



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

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Criminal Court

Dear Reader:

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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

Acts of 1907 Chapter 1

SECTION 1. That there is hereby created and established a Criminal Court for Knox County, to be designated and known as the "Criminal Court of Knox County." Said court shall have exclusive jurisdiction in said county of all crimes and misdemeanors, and of all criminal proceedings, indictments, presentments, prosecutions, and trials of which the Circuit Court of said county had jurisdiction up to the passage of this Act. All jurisdiction which is hereby invested in said Criminal Court is hereby taken from said Circuit Court, but the jurisdiction, power, and duties of the regular Circuit Judge of Knox County shall not be affected or reduced except as expressly provided for in this Act. The grand and petit juries for said Criminal Court shall be selected, impaneled, and organized by the Jury Commission of Knox County and under the direction of the Judge of the Criminal Court of Knox County, as provided for by law for the Circuit Court of said county.

SECTION 2. That the terms of said Criminal Court shall begin on the first Mondays of March, July, and November of each year.

SECTION 3. That there is hereby created the office of Judge of the Criminal Court of Knox County, and that as soon as this Act takes effect, or as soon thereafter as practicable, the Governor of the State shall appoint a person who is qualified under the law to hold the office of Circuit Judge in this State as Judge of the Criminal Court of Knox County, who shall hold said office until the election and qualification of his successor. An election shall be held for said office, as required by law, on the first Thursday in August, 1908, and the Judge so elected shall hold said office as in case of vacancy and until the next regular election of judicial officers in the State and until his successor is duly elected and qualified, at which election, and every eight years thereafter, there shall be elected by the qualified voters of Knox County a Judge of said Criminal Court. The Judge of said Criminal Court shall receive the same salary as regular Circuit Judges of this State, and shall be clothed with all the general powers and have the same qualifications which are now possessed by regular Circuit Judges of this State.

SECTION 4. [Deleted by: Acts of 1909, Chapter 210].

SECTION 5. (a) That the present Clerk of the Criminal Branch of the Circuit Court of Knox County shall be the Clerk of said Criminal Court and perform all the duties and receive all the emoluments appertaining to the office of Clerk of said Criminal Court during the remainder of the term for which said Clerk has been lawfully elected and until his successor in office is duly elected and qualified; and the Attorney-general of Knox County shall discharge all the duties of Attorneygeneral in said Criminal Court and receive the compensation appertaining to his office during the remainder of the term, for which he has been duly elected.

(b) The Clerk of the Criminal Court of the County shall act as the Clerk of the Court of General Sessions for the purpose of overseeing the court's criminal docket, and when acting as Clerk of such court in that capacity shall be designated "Clerk of Court of General Sessions of Knox County, Criminal Division". Such Clerk is hereby authorized to perform the duties of the criminal division of such court. The fees, commissions and emoluments of the criminal division of such court of General Sessions shall constitute a part of the fees, commissions and emoluments of the office of the Clerk of the Criminal Court of the County. The Clerk of the Criminal Court shall receive no additional compensation for his services; however, such deputies and assistants as may be necessary for the proper operation and administration of the duties of such office shall be appointed and compensated in the same manner as now provided by law for the appointment and compensation of deputy Criminal Court clerks.

As amended by: Private Acts of 2000, Chapter 126

SECTION 6. That said Criminal Court may adjourn from time to time and hold and conduct its sessions and resume its sessions, notwithstanding that any other court of record in said county of Knox may be in session, and notwithstanding that the Judge of said Criminal Court may also be presiding in another court of record in said county.

SECTION 7. That the County Court of Knox County shall furnish all books and necessary supplies for said Criminal Court, and shall furnish for the sittings of said Criminal Court a separate court room; and the Sheriff of said county, in person or by deputy, shall attend upon each sitting of said Criminal Court while in session.

SECTION 8. That the criminal cases, and all bonds, process mesne or final indictments, presentments, motions, appearances, and proceedings pending in the Criminal Branch of the Circuit Court of Knox County, when this Act takes effect, shall, by virtue of this Act and by operation of law, be and stand

transferred from the Criminal Branch of the Circuit Court of Knox County to said Criminal Court of Knox County immediately upon the taking effect of this Act, and said records, proceedings, bonds, processes, indictments, presentments, and appearances shall not abate, but shall be at once filed in said Criminal Court by the Clerk thereof when this Act takes effect; and said proceedings, bonds, processes, indictments, presentments, and appearances shall not abate, but shall stand returnable to the next term of said Criminal Court after this Act takes effect.

SECTION 9. That all laws and parts of laws in conflict with the provisions of this Act be, and the same are hereby, repealed.

SECTION 10. That this Act shall take effect from and after the first day of February, 1907, the public welfare requiring it.

Passed: January 22, 1907.

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