



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

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# Private Acts of 1995 Chapter 66

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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.

Sincerely,

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## Private Acts of 1995 Chapter 66

**SECTION 1.** Chapter 232 of the Private Acts of 1953, as amended by Chapter 164 of the Private Acts of 1955, Chapter 157 of the Private Acts of 1957, Chapter 276 of the Private Acts of 1961, Chapter 281 of the Private Acts of 1963, Chapter 12 of the Private Acts of 1967, Chapter 62 of the Private Acts of 1979, and all other acts amendatory thereto, is amended to create a third division of the General Sessions and Juvenile Courts of Montgomery County, Tennessee. The said third division shall have the same terms of court, the same jurisdiction and powers as are now exercised by the General Sessions and Juvenile Courts of Montgomery County, Tennessee.

**SECTION 2.** Be it further enacted that the office of the third General Sessions and Juvenile Courts Judge is hereby created, which shall be filled by an appointee hereinafter to be named until the election of the Judge to fill such office as hereinafter provided, and the said third General Sessions and Juvenile Courts Judge to be so appointed or selected and his or her successors in office shall sit and hold Court regularly in Division Three thereof.

**SECTION 3.** Be it further enacted, that the county legislative body of Montgomery County shall appoint a person qualified under the law to fulfill the office hereby created of the General Sessions and Juvenile Courts Judge of Division Three, who shall hold office until September 1, 1996, and until his or her successor is elected and qualified. At the regular August election in 1996, a person qualified under the law shall be elected to serve until September 1, 1998, or until his or her successor is elected and qualified. At the regular August election in 1998, a person qualified under the law shall be elected for a term of eight years until his or her successor is elected and qualified. At each succeeding judicial election thereafter a judge for Division Three shall be elected for eight year terms.

**SECTION 4.** Be it further enacted that the Judge of the Third Division of the General Sessions and Juvenile Courts of Montgomery County, Tennessee, shall have the same qualifications and exercise the same powers and jurisdiction and receive the same compensation as do other General Sessions and Juvenile Court Judges of Montgomery County, Tennessee.

**SECTION 5.** Be it further enacted that the County Commission of Montgomery County, Tennessee, shall furnish the necessary supplies and furnishings for the Third Division, and shall furnish a suitable and separate courtroom, and the Sheriff of the County shall in person or by deputy attend the Third Division when it is in session.

**SECTION 6.** Be it further enacted, that the office, powers and duties and responsibilities of the Clerk of the General Sessions and Juvenile Courts shall be enlarged to include the work of Division Three, and the Clerk of his or her deputy shall attend Division Three when it is in session.

**SECTION 7.** Be it further enacted, that there is hereby created the position of presiding judge of the General Sessions and Juvenile Courts of Montgomery County, who shall be one of the judges of said courts. The first such presiding judge shall be the incumbent judge, being selected on a basis of seniority in office, and the position of presiding judge shall rotate between the judge of Division One of the General Sessions and Juvenile Courts of Montgomery County, Tennessee, Division Two and Division Three every three years. The presiding judge shall be responsible for the preparation and submittal of budgets of said courts to the county government and its appropriate departments, committees and agencies. The presiding judge shall have authority to call meetings of other judges of the courts who shall be required to attend such meetings for the purpose of discussing various problems pertaining to the conduct and operation of said court. The presiding judge shall promulgate all rules necessary for the supervision, conduct and administration of the court, including but not limited to the following:

1. Prescribing the days and hours when the courts sitting in branches, parts of division shall be in session;
2. Assigning of civil, criminal, traffic and juvenile cases to respective branches, parts and divisions of said court.

**SECTION 8.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Montgomery County. Its approval or non-approval shall be proclaimed by the presiding officer of the County legislative body and certified to the Secretary of State.

**SECTION 9.** 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 8.

Passed: May 15, 1995.

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