



November 19, 2024

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# Criminal 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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# Criminal Court

## Minute Clerk of Grand Jury

### Public Acts of 1937 Chapter 209

**COMPILER'S NOTE:** This is an uncodified Public Act and does not appear in Tennessee Code Annotated.

**SECTION 1.** That Judges having criminal jurisdiction in the Eleventh Judicial Circuit of the State of Tennessee are hereby authorized and required to appoint Minute Clerks of the Grand Juries in the counties of their respective jurisdictions; and said Minute Clerks shall hold office, exercise their powers and discharge the duties of their office for a term of two years from appointment, unless for good cause, in the discretion of the presiding judge, he may be removed, relieved or excused from office at any time. The appointment of such Minute Clerk in each county shall be made at the same time the Grand Jury Foreman for such county is appointed, and the term of the first Minute Clerk in each county respectively appointed hereunder shall continue only until the expiration of the current term of the Grand Jury Foreman for such county, so that thereafter, in each county the terms of the Grand Jury Foremen and the Minute Clerks shall run concurrently and simultaneously, and this shall in no wise be construed to increase the number of members of the Grand Jury.

**SECTION 2.** That said Minute Clerk shall be a member of each Grand Jury organized in his county during his term of office, having equal power, authority and duties in all matters coming before the Grand Jury with the other members thereof; and, in addition, it shall be the duty of such Minute Clerk of the Grand Jury to keep the minutes of the Grand Jury, to take down in writing and preserve a record of the testimony given by each witness who testifies before the Grand Jury, to keep a list of the witnesses appearing before the Grand Jury each day; and also to make and keep a record of the action of the Grand Jury on each case acted upon by such Grand Jury.

**SECTION 3.** That every person appointed as Minute Clerk of the Grand Jury under this Act shall be at least twenty-one years of age, and shall be a good and lawful citizen, possessing all the qualifications of a juror for the respective county in which he is appointed.

**SECTION 4.** That said Minute Clerk of the Grand Jury shall receive as compensation the sum of Four Dollars per day for each day the Grand Jury is in session, to be paid out of the county treasury, in the same way as Grand Jurors are now paid. But said Minute Clerks are to receive no other or further compensation for their services as such.

**SECTION 5.** That in case the Minute Clerk is unable to serve because of sickness, death, disqualification, incompetency or for any other reason, or in case he is relieved from service by order of the court, the Judge shall fill the vacancy thus created for the unexpired term; and if such clerk is disqualified in any case or cases at any given time, he may be relieved temporarily from service as to such case or cases in which he is disqualified.

The Minute Clerk shall not divulge any information acquired by him either as a member of the Grand Jury or as Minute Clerk and shall communicate no information contained on his minutes to any person whatsoever. The Minutes for each term of the court when prepared by the Minute Clerk shall be turned over to the District Attorney General or one of his assistants as a part of his records and shall not be open to inspection by any other person than the Trial Judge, the District Attorney General or one of his assistants. The Trial Judge by order spread of record on the minutes may direct that any of the minutes kept by the Minute Clerk shall be made available to the Grand Jury at any succeeding term of court.

**SECTION 6.** That before entering upon the discharge of his duties, the follow- (sic) rect that any of the minutes kept by the Minute Clerk of the Grand Jury: "You as Minute Clerk of the Grand Jury do solemnly swear (or affirm) that you will diligently, honestly, truly, accurately and impartially keep the minutes of the Grand Jury, take down in writing and preserve a record of the testimony given by each witness who testifies before the Grand Jury, keep a list of the witnesses appearing before the Grand Jury each day, and make and keep a true and accurate record of the action of the Grand Jury on each case acted on by it, and that you will faithfully discharge these and all other duties pertaining to the office of Minute Clerk of the Grand Jury, according to the best of your skill and understanding. So help you God."

And the Minute Clerk of the Grand Jury, in addition to the foregoing oath, shall also take the oath administered to the other members of the Grand Jury.

**SECTION 7.** That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and this Act take effect from and after its passage, the public welfare requiring it.

Passed: May 19, 1937.

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