



November 23, 2024

Circuit Court

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

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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Public Acts of 1975 Chapter 304

COMPILER'S NOTE: Only portions of this Act are published in Tennessee Code Annotated. Therefore, the whole Act has been reproduced here.

SECTION 1. Section 16-208 [16-2-202] of Tennessee Code Annotated is hereby amended by deleting said section in its entirety and substituting in lieu thereof a new section 16-208 [16-2-202], to read as follows:

16-208. Second Judicial Circuit. The Circuit Court for the Second Judicial Circuit shall be held in Divisions I and II at the times mentioned as follows: Cocke County -- First Monday in January, May and September; Union County -- First Monday in February, June and October; Sevier County -- Third Monday in February, June and October; Jefferson County -- Third Monday in March, July and November; Grainger County -- Third Monday in April, August and December; Hancock County -- Second Monday in April, August and December.

SECTION 2. The Second Judicial Circuit shall be served by two (2) Circuit Judges. The Judges shall serve respectively as Judges of Division I and Division II of the Circuit Court. The presiding judge shall be responsible for the assignment of duties of judges within the circuit, for designation of special terms, for establishing rules of Court, for docketing and assignment of cases, both civil and criminal. Among the special responsibilities of the presiding Judge of the Second Judicial Circuit is the appointment, supervision and replacement of all appointed or designated officers of the Court, Grand Jury foremen, jury commissioners and other officers provided by law. The presiding judge shall be the chief administrative officer of the Court.

SECTION 3. The presently elected and serving Circuit Judge is hereby designated as Judge of Division I of the Second Judicial Circuit with the prerogatives, powers and duties vested in that Division.

SECTION 4. The Governor of the State of Tennessee shall within thirty (30) days after this Act shall take effect, appoint a Judge of Division II of the Second Judicial Circuit who shall hold office until his or her successor is elected and qualified in accordance with general law. Thereafter, Judges of the Second Judicial Circuit shall qualify as candidates for Division I or Division II of the Circuit and shall be elected by the qualified voters as Judge of the respective Division for which they qualified.

SECTION 5. The judges of Division I and Division II of the Second Judicial Circuit shall possess all of the rights, privileges, qualifications, emoluments, immunities, powers and jurisdiction conferred by general law on Circuit Judges of the State of Tennessee.

SECTION 6. Division I and Division II of the Second Judicial Circuit shall have the power to hold Court in the Counties of the Circuit irrespective of term, and may hold Court simultaneously in the same or different Counties.

SECTION 7. The clerks of the Circuit Court of the Second Judicial Circuit shall act as clerks for both Division I and Division II of the Circuit and shall keep such dockets, records and minutes thereof as are now or may hereafter be provided by law or Court rule for the compensation provided by law.

SECTION 8. All laws or parts of laws in conflict with this Act are hereby repealed.

SECTION 9. This Act is declared to be severable. Should any section, provision, clause or part of this Act fail for any reason, it is the legislative intent that the remainder of the Act shall continue in full force and effect.

SECTION 10. This Act shall take effect upon becoming law, the public welfare requiring it.

Passed: May 15, 1975

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