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# Juvenile Court

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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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# Juvenile Court

## Private Acts of 1961 Chapter 276

**SECTION 1.** That Section 2, Chapter 232 of the Private Acts of 1953 be and is hereby amended so as to delete that portion of said section which reads as follows: "The Court of General Sessions for Montgomery County, Tennessee, is hereby vested with jurisdiction concurrent with the County Judge of Montgomery County, Tennessee, to try and determine, and render final judgment in all cases and actions involving juvenile matters brought before said Court of General Sessions for Montgomery County, Tennessee.

**SECTION 2.** That exclusive, original jurisdiction of all juvenile matters in Montgomery County, Tennessee, be and the same is hereby vested in a Juvenile Court with jurisdiction to try and determine, and render final judgment in all cases and actions involving juvenile matters for Montgomery County, Tennessee, and all power and authority vested by law in Juvenile Courts is hereby vested in the Juvenile Court of Montgomery County, Tennessee. All the jurisdiction heretofore exercised by the County Judge of Montgomery County, Tennessee is hereby divested from such Court and vested in the said Juvenile Court of Montgomery County, Tennessee.

**SECTION 3.** That the salary of the Juvenile Court Judge shall be Two Thousand Dollars (\$2,000.00) per year and the same shall be paid in equal monthly installments from the County General Fund.

**SECTION 4.** That the General Sessions Judge of Montgomery County, Tennessee, shall also serve as Judge of the Juvenile Court of Montgomery County, Tennessee.

**SECTION 5.** That the Circuit Court Clerk shall act as the Clerk of the Juvenile Court and shall perform all the powers and functions in regard to such Court as are now vested by law in the County Court Clerk.

**SECTION 6.** That this Act shall take effect from and after its passage, the public welfare requiring it, but said Act shall not become effective until the same has been approved by a 2/3 roll call vote of the members of the Quarterly Court of Montgomery County, Tennessee.

Passed: March 14, 1961.

## Private Acts of 2013 Chapter 27

**SECTION 1.** As used in this act, unless the context otherwise requires:

- (1) "Clerk" means the Juvenile Court Clerk of Montgomery County;
- (2) "Court" means the Juvenile Court of Montgomery County; and
- (3) "Judge" means the judge of the Juvenile Court of Montgomery County;

**SECTION 2.** There is created, in Montgomery County, a juvenile court to be known and styled as the "Juvenile Court of Montgomery County." The court shall be a court of record and shall be presided over by a judge who shall have the qualifications set forth by state law. The court shall have concurrent general sessions court jurisdiction.

**SECTION 3.** The judge shall be elected in the 2014 August general election. The term of office shall be eight (8) years, and such judge shall be licensed to practice law in the state of Tennessee and shall possess all the qualifications of the inferior courts. The elected judge shall take and subscribe to the same oath of office as that subscribed for the judges of the circuit and general sessions courts. In the event the office of the judge shall become vacant by reason of death, resignation, retirement, or any other reason before the expiration of such term of office, the vacancy shall be filled by a majority vote of the Montgomery County Commission members until the next county general election.

**SECTION 4.** The Montgomery County juvenile court clerk shall continue to serve as clerk of the Montgomery County juvenile court and any of such clerk's deputies shall also be deputies for the juvenile court created by this act.

**SECTION 5.** The judge and clerk of such juvenile court shall have all of the jurisdiction, powers, duties, and authority of other juvenile court judges and clerks as provided in Tennessee Code Annotated, Title 37, or any other general law, and shall have all of the jurisdiction, powers, duties, and authority of the general sessions court judges, pursuant to applicable state law.

**SECTION 6.** The judge shall be a full-time juvenile judge and shall exercise concurrent general sessions jurisdiction in Montgomery County. Nothing in this act shall restrict the ability of the judge to participate in interchange with other judges should cause exist making an interchange necessary or for mutual convenience under the provisions of Tennessee Code Annotated, Section 17-2-208.

**SECTION 7.** Effective September 1, 2014, the annual salary of the position of Montgomery County juvenile judge shall be that of Division I, II, and III general sessions and juvenile court judges in Montgomery County. The Montgomery County legislative body shall annually appropriate from such funds as are necessary and appropriate for the orderly operation and administration of the court herein created.

**SECTION 8.** The judge is authorized to make and promulgate rules and regulations for the administration and efficient operation of the court and to fix the times and places at which all persons within the jurisdiction of the court shall have their causes set for disposition.

**SECTION 9.** The Montgomery County legislative body shall provide the court with facilities adequate and sufficient to allow the court to perform its duties as a juvenile court.

**SECTION 10.** If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

**SECTION 11.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Montgomery County. Its approval or non-approval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

**SECTION 12.** For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 11.

Passed: July 8, 2013.

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