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# Chapter V - Court System

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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.

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## Chapter V - Court System

### General Sessions Court

#### Clerk's Salary

#### Private Acts of 1965 Chapter 70

**SECTION 1.** That the General Sessions Court Clerk be paid a salary in Moore County, Tennessee, in accordance with the provisions of the Public Acts of the State of Tennessee of 1959, Chapter 109. That said salary of the Moore County Clerk of the Court of General Sessions be fixed at Fifty Dollars (\$50.00) per month to be deducted from the fees collected by said Clerk in connection with the operation of said General Sessions Court.

**SECTION 2.** That in the event that there are not enough fees collected by the Clerk of the Court of General Sessions in Moore County, Tennessee, to pay said salary of Fifty Dollars (\$50.00) per month, the County Judge or Chairman of the County Court shall pay said salary from the General fund of the County.

**SECTION 3.** That this Act shall have no effect unless approved by a two-thirds (2/3) vote of the Quarterly County Court of Moore County, Tennessee, at the next regular meeting occurring more than thirty (30) days subsequent to its approval by the Chief Executive of the State. Its approval or non-approval shall be proclaimed by the presiding officer of the Quarterly County Court and shall be certified by him to the Secretary of State.

**SECTION 4.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 22, 1965.

### Juvenile Court

#### Private Acts of 1961 Chapter 14

**SECTION 1.** That all jurisdiction exercised by the County Judge concerning and relating to juveniles is hereby transferred from the County Court and vested in the General Sessions Court of Moore County; and the General Sessions Judge of Moore County shall have and exercise all the jurisdiction, power, authority and duties now or hereafter vested by law in Juvenile Court.

**SECTION 2.** That the Circuit Court Clerk of Moore County shall serve as the Clerk of the General Sessions Court as to all matters arising under Section 1 hereof and all fees accruing thereunder shall belong to the Office of the Circuit Court Clerk.

**SECTION 3.** That this Act shall have no effect unless the same shall be approved by a two-thirds vote of the Quarterly County Court of Moore County at a regular meeting of said Court occurring more than thirty (30) days after the approval of this Act by the Chief Executive of the State. Its approval or non-approval shall be proclaimed by the County Judge and such approval or non-approval shall be certified by him to the Secretary of State.

**SECTION 4.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: January 26, 1961.

## Court System - Historical Notes

### **Board of Jury Commissioners - Jurors**

The following act once affected jurors or boards of jury commissioners in Moore County, but is no longer operative. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Private Acts of 1917, Chapter 181, provided for the appointment of a three member Board of Jury Commissioners by the Circuit Judge. The Board was to select male jurors from the residents of the county. Procedures were established for selecting grand and petit juries. This Act was repealed by Private Acts of 1935, Chapter 350.

### **Chancery Court - Clerk and Master**

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

referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1917, Chapter 67, set the annual salary of the clerk and master at \$500, to be paid out of the fees of that office. This act also required an annual statement of the fees received by the clerk and master's office to be filed with the county judge or chairman. This act was repealed by Private Acts of 1919, Chapter 395.
2. Private Acts of 1919, Chapter 395, changed the salary to \$250 annually in addition to the fees collected by that office. This act was amended by Private Acts of 1925, Chapter 37, to raise that salary to \$500 annually.
3. Private Acts of 1931, Chapter 485, amended the general law to create a new classification of counties and to compensate the various officials in those counties. The Moore County Clerk and Master was to receive an annual salary of \$500 in addition to the fees of his office. This act was repealed by Private Acts of 1935, Chapter 261.
4. Private Acts of 1943, Chapter 430, set the clerk and master's annual salary at \$1,000.
5. Private Acts of 1951, Chapter 80, set the salary of the clerk and master at \$1,300 per annum.
6. Private Acts of 1953, Chapter 356, lowered the salary of the clerk and master to \$750 per annum and required that quarterly fee reports be filed with the county judge or chairman.
7. Private Acts of 1957, Chapter 383, would have raised this salary to \$1,500 per year, but this act was rejected by the Moore County Quarterly Court and never became an effective law.

### **Circuit Court**

The following acts were once applicable to the circuit court of Moore County but now have no effect, having been repealed, superseded, or having failed to win local approval.

1. Acts of 1899, Chapter 429, set the time for holding Circuit Court on the Tuesday after the first Monday in February and June and the Tuesday after the fourth Monday in October.
2. Acts of 1903, Chapter 580, changed the time for holding Circuit Court in Moore County to the first Tuesday after the first Mondays in February, June, and October. At this time Moore County was part of the Seventh Judicial Circuit.

### **Circuit Court - Clerk**

The following acts have no current effect, but once applied to the Moore County circuit court clerk. They were repealed, superseded, or never received local approval. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1919, Chapter 395, set the salary of the Circuit Court Clerk in Moore County at \$250 per year, in addition to the fees of the office.
2. Private Acts of 1931, Chapter 485, raised the clerk's salary to \$500 yearly, by exempting Moore County from the general statute setting county officials' salaries. This Act was repealed by Private Acts of 1935, Chapter 261.
3. Private Acts of 1939, Chapter 368, set the salary of the Circuit Court Clerk at \$600 per annum.
4. Private Acts of 1943, Chapter 430, set the salary of the circuit court clerk at \$1,000 per annum.
5. Private Acts of 1951, Chapter 80, was a private act setting salaries for a number of Moore County officials, under which the circuit court clerk was to receive an annual salary of \$1,300.
6. Private Acts of 1957, Chapter 383, the salary of the circuit court clerk in Moore County would have been set at \$1,500 per annum, but this act, which covered numerous other county officials, was rejected by the quarterly county court and never became an effective law.

### **District Attorney General - Assistants and Criminal Investigators**

The following acts once affecting Moore County are no longer in effect but are listed here for historical purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Public Acts of 1976, Chapter 526, created the position of Criminal Investigator for the District Attorney-General of the 23rd Judicial Circuit who would serve at the pleasure and direction of the District Attorney General and be compensated at the rate provided under general law. Such individual may be a licensed attorney who may have additional duties of representing the state as prosecutor in all of the courts of the 23rd Judicial Circuit. This act was repealed by Public Acts of 1977, Chapter 401.
2. Public Acts of 1963, Chapter 265, Public Acts of 1968, Chapter 527, and Public Acts of 1977, Chapter 401, created additional positions for assistant district attorneys general in the

Twenty-third Judicial District. Moore County is now a part of the Seventeenth 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.

### **Secretarial Assistance**

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

1. Public Acts of 1963, Chapter 262, Section 5, provided that the circuit judge of the newly created Twenty-third Judicial Circuit could employ a secretary at a salary not to exceed \$3,000 per annum. This was an uncodified public act and did not appear in Tennessee Code Annotated.

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