION 10. That there shall be held at Kingsport, in the County of Sullivan, a law court for the Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth and Fifteenth Civil Districts of said county, to be called the law court of Kingsport, and to constitute one of the courts of the first judicial circuit, and to be held by the Judge thereof, with common law jurisdiction original and appellate over all causes of a civil nature, arising within said Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth and Fifteenth Civil Districts.

SECTION 11. That the citizens of the tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth civil districts of said county shall bring their civil action in said law court against citizens of said tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth civil districts, of said county, and said law court shall have, and exercise jurisdiction over the same, and all civil cases heard and determined before any Justice or Justices of the Peace of the said tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth civil districts, may be appealed or brought up by writs of certiorari or supersedeas; provided, the plaintiff or defendant reside in said tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth civil districts, and either of them demand such appeal or writ of certiorari or supersedeas; said law court shall have and exercise exclusive, original and appellate jurisdiction over all such cases.

SECTION 12. That the citizens of said county of Sullivan residing outside of said tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth civil districts, shall not be liable to be sued in said law court at Kingsport, unless in real actions, of which said law court has exclusive jurisdiction or except in cases otherwise provided by law; but any defendant residing outside of said civil district may waive his rights and have his suit returned to said law court, notwithstanding the process issued from and is returnable to the Circuit Court of Sullivan county in any civil action, unless the cause of action is of such a local nature,

as to give the Circuit Court peculiar or exclusive jurisdiction in all cases as provided for in this Section where the right so waived to said law court, shall have and exercise jurisdiction over them.

SECTION 13. That said law courts shall be held by the Judge of the First Judicial Circuit Court on the fourth Mondays of March, July and November of each and every year and said Judge shall have and exercise all the powers and perform all the duties provided by law for Circuit Judges of this State, and the practice in said law court shall be the same as in the Circuit Courts of the State, and whenever said law court has jurisdiction over any cause of action, counterpart of any original writs may issue from said court, for joint defendants residing outside of said tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth civil districts.

SECTION 14. That the sheriff of Sullivan county shall by himself, or deputy attend the sittings of said court, and aid in holding the same as is now provided by law for Sheriffs of this State, requiring them to be present and discharge certain duties, and said Sheriff shall himself, or have a deputy who shall reside in said eleventh, or twelfth civil district, and he himself or his deputy shall perform all the duties pertaining to said law court, and have all the fees and emoluments that are now allowed by law to the various Sheriffs of this State.

SECTION 15. That the Clerk of the Circuit Court of Sullivan county shall be Clerk of the Law Court at Kingsport, and shall by himself or deputy, keep an office in the city of Kingsport, for the transaction of all business pertaining to said court, and shall keep the same open constantly, and shall have and exercise all the powers, and receive all the fees and emoluments that are common to all Clerks of the Circuit Courts of this State.

SECTION 16. That the Clerk of the Circuit Court of Sullivan county shall receive a salary of \$2,500.00 per year in order that he may be able to secure the services of a deputy clerk which will be required by reason of the passage of this Act.

SECTION 17. That the jurors selected to serve from time to time in said law court shall be selected and summoned to appear in the same manner and be subject to the same qualifications as is provided by the laws of this State for jurors who serve in the various Circuit Courts of this State; said jurors, however, shall be citizens, freeholders and householders, residing in the tenth, eleventh, twelfth, thirteenth, fourteenth, and fifteenth civil districts of Sullivan county, that the jurors to said law court shall have the same pay as jurors to said law court shall have the same pay as jurors who attend the Circuit Courts of this State and be paid as other jurors of Sullivan County.

SECTION 18. That the city of Kingsport shall pay the expenses incurred or to be incurred in providing suitable court room and office room for said law court together with heat, light and water therefor.

SECTION 19. That any suit or suits of a civil nature, now pending in the Circuit Court of Sullivan county, between citizens of the tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth civil districts, may by consent of the parties, or their attorneys, be transferred to the law court at Kingsport, and said court shall have and exercise the same jurisdiction over them as if they had been originally brought in said law court. That all fines and forfeitures arising from, or growing out of said law court, shall be disposed of as the fines and forfeitures which are imposed by the Circuit Court of Sullivan county. That this Act take effect from and after its passage, the public welfare requiring it. Passed: April 14, 1919.

COMPILER'S NOTE: This private act appears to have been mostly superseded by the general law codified at T.C.A. § 16-2-506(2)(A).

Probate Jurisdiction

Private Acts of 1988 Chapter 135

SECTION 1. All jurisdiction relating to the probate of wills and the administration of estates and related matters heretofore vested in the Probate Court of Sullivan County is hereby transferred to the Chancery Court of Sullivan County at Blountville. The Chancery Court at Blountville shall have exclusive jurisdiction over the probate of wills and the administration of estates, and all matters relating thereto, heretofore vested in the Probate Court of Sullivan County. All active probate matters pending before the Probate Court on the effective date of this act shall remain in such court until such matters are completed.

SECTION 2. The Clerk and Master of the Chancery Court at Sullivan County shall serve as clerk for probate matters and shall be vested with the same powers and authority in such matters as provided in Tennessee Code Annotated, Section 16-16-201(b). The Clerk and Master shall receive no additional compensation for the duties for probate matters.

As amended by: Private Acts of 2000, Chapter 65.

SECTION 3. By no later than the last day of the month in which this act becomes effective, the clerk of the Probate Court shall transfer all files and records, except those files and records pertaining to active cases pending before the Probate Court, concerning a probate matter in Sullivan County to the office of Clerk and Master of the Chancery Court at Blountville.

SECTION 4. Chapter 33 of the Private Acts of 1983 is repealed.

SECTION 5. This act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the county legislative body of Sullivan County. Its approval or nonapproval shall be proclaimed by the presiding officer of such body and certified by him to the Secretary of State.

SECTION 6. 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 upon being approved as provided in Section 5.

Passed: February 18, 1988.

General Sessions Court

Private Acts of 1947 Chapter 349

SECTION 1. That there is hereby created and established a Court for Sullivan County, Tennessee, which shall be divided into four (4) divisions; one of which shall be designated Court of General Session, Division I and IV, and the other, Court of General Sessions, Division II and III. The Court shall be held in the Courthouse at Blountville, Bristol, and Kingsport; and Sullivan County shall provide courtrooms, dockets, furnishings, and necessary supplies, for the equipment and maintenance of said Court, and the Quarterly County Court shall order the expense paid from the General Fund of the County.

As amended by: Private Acts of 1978, Chapter 234

Private Acts of 1997, Chapter 34

SECTION 2. The Judges of the Court of General Sessions, Divisions I and IV, shall hold court at Bristol, Tennessee or such other place within the division they deem necessary. The Judges of the Court of General Sessions, Divisions II and III, shall hold Court at Kingsport, Tennessee.

As amended by: Private Acts of 1978, Chapter 234

Private Acts of 1997, Chapter 34

SECTION 3. That when the defendant in any civil action resides or is served with process in the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, or Twenty-second voting precinct of Sullivan County, the case shall be tried in Division I or IV of the Court. All criminal actions charged in those districts shall be heard in Division I or IV of the Court.

As amended by: Private Acts of 1973, Chapter 40

Private Acts of 1997, Chapter 34

Private Acts of 1997, Chapter 35

SECTION 4. That when the defendant in any civil action resides or is served with process in the Seventh-A, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, or Fifteenth voting precinct of Sullivan County, the case shall be tried at Kingsport, Tennessee. All criminal charges preferred in the Seventh-A, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, or Fifteenth voting precinct of Sullivan County shall be heard in Kingsport, Tennessee.

As amended by: Private Acts of 1997, Chapter 35

SECTION 5. All cases coming within the jurisdiction of the Juvenile Court, shall be presented to the Court of General Sessions, Division I and IV, or the Court of General Sessions, Division II, and tried at either Blountville, Bristol or Kingsport, as provided in Sections 3 and 4 hereof.

As amended by: Private Acts of 1978, Chapter 234

Private Acts of 1997, Chapter 34

SECTION 6. That the jurisdiction, powers and authority of said Court shall extend to the entire County of Sullivan and shall be the same as provided by law for Justices of the Peace in civil and criminal actions and the Justices of the Peace of Sullivan County are hereby divested of all such jurisdiction, powers, and authority. The authority of said Justices of the Peace in their capacity as members of the Quarterly Court, or in the performance of the rites of matrimony, is in no wise affected by this Act.

In addition to the jurisdiction, power and authority set forth in this section, the jurisdiction and power of said court is extended to all claims and demands, of whatever nature, of One Thousand Dollars (\$1,000.00), or less, in value.

As amended by:

Private Acts of 1949, Chapter 436

SECTION 7. That the Court of General Sessions, Division I and Division II, shall have the jurisdiction, powers and authority as provided by Sections 10275, 11371, 11372, 11373, 11380, 11381, 11382, of the Official Code of Tennessee to hear and enter judgment in cases of juvenile delinquency and cases of nonsupport; and the County Judge of Sullivan County is hereby divested of all such jurisdiction, powers, and authority as provided by said sections of the Code herein cited.

SECTION 8. That the Court of General Sessions, in addition to the jurisdiction of a Justice of the Peace to try and determine small offenses, is hereby vested with the jurisdiction to try and determine and render final judgement in all misdemeanor cases brought before the Court by warrant or information, wherein the person charged with such misdemeanor offenses enters a plea of guilty, or request a trial upon the merits and expressly waives an indictment, presentment, and a Grand Jury investigation, and a jury trial.

The final judgment of the Court in all misdemeanor cases tried as herein provided may be appealed to the Circuit Court at Blountville provided the person charged and found guilty enters into bond with good and solvent surety to pay said cost and cost of appeal if the judgment is affirmed. All judgments of the Court shall become final on the date and hour announced and unless appealed instantly shall be final thereafter and shall not be subject to change or modification except for error.

Private Acts of 1947, Chapter 755

As amended by:

Private Acts of 2023, Chapter 33

SECTION 9. That it shall be the mandatory duty of the Judges of the Court of General Sessions when a defendant is brought before such Court upon arraignment or trial, in all cases in which the Court has jurisdiction, to advise such defendant of his constitutional right to the aid of counsel, the right to be tried only upon presentment or indictment by a Grand Jury, the right to make a statement, or the right to remain silent and the right to a trial by jury.

Upon the defendant agreeing in writing to waive the right to be put to trial by presentment or indictment by a Grand Jury and the right to be tried by a jury of his peers, the Judge may proceed to hear and determine said case as provided in Section 8 hereof.

Said waiver shall be written on or attached to the warrant or complaint substantially as follows:

The defendant, _____, pleads guilty to the offense of _____, and waives his right to be tried only by indictment or presentment preferred by a Grand Jury, and likewise waives trial by a jury of his peers.

This _____ day of _____, 19 _____

Defendant

SECTION 10. That the court in Divisions I and IV shall be open from 9:00 a.m. until 5:00 p.m. each week day. The Court at Kingsport shall be open from 9 A.M. until 5 P.M. each week day.

The Judges in their respective divisions may at any time, day or night, issue warrants, mittimus, or grant bail to a person charged with a criminal offense.

All cases shall be set for an hour certain, and the practice heretofore prevailing of allowing one hour for the parties to appear in Courts of Justices of the Peace shall not apply to the Court created under the provisions of this Act.

As amended by:

Private Acts of 1997, Chapter 34

SECTION 11. That before the issuance of any warrant in a civil case, the plaintiff shall execute a cost bond with good security in the sum of Twenty-Five Dollars (\$25.00) or in lieu thereof, make a cash deposit with the Clerk of not less than Two and 50/100 Dollars (\$2.50) or more than Twenty-Five Dollars (\$25.00) to secure the cost, or take the oath prescribed for poor persons. On motion, the Court may qualify the bond and require further security of the plaintiff for cost.

SECTION 12. That the laws now regulating pleading and practice, stay of judgements, writs, and processes in civil cases in the Courts of Justices of the Peace shall apply to and govern said Court; and all the statutes regulating the conduct of Justices of the Peace in civil and criminal cases shall apply to the Judges of said Court.

Any party to a civil action may appeal from an adverse decision to the Circuit Court at Blountville when the judgement is entered by the Court at Blountville, the Law Court at Bristol when the judgement is entered by the Court at Bristol, the Law Court at Kingsport when the judgment is entered by the Court at Kingsport within a period of five days after entry of judgement upon complying with the law as now provided for appeals from Justice of the Peace Courts, provided that within five days a motion for rehearing may be filed which shall be heard by the Court as soon as practicable, and the judgment

rendered thereon shall be considered the final judgment from which an appeal may be taken within a five day period. No execution shall issue until the expiration of five days from the date of final judgment, except for causes as now provided by statute.

All process in civil cases shall be returnable the fifth day after issuance provided service has been had on the person named as defendant therein.

SECTION 13. That in all matters the cost and fees of said Court of General Sessions shall be the same as those now provided or which may be hereafter provided for Justices of the Peace in civil and criminal cases and the same as allowed to the County Judge of Sullivan County in cases of juvenile delinquency and nonsupport.

The fees and other compensation of the Sheriff, his deputies, constables, game wardens, and State highway patrolmen for the execution of writs and process of said Court, fees for attendance and mileage of witness shall be the same in said Court as those provided by law for the Courts of Justices of the Peace; provided, however, the Judge may in his discretion disallow the fees of mileage of any salaried game warden, State highway patrolman, or City policeman when it appears that said fee is not assigned and paid to the State or other governmental unit employing the officer claiming such fee or mileage.

The fees and compensation due for service rendered by the Judges of the Court shall accrue to the Clerk of the Circuit Court of Sullivan County. All cost, fees, and mileage of witnesses, the fees and commissions and emoluments of the Sheriff, his deputies, constables, game wardens, and state highway patrolmen for services to said Court, and the fines and forfeitures adjudged by it shall be paid to the Clerk and by said Clerk handled, accounted for and disbursed the same as required by law.

SECTION 14. That there shall be one Civil Docket, one Criminal Docket, one Juvenile and one Nonsupport Docket kept at Blountville, Bristol, and Kingsport, in which all cases shall be entered immediately upon the issuance of the warrant or process. Upon said dockets shall be entered the style and number of each case, the date of the issuance of the warrant or process, the name of the officer to whom delivered, the return of process in brief form, the action of the Court both interlocutory and final, orders, judgments, executions, garnishments, lists of fees of Court, of the Sheriff, and all other officers, for their respective services, fees of witnesses and credits on judgments.

The judgment of the Court shall be entered on the warrant and docket and signed by the Judge.

On the Criminal Docket there shall be kept a column wherein the Criminal warrant is charged to the officer taking said warrant for execution, and the officer, who received the warrant, shall give a receipt for same. No warrant, criminal or civil, shall be taken from the office of the Court until its issuance has been properly entered on said respective docket.

The Court will keep on the Juvenile and Nonsupport Docket orders and judgments entered in such cases and for this the Court of General Sessions of Sullivan County shall be a court of record.

SECTION 15. That the Judges of the Court of General Sessions shall be persons licensed to practice law in Tennessee, of good moral character, and shall take the same oath as prescribed for Circuit Judges and Chancellor.

SECTION 16. The compensation of the judges of sessions court shall be the same as eighty-five percent (85%) of the annual compensation paid to circuit judges and chancellors by the state as provided for in Section 8-2303 of Tennessee Code Annotated, payable in equal monthly installments from the General Fund of Sullivan County. Said Judge shall devote all his working time to the duties of the office, and shall not engage in the practice of law in any capacity whatsoever during his tenure of office; provided, either Judge may complete or finish any legal business undertaken before assuming the office.

As amended by:

Private Acts of 1949, Chapter 435

Private Acts of 1957, Chapter 161

Private acts of 1974, Chapter 176

SECTION 17. That the judges of Divisions I and IV of such court shall each be elected by a majority of all the qualified voters in the territory embraced in the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, and Twenty-second voting precincts of Sullivan County; the judges of Divisions II and III of such court shall each be elected by a majority of all the qualifies voters in the territory embraced in the Seventh-A, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, and Fifteenth voting precincts of Sullivan County.

The Judge of Division III of said court shall be elected by a majority of all the qualified voters in the territory embraced in the Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, and Fifteenth voting precincts of Sullivan County.

The judge of each Division shall be a resident, citizen, and practicing attorney within the jurisdiction of the territory embraced in his division.

The candidates for the four (4) divisions of the court shall qualify with the election commission of Sullivan County as required by law in general elections and shall be designated on the official ballot as "Candidates for Judge of the Court of General Sessions, Division I", and "Candidates for Judge of the Court of General Sessions, Division II" and "Candidates for Judge of the Court of General Sessions, Division III" and "Candidates for Judge of the Court of General Sessions, Division IV."

As amended by:
Private Acts of 1973, Chapter 40
Private Acts of 1978, Chapter 234
Private Acts of 1997, Chapter 34
Private Acts of 1997, Chapter 35
Private Acts of 1998, Chapter 140

SECTION 18. The Governor shall appoint the Judge of the Court of General Sessions, Division III, effective September 1, 1978, who shall serve until the first day of September, 1980, and until his successor shall be elected by the qualified voters of the County, as set forth in Section 17 of this act.

The judges of the Court of General Sessions, Division I and Division II, shall continue in office until their successors are elected and qualified.

Their successors shall be elected by the qualified voters as set forth pursuant to Section 17, as amended, at the August general election in 1982, for the term provided for Circuit Judges and Chancellors in this state.

The term of office of Judge of the Court of General Sessions, Division IV, shall begin on September 1, 1998, and shall be filled by the voters, as set forth in Section 17, at the regular August election in 1998.

As amended by:
Private Acts of 1978, Chapter 234
Private Acts of 1997, Chapter 34

SECTION 19. That if the Judge of either division of said Court cannot preside in a pending case or is unable to attend Court because of sickness or cannot attend Court for any other reason and the Judge of the other division cannot sit by interchange, which said Judges are empowered to do at any time, then a majority of the lawyers present in that division of Court may elect one of their number who has the qualifications of such Judge, and when elected, shall have the same authority as the regular Judge to hold the Court for the occasion or time the regular Judge is absent. The Clerk of the Circuit Court or his deputy shall preside at said election and shall keep in his office a permanent record of the election of such special Judges. Such special Judges shall not be entitled to compensation for their services.

To promote the efficient and orderly disposition of cases coming before the Court of General Sessions, Divisions II and III, the Judge with the maximum number of years of service on said court shall have the authority and responsibility to see that the administrative functions of the court are carried out in the most efficient manner, and his duties shall include: the preparation of the budget request for Divisions II and III, and their submission to the appropriate authorities; the preparation and submission of all requisitions for equipment and supplies; the establishment of efficient procedures to insure maximum efficiency in docket control including the direct and exclusive authority and responsibility for the assignment of cases and courtrooms within each of said Divisions II and III, to maintain a proper case load balance. There shall be no additional compensation to said judge for these administrative duties.

As to Divisions I and IV of the Court, the Judge with the greater number of years of service as Judge of the Court shall be the Presiding Judge. If they should have the same amount of service, the Judge of Division I shall be the Presiding Judge. The Presiding Judge shall be responsible for the administrative duties of the Court including the assignment of cases and courtrooms and responsibility for division of the workload.

As amended by:
Private Acts of 1978, Chapter 234
Private Acts of 1997, Chapter 34

SECTION 20. That in case of a vacancy in the office of Judge in either division of said Court the Governor may appoint a qualified attorney at law to fill such vacancy from the division of the Court where the vacancy exists to hold office until the next general August election, when the vacancy will be filled for the remainder of the unexpired term.

SECTION 21. That the Clerk of the Circuit Court of Sullivan County shall act as the Clerk of the Court of General Sessions, and when acting as Clerk of said Court in each division thereof shall be designated "Clerk of Court of General Sessions." The fees, commissions, and emoluments of said Court of General Sessions accruing to the Clerk provided in Section 13 hereof shall constitute a part of the fees, commissions, and emoluments of the office of the Clerk of the Circuit Court of Sullivan County, Tennessee. The Clerk of the Circuit Court shall receive no additional compensation for his services; however, such additional deputies and assistants as may be necessary for the proper operation and administration of the duties of said office shall be appointive and compensated in the manner as now provided by law for appointment and compensation of Deputy Circuit Court Clerks.

SECTION 22. That the Clerk of said Court shall have concurrent authority with the Judges to issue warrants and other process and writs other than search warrants and other process and writs which the law requires shall be issued only by a judicial officer. Deputy Clerks shall have concurrent authority with the Judges to issue process to the same extent as the Clerk but only for the division in which the Deputy Clerk is appointed to serve.

SECTION 23. That the Sheriff of Sullivan County or any Deputy Sheriff or Constable thereof, shall serve all legal process, writs, and papers issued by said Court with the same authority as provided by law in the other inferior courts of Tennessee.

SECTION 24. That this act shall in no wise impair the right, title, or interest of any Justice of the Peace in Sullivan County or County Judge of Sullivan County to any unpaid fees, or funds in which he had a right or interest in any proceeding, judgement, or suit, whether said cause is disposed of or pending when this Act becomes effective.

SECTION 25. That all official dockets, records, and papers in cases that are disposed of, or which are undisposed of and pending, belonging to Justices of the Peace or former Justices of the Peace of Sullivan County, shall be delivered by the Justices residing in the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, and Twenty-second Civil Districts to the Court of General Sessions, Division I, and by the Justices residing in the Tent [sic], Eleventh, Twelfth, Thirteenth, Fourteenth, and Fifteenth Civil Districts to the Court of General Sessions, Division II, as the successors of said Justices of the Peace.

SECTION 26. That the Judges appointed shall have authority to hear and determine all undisposed cases pending in the Courts of Justices of the Peace of Sullivan County on the effective date of this Act as if such cases had originated in Division I or Division II of the Court of General Sessions.

SECTION 27. That the Judge of either division shall have the power to hear and determine any case of juvenile delinquency or nonsupport case pending upon the effective date of this Act as if such case had originated in either Division I or Division II of said Court.

SECTION 28. That the Legislature expressly declares that each section, subsection, paragraph, and provision of this Act is severable, and that should any portion of this Act be held unconstitutional or invalid, the same shall not affect the remainder of this Act, but such unconstitutional or invalid portions shall be elided, and the Legislature declares that it would have enacted this Act with such unconstitutional or invalid portions elided therefrom.

SECTION 29. That all laws or parts of laws in conflict with this Act be and the same are hereby repealed.

SECTION 30. That this Act take effect from and after the 15th day of April, 1947, the public welfare requiring it.

Passed: February 24, 1947.

Juvenile Court

Private Acts of 1951 Chapter 411

SECTION 1. That there is hereby created and established in and for Sullivan County, Tennessee, a Court with the title and style of the Juvenile Court of Sullivan County, Tennessee. Said Court shall be a Court of Record, presided over by a Judge who shall have qualifications hereinafter set out and who shall be elected as hereinafter provided and whose salary shall be provided and paid as hereinafter provided. Said Judge shall be known and have the title of Judge of the Juvenile Court of Sullivan County and shall devote all time necessary to the duties of such office as may be necessary; that the County Court Clerk of Sullivan County shall act as the clerk of said Court, and all deputy clerks are authorized to act as deputy clerks of the Court. The Court shall have a seal and shall have power and authority to administer oath and affirmation whenever the same are required by law in connection with any case, procedure, process or otherwise, in such Court.

SECTION 2. That when used in this Act unless the context otherwise require:

- (a) "The Court" shall mean the Juvenile Court of Sullivan County, Tennessee;
- (b) The "Judge" shall mean the Judge of the Juvenile Court of said county;
- (c) "Child" shall mean any person under seventeen years of age;
- (d) "Adult" shall mean a person who is seventeen years of age or over;
- (e) "County" shall mean Sullivan County in the State of Tennessee;
- (f) "Peace Officer" shall mean the Sheriff of Sullivan County or any of its deputies, any constable of said county and any police or truant officer of the municipalities of any municipal corporation of the

county;

(g) The singular shall include the plural; the plural, the singular; and the masculine, the feminine, when not inconsistent with the intent of this Act.

SECTION 3. That the Court shall have the exclusive original jurisdiction in Sullivan County of all cases arising in or triable in said County of any person under the age of seventeen years who may, by reason of any offense committed against the State, except wherein the offense charged is an offense for which capital punishment may be inflicted; any such case which may come before the Court wherein any person under the age of seventeen years of age is charged with murder in the first degree or rape or any other capital offense, the Court shall certify the same to the Court of General Sessions, which Court shall proceed as now provided by law, and if probable cause is found that such offense has been committed, the accused shall be bound to the action of the Grand Jury, and the case shall proceed as such cases are tried and determined in the Circuit or other Court having jurisdiction of the offense in Sullivan County, Tennessee. The Court shall have exclusive jurisdiction, power and authority of a Juvenile Court in said County contemplated in Sections 10269 to 10309 of the official Code of Tennessee, and any other general laws of the State of Tennessee now in force and effect or hereinafter to become in force and effect; and the Court shall have exclusive, original jurisdiction of all non-support and abandonment cases wherein any person is charged with the non-support of any children under the age of sixteen years; or is charged with the abandonment of said child and leaving the State of Tennessee, as provided by the laws of the State of Tennessee. The Court shall have exclusive original jurisdiction;

(1) concerning any child within the county or any case arising or triable in said county, concerning any child;

(a) whose parents or other person legally chargeable with the care and support of such child neglects or refuses, according to his means or ability, to provide proper or necessary support, education, medical or surgical, or other necessary care, as contemplated by the general laws of the State, or who is abandoned by his or her parents or other person having the legal charge and care of such child;

(b) whose occupation, behavior, environment or association are injurious to the welfare of the child;

(c) who deserts, or is habitually disobedient, or beyond control of parents or teacher or other person exercising control over such child;

(d) who, being required by law to attend school, willfully violates the rules of the school or absents himself therefrom, or who in any manner shall be charged with, or designated as a delinquent, as defined, contemplated or included in the laws of the State of Tennessee;

(2) To determine the custody or guardianship of the person of any child in said County or in connection with whom any question, case or controversy may arise in said County, or in any such question, case or controversy may arise in said County or any such question, case or controversy, which by the general law is triable in the County.

(3) That such Court shall have original jurisdiction concurrent with other Courts having such jurisdiction, for and in adoption of children and for granting judicial consent to marriage of any child when such consent is required by law; that whenever it shall be determined by the Judge of the Juvenile Court that a child is so mentally defective or mentally disordered that such child should be committed to an institution for such cases, the Court may commit such child to such institutions as are provided to care for such cases, and wherein the Court is authorized so to do by provisions of general law, or to such institution otherwise made available to it through arrangements with the County or State authorities and where no such institution is made available to the Court, the Judge shall certify the facts and need to such authority as may have such child committed and shall, if it is the opinion of the Judge that such care is needed, recommend the commitment of such child.

Nothing contained in this Act is intended to deprive the Circuit, Criminal or Chancery Court of any right, by habeas corpus, to determine the custody or guardianship of the child as is now provided by law.

That there is hereby created a Juvenile Court Commission of said County composed of twelve members, who shall be residents of the County and who shall serve without compensation. The members of this Commission shall be elected by the Quarterly County Court. Four members shall be elected for a period of two years; four, for a period of three years; four, for a period of four years; and each of said members of the Board shall serve until his or her successor is elected. As the term of the members expire, their successors shall be elected for the term of four years. No member of the County Court or other person holding a State, County or Government office shall be eligible to serve on the Commission. The Quarterly County Court shall elect four members of said Commission from the City of Bristol, four members from the City of Kingsport, and four members from the County at large outside of the municipalities herein named. In the event of death, resignation, removal or other cause, the vacancy or vacancies shall be filled by the

Quarterly County Court for such unexpired term. The Juvenile Court Commission shall organize by choosing a Chairman and Secretary, and shall have power to make rules and regulations for its government. It shall be the duty of said Commission to see to the enforcement of all laws for the purpose of prohibiting and restraining inhuman treatment of children and protecting children deserted by guardians or parents. The Commission may accept donations to carry on the duties imposed, but shall not have the power or authority to create any indebtedness in any manner whatsoever against Sullivan County. If given authority by the Quarterly County Court, the Commission may prepare and maintain proper detention homes for delinquent and dependent white and colored children. The Commission, however, is prohibited from accepting any such children from another county or from outside the State of Tennessee, unless ordered to do so by the Judge of this Court and having the expense thereof approved by the County Judge of Sullivan County.

SECTION 4. That the Judge of this Court shall be elected by the Quarterly County Court at any regular or adjourned session and shall serve for a term of four years and until his successor is elected and qualified, and shall receive a salary of Three Thousand Six Hundred (\$3600.00) Dollars per annum, payable in equal monthly installments. Said Judge shall be not less than thirty years of age and shall possess the same qualifications as Circuit and Criminal Judges and Chancellors in the State of Tennessee. Said Judge shall take and subscribe to the same oath of office as prescribed for other Judges in the State. Said Judge, if a licensed attorney at law shall not be precluded from practicing in any other Court in the State of Tennessee, or elsewhere, or before any Board or Commission in Tennessee or elsewhere. In the event the office of Judge of this Court shall become vacant by reason of death, resignation or other cause, before the expiration of the term, the County Judge of Sullivan County shall serve until the next regular term of the Quarterly County Court, at which term a successor will be elected for the unexpired term of the Judge of this Court. In the event of temporary inability to serve because of illness, or other cause, the County Judge of Sullivan County shall serve during the period of such disability. The Judge of this Court shall hold Court at Blountville, Bristol and Kingsport and is hereby authorized and empowered to make and promulgate rules and regulations for the government of the Juvenile Court, to fix the time at which said Court shall be held at Blountville, Bristol and Kingsport. The Judge shall have the power by order to fix a hearing at any place in the County to hear a given case, but the proceedings, orders and judgments shall be recorded in the Court where said case originated, and shall have binding effect as if such case had been heard and determined at either Blountville, Bristol or Kingsport. All money derived from fines assessed upon the conviction of any person by the Judge shall be deposited with the County Trustee of Sullivan County and thereafter belong to the County.

SECTION 5. That the Judge of this Court, provided funds are appropriated and made available by the Quarterly County Court in Sullivan County from any other source as herein provide, shall appoint a Chief Administrative officer, hereinafter referred to as the Director, who with the approval of the Judge shall appoint a sufficient number of technical and professional assistants and other employees to carry on the professional, clerical and other non-judicial work of the Court. Such assistants or employees are only appointed if funds are appropriated and made available for their monthly salaries, allowances and/or compensation. The Director and other employees shall be appointed from lists of eligible persons established through examinations conducted by the Juvenile Court Commission. Such examination shall have reference to education, previous experience, ability, character, and aptitude for the work to which they are assigned. An employee of the Court may be removed, discharged, reduced in pay or position upon the order of the Judges.

SECTION 6. That the Director under the general supervision of the Judge shall organize, direct and develop the administrative work of the Court, including the social, financial and clerical work, and shall perform such other duties as the Judge may direct. The technical and professional employees shall have charge of such cases and other work assigned to them for investigation or treatment and shall perform all such other duties as may be assigned to them by the Director.

SECTION 7. That whenever any person informs the Court that a child is within the purview of this Act, the Court shall make preliminary inquiry to determine whether the interest of the public or the child requires that further action be taken. Whereupon, the Court may make such informal adjustment as is practical without petition or may authorize a petition to be filed by any person.

The proceedings shall be entitled "In the Matter of _____, a Child under Seventeen Years of Age." The petition shall be verified and may be upon information and belief. It shall set forth plainly:

- (1) The facts which bring the child within the purview of this Act;
- (2) The name, age and residence of the child;
- (3) The name and residence of the parents, if known;
- (4) The name and residence of the legal guardian, if it be known;
- (5) Of the person or persons having custody and control of the child; and,

(6) The nearest known relative if no parent or guardian can be found. If any of these facts herein required are not known by the petitioner, the petition shall so state.

SECTION 8. That after a petition shall have been filed and after such further investigation as the Court may direct, unless the parties hereinafter named will voluntarily appear, the Court shall issue a summons reciting briefly the substance of the petition, and requiring the person or persons who have custody or control of the child to appear and personally bring the child before the Court at the time and place stated. If the person so summoned be other than the parent or guardian, both shall also be notified of the pendency of the case and of the time and place appointed, by personal service before the hearing, except as hereinafter provided. Summons may be issued requiring the appearance of any other person whose presence in the opinion of the Judge is necessary. To the end that all petitions, process, orders, subpoenas and notices may be executed or served, the Chief Administrative Officer and/or any regularly appointed officer or employee of the Court, or any peace officer of Sullivan County is empowered and authorized to serve such notice, summons, order or decree of the Court, within the confines of Sullivan County, but no charge for making such service will be made; however, such officer and employee will be entitled to receive not in excess of seven (7c) cents per mile for travel in making such service, the same to approved by the Judge of this Court. If it appears that the child is in such condition or surroundings that his welfare requires immediate custody by the Court, the same shall be ordered by endorsement upon the summons and the officer serving same shall at once take the child into custody.

SECTION 9. That the Court shall have all powers of Courts now established in Tennessee to bring any person before the Court and by proper process to punish those who refuse to obey the lawful orders and to punish by summary procedure those who are guilty of contempt, as the same is now defined by law, and such contempt is in the presence of the Court. The Court shall have the power to compel the attendance of witnesses and others whose presence in court is necessary, and to enforce its lawful orders, judgments, and decrees, the Court shall have all power and authority to issue writs of attachment and other process to bring such persons before the Court. This character of service will not be made by any officer or employee of this Court, but will be served and executed by the Sheriff of Sullivan County, or a duly qualified deputy or constable and for such service said officer will be entitled to receive fees as are now provided by law.

SECTION 10. That whenever a child is taken into custody, unless it is impractical or inadvisable or has been otherwise ordered by the Court, he or she shall be released to the custody of the parent, guardian or other person designated by the Court. Upon the written promise of such person, the child will be before the Court at such time fixed by order. If not so released, such child shall be taken immediately to the Court or to the place of detention designated by the Court. Pending further disposition of the case, a child whose custody has been assumed by the Court may be released in such manner as the Court by order may direct, or may be detained in such place as shall be designated by the Court, subject to further order. Nothing in this Act shall be construed as forbidding any peace officer from immediately taking into custody any child who is found violating any law of the State or ordinance of a municipality within Sullivan County. In every case an officer taking a child into custody shall immediately report the fact to the Court and the case shall then proceed as provided by this Act.

SECTION 11. That all cases of children shall be heard separately from the trial of cases against adults and without a jury. The hearings may be conducted in informal manner, to either be in public or in private, and may be adjourned from time to time. Stenographic notes or other transcripts of the hearing shall be required only if the Court so ordered. Nothing herein shall preclude the parent, guardian or attorney regularly employed or appointed, to be present at any hearing before the Court.

SECTION 12. That if the Court shall find that the child is within the purview of the Act, it shall so decree, and may by order duly proceed as follows:

- (1) place the child on probation or under supervision of a suitable person upon such condition as the Court shall determine;
- (2) commit the child to the custody of the parent or to the guardianship of a public or private institution or agency authorized to care for children or to place them in family homes. In committing the child to a private institution or agency, the Court shall select one that is approved by the Juvenile Court Commission;
- (3) order such other care and treatment as the Court may deem to be for the best interest of the child.

The Court may dismiss the petition or otherwise terminate its jurisdiction at any time for good cause shown. Whenever the Court shall commit a child to any institution or agency, it shall transmit with the order of commitment a summary of it information concerning the child and such institution or agency shall give to the Court such information concerning such child as the Court may from time to time require.

SECTION 13. That any decree or order of the Court may be modified at any time.

SECTION 14. That the Court may cause any person or child to be within its jurisdiction to be examined by a physician or physicians, or such other persons as the Court may direct.

SECTION 15. That all expenses incurred in complying with the provisions of this Act shall be within the budget established and approved as provided by law by the Quarterly County Court of Sullivan County. No obligation will be incurred on the part of Sullivan County for the maintenance of the Court, the salary of the Judge or any officer or employee thereof, unless funds are made available by the Quarterly County Court of Sullivan County; however, should the municipalities of Kingsport and Bristol appropriate funds for the expenses and/or operation of this Court, such funds may be used together with any voluntary contribution of any person, firm, charitable institution or society to defray the expense of the Court, including the payment of salaries of a Judge or any officer or employee of the Court. In the event such funds are made available by the municipality of Kingsport, Bristol or any other person or institution, the same shall be deposited with the Trustee of Sullivan County and disbursed as provided herein in accordance with all statutes, providing for the disbursement of other county funds.

SEC. 16. That the Court shall keep records of all cases brought before it. Such records shall be open to inspection only by the order of the Court to persons having legitimate interest therein. The Court shall devise and cause to be printed such forms for social and legal records and such other papers as may be required. The County Court Clerk shall establish at Blountville, Bristol and Kingsport such books, files, etc., as necessary to keep and preserve all of the records of the Court.

SECTION 17. That appeals from the judgment and decrees may be taken as now provided by Laws.

SECTION 18. That if for any reason any word, clause, paragraph or section of this Act shall be held unconstitutional, it shall not invalidate the effect of the remainder of said Act.

SECTION 19. That this Act take effect from and after the first Monday in September, 1951, the public welfare requiring it. Passed: March 6, 1951.

Court System - Historical Notes

Board of Jury Commissioners - Jurors

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

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

1. Private Acts of 1831, Chapter 72, directed the Sullivan County Court to pay jurors of the circuit and county courts, \$1.00 per day for their services.
2. Acts of 1905, Chapter 341, created a board of jury commissioners for Sullivan County. This act prescribed the duties of members of said board and of the judges, provided jury lists and jury boxes. This act was amended by Private Acts of 1935, Chapter 296, so as to provide that the jury commissioners be appointed by the circuit judge instead of the governor of the State of Tennessee. Private Acts of 1943, Chapter 173, amended Acts of 1905, Chapter 341, so as to make it the duty of the jury commissioners to provide a jury list which comprised of names not numbering less than one-twentieth the whole number of votes cast in said county. Private Acts of 1951, Chapter 311, further amended Acts of 1905, Chapter 341, so as to increase the salary of the jury commissioners to \$5.00 per day.
3. Private Acts of 1943, Chapter 60, fixed the compensation of jurors in Sullivan County at \$3.00 per day. This act was amended by Private Acts of 1949, Chapter 6, so as to increase the salary of the jurors to \$5.00 per day.
4. Private Acts of 1955, Chapter 382, would have amended Acts of 1905, Chapter 341, so as to increase the salary of the jury commissioner to \$10 per day, however, this act was rejected or disapproved by Sullivan County and therefore never became law.

Chancery Court

The following acts form an outline of the development of equity jurisdiction in Sullivan 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. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Public Acts of 1824, Chapter 14, set the time for holding the Sullivan County Chancery Court on the first Monday in May and November at Rogersville.
2. Public Acts of 1835-36, Chapter 4, established and divided the state into chancery districts. The

counties of Sullivan, Carter and Washington composed the first chancery district of the Eastern Division. The time for holding said court for Sullivan County was set on first Mondays in February at Jonesborough.

3. Acts of 1851-52, Chapter 5, established a separate chancery district for Sullivan County. The chancery court was held in Blountville on the third Monday in May and November.
4. Public Acts of 1857-58, Chapter 88, set the time for holding the Sullivan County Chancery Court on the third Monday in May and November at Blountville.
5. Public Acts of 1865-66, Chapter 41, set the time for holding the Sullivan County Chancery Court on the third Monday in May and November.
6. Public Acts of 1869-70, Second Session, Chapter 32, divided the state into twelve chancery districts. The counties of Sullivan, Washington, Johnson, Carter, Hawkins, Greene, Hancock, Claiborne, Grainger, Jefferson, Cocke, Powell and Hamblen composed the first congressional district.
7. Public Acts of 1869-70, Second Session, Chapter 47, fixed the time for holding the Sullivan County Chancery Court on the third Monday in May and November.
8. Public Acts of 1877, Chapter 151, changed the time for holding the Sullivan County Chancery Court to the second Monday in June and December. This act was repealed by Public Acts of 1879, Chapter 140, Section 3.
9. Public Acts of 1879, Chapter 128, provided that the seventeenth civil district of Sullivan County constitute a chancery district and that said chancery court be held on the second Monday in June and December in Bristol.
10. Public Acts of 1879, Chapter 140, set the time for holding the Sullivan County Chancery Court on the fourth Monday in June and December at Blountville.
11. Acts of 1885 (Ex. Sess.), Chapter 20, divided the state into eleven chancery divisions. The first chancery division was composed of the counties of Sullivan, Washington, Johnson, Carter, Hawkins, Greene, Hancock, Claiborne, Grainger, Jefferson, Cocke, Hamblen and Unicoi. The time for holding said court in Sullivan County was set for the fourth Monday in June and December at Bristol.
12. Public Acts of 1899, Chapter 264, gave concurrent jurisdiction with the chancery and circuit courts of Sullivan County to the chancery and law courts at Bristol, of all civil actions which arose between persons who resided in the third and sixteenth civil districts of Sullivan County.
13. Public Acts of 1899, Chapter 427, divided the state into ten chancery divisions. The counties of Sullivan, Washington, Johnson, Carter, Unicoi, Greene, Hawkins, Hancock, Claiborne, Grainger, Hamblen and Cocke composed the first chancery division. The time for holding said court in Sullivan County was set for the third Monday in February and August in Bristol and on the fourth Monday in February and August in Blountville.
14. Acts of 1907, Chapter 230, changed the time for holding the Sullivan County Chancery Court to the first Monday in May and November at Blountville and on the first Monday in June and December in Bristol.
15. Private Acts of 1919, Chapter 737, established a chancery and a law court at Kingsport, in Sullivan County which was held on the third Monday of March and September.
16. Private Acts of 1927, Chapter 407, changed the time for holding the Sullivan County Chancery Courts to the first Monday in June and December at Bristol; the second Monday in April and October at Blountville, and on the second Monday in March and September at Kingsport.
17. Private Acts of 1929, Chapter 517, detached Sullivan County from the first chancery division and created a separate chancery division designated, The Chancery Division of Sullivan County. The time for holding said court in Sullivan County was set for the first Monday in January, May and September at Bristol; the fourth Mondays in March, July and November at Kingsport; and the fourth Mondays in January, May and September at Blountville. This act was amended by Private Acts of 1931, Second Extra Session, Chapter 40, so as to place Sullivan County in the first chancery division and set the time for holding said court on the first Monday in June and December at Bristol; the first Monday in May and November at Blountville; and on the second Monday in April and October.
18. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, completely reorganized the entire lower court system of the state. The first chancery division consisted of the counties of Sullivan, Washington, Johnson, Carter and Unicoi. The time for holding said court in Sullivan County was set for the first Monday in June and December at Bristol; the first Monday in May and November at Blountville;

and on the second Monday in April and October in Kingsport.

19. Public Acts of 1961, Chapter 161, created a chancery district for Blountville and provided for the division into two parts of the chancery districts for Bristol, Kingsport and Blountville. This act also created a law court of Blountville and divided the law courts of Bristol, Blountville and Kingsport into two parts and fixed the time for holding said courts.
20. Private Acts of 1983, Chapter 33, created and established the Sullivan County Probate Court. This act defined the court's powers and jurisdiction and divested the county judge of the same; provided the court a judge and fixed the compensation the judge's additional duty and provided a clerk for said court. This act was repealed by Private Acts of 1988, Chapter 135.
21. Private Acts of 1994, Chapter 198, would have amended Private Acts of 1988, Chapter 135, relative to the Sullivan County Probate Court, however, this act was not ratified by Sullivan County and therefore never became law.

Chancery Court - Clerk

The reference list below contains acts which once applied to the clerk and master in Sullivan County. Also referenced below is an act which repealed prior law without providing new substantive provisions.

1. Private Acts of 1921, Chapter 521, set the salary of the Sullivan County Chancery Court Clerk at \$1,000 per annum. This act was amended by Private Acts of 1927, Chapter 142, to increase the salary of the chancery court clerk to \$1,500 per annum.
2. Private Acts of 1929, Chapter 338, fixed the compensation of the clerk and master of the chancery court at Kingsport, in Sullivan County, at \$1,800 per annum. This act was repealed by Private Acts of 1947, Chapter 480.
3. Private Acts of 1939, Chapter 186, fixed the compensation of the clerk and master of the Sullivan County Chancery Court at \$2,400 per annum. This act was amended by Private Acts of 1953, Chapter 383, so as to increase the salary of the clerk and master to \$3,600 per annum.

Circuit Court

The following acts were once applicable to the circuit court of Sullivan County but now have no effect, having been repealed, superseded, or having failed to win local approval. Also referenced below is an act which repealed prior law without providing new substantive provisions.

1. Acts of 1809 (1st Sess.), Chapter 49, divided the state into five judicial circuits. The counties of Sullivan, Greene, Carter, Washington, Hawkins, Grainger, Claiborne and Campbell composed the first judicial circuit. The time for holding said court in Sullivan County was set on the fourth Monday in the months of April and October.
2. Public Acts of 1835-36, Chapter 5, established and divided the state into eleven judicial circuits. The first judicial circuit was composed of the counties of Sullivan, Greene, Carter, Johnson, Washington, Hawkins, Grainger, and Claiborne. The time for holding said court in Sullivan County was set for the first Monday April, August and December.
3. Acts of 1837-38, Chapter 116, set the time for holding the Sullivan County Circuit Court on the third Mondays in March, July and November.
4. Public Acts of 1857-58, Chapter 98, placed Sullivan County in the first judicial circuit and set the time for holding said court on the third Monday in March, July and November.
5. Public Acts of 1865-66, Chapter 41, set the time for holding the Sullivan County Circuit Court on the first Monday in July, November and March.
6. Public Acts of 1868-69, Chapter 35, changed the time for holding the Sullivan County Circuit Court to the fourth Monday in November, March and July.
7. Public Acts of 1869-70 (2nd Sess.), Chapter 31, divided the state into fifteen judicial circuits. The counties of Sullivan, Washington, Hancock, Hawkins, Greene, Carter, Johnson and Boone composed the first judicial circuit.
8. Public Acts of 1869-70 (2nd Sess.), Chapter 46, set the time for holding the Sullivan County Circuit Court on the fourth Monday in March, July and November. This provision of Public Acts of 1869-70 (2nd Sess.), Chapter 46, was repealed by Public Acts of 1879, Chapter 140, Section 3.
9. Public Acts of 1879, Chapter 140, Section 3, set the time for holding the Sullivan County Circuit Court on the first Monday after the fourth Monday of July, November and March at Blountville.
10. Acts of 1885 (Ex. Sess.), Chapter 20, divided the state into fourteen judicial circuits. The first judicial circuit was composed of the counties of Sullivan, Washington, Johnson, Carter, Unicoi, Greene, Hawkins and Hancock. The time for holding said court in Sullivan County was set for the

fourth Mondays in March, July and November at Bristol.

11. Public Acts of 1899, Chapter 427, divided the state into fourteen judicial circuits. The counties of Sullivan, Washington, Johnson, Carter, Unicoi, Greene, Hawkins, Hancock and Claiborne composed the first judicial circuit. The time for holding said court in Sullivan County was set for the third Monday in January, May and September at Bristol and on the fourth Monday in January, May and September in Blountville.
12. Acts of 1903, Chapter 198, set the time for holding the Sullivan County Circuit Court on the third Monday in January, May and September at Bristol; and on the fourth Monday in January, May and September in Blountville.
13. Acts of 1909, Chapter 49, placed Sullivan County in the first judicial circuit, along with the counties of Greene, Washington, Carter, Hawkins, Grainger, Claiborne and Campbell. The time for holding said court in Sullivan County was set for the fourth Monday in March and September.
14. Private Acts of 1911, Chapter 303, fixed the time for holding the Sullivan County Circuit Court on the fourth Monday in January, May and September at Blountville.
15. Private Acts of 1921, Chapter 303, fixed the time for holding the Sullivan County Circuit and Law Courts on the third Monday in January, May and September at Bristol and on the fourth Monday in March, July and November at Kingsport.
16. Public Acts of 1925, Chapter 96, provided for the holding of an election in the twentieth judicial circuit, which was composed of Sullivan, Greene, Hamblen and Hawkins counties, to fill the offices of circuit judge and attorney general. This act also set the time for holding the Sullivan County Circuit Court on the fourth Monday in January, May and September At Blountville; on the third Monday in January, May and September at Bristol; and on the third Monday in March, July and November at Kingsport. This act was amended by Private Acts of 1927, Chapter 306, to change the time for holding the Sullivan County Circuit Court at Blountville to third Monday in January, May and September.
17. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, divided the state into twenty judicial circuits. The twentieth judicial circuit was composed of the counties of Sullivan, Greene, Hawkins and Hamblen. The time for holding said court in Sullivan County was set for the second Monday in September, January and May in Bristol; the third Monday in November, March and July at Kingsport; and on the third Monday in September, January and May at Blountville.

Circuit Court - Clerk

The following acts have no current effect, but once applied to the Sullivan County Circuit Court Clerk. They were repealed, superseded, or never received local approval.

1. Private Acts of 1831, Chapter 205, directed the treasurer of East Tennessee to pay William Anderson, clerk of the Sullivan County Circuit Court, \$71 for his, the sheriff's and state's witnesses' cost in the case of the state against James Harron on charge of murder, out of money not otherwise appropriated.
2. Private Acts of 1911, Chapter 675, amended Acts of 1903, Chapter 255, the general law which provided and regulated the compensation of circuit court clerks, so as to set the salary of the Sullivan County Circuit Court Clerk at \$1,500 per annum.
3. Private Acts of 1927, Chapter 771, fixed the salary of the Sullivan County Circuit Court at \$3,600 per annum.
4. Private Acts of 1935, Chapter 715, provided for Sullivan County, through the county judge or chairman of the county, to pay from the general fund of the county, the premiums on the official bonds of the circuit court clerk and his deputies of Sullivan County.

Criminal Court

The following acts once pertained to the Sullivan County Criminal Court, but are no longer current law. Also referenced below is an act which repealed prior law without providing new substantive provisions.

1. Public Acts of 1867-68, Chapter 90, Section 5, created a judicial criminal district which was composed of the counties of Sullivan, Washington, Johnson, Carter, Hawkins, Hancock, Greene, Jefferson, Grainger and Claiborne. Section 5 of this act was repealed by Public Acts of 1869-70 (1st Sess.), Chapter 11.
2. Public Acts of 1899, Chapter 427, set the time for holding the Sullivan County Criminal Court on the on the third Monday in January, May and September in Bristol and on the fourth Monday in January, May and September in Blountville.
3. Private Acts of 1925, Chapter 131, created a criminal court for Sullivan County. The time for

holding said court on the second Monday in April, August and December at Blountville.

4. Public Acts of 1951, Chapter 73, created a criminal court for the counties of Sullivan, Greene, Hamblen and Hawkins which was known as the criminal court of the twentieth judicial circuit.
5. Public Acts of 1967, Chapter 228, removed Sullivan County from the jurisdiction of the criminal court of the twentieth judicial circuit and placed the county in its own criminal jurisdiction in the twenty-sixth judicial circuit.

District Attorney General - Assistants and Criminal Investigators

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

1. Acts of 1817, Chapter 65, established ten solicitorial districts in the state. The counties of Sullivan, Greene, Washington and Carter composed the first solicitorial district.
2. Private Acts of 1967-68, Chapter 55, authorized Sullivan County to provide one part-time administrative assistant for the office of district attorney general. Said administrative assistant received \$4,800 per annum.
3. Public Acts of 1968, Chapter 546, provided for an assistant district attorney general for the district attorney general of the twenty-sixth judicial circuit, which included Sullivan County.
4. Public Acts of 1969, Chapter 277, provided for an assistant district attorney general and for a criminal investigator for the twentieth judicial circuit, which included Sullivan County.
5. Private Acts of 1971, Chapter 98, authorized Sullivan County to supplement the salary of the office of assistant district attorney general for the twenty-sixth judicial circuit.
6. Public Acts of 1971, Chapter 139, provided an additional assistant district attorney general and a secretary to the district attorney general for the twenty-sixth judicial circuit, which included Sullivan County.
7. Public Acts of 1976, Chapter 528, provided two additional assistant district attorneys general for the district attorney general for the twenty-sixth judicial circuit, which contained Sullivan County.

Secretarial Assistance

The following act is no longer in effect but is listed here for historical purposes.

1. Private Acts of 1971, Chapter 166, would have authorized Sullivan County to supplement the salary of the secretary of the district attorney general of the twenty-sixth judicial circuit, however, this act was not ratified by Sullivan County and therefore never became law.

Source URL: <https://www.ctas.tennessee.edu/private-acts/chapter-v-court-system-40>