



December 21, 2024

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# Probate Jurisdiction

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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,

The University of Tennessee  
County Technical Assistance Service  
226 Anne Dallas Dudley Boulevard, Suite 400  
Nashville, Tennessee 37219  
615.532.3555 phone  
615.532.3699 fax  
[www.ctas.tennessee.edu](http://www.ctas.tennessee.edu)

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# Probate Jurisdiction

## Private Acts of 1982 Chapter 385

**SECTION 1.** The chancery court in Carter County shall have exclusive jurisdiction over the probate of wills and the administration of estates, and all matters relating thereto which were formerly vested in the county court or the county judge.

**SECTION 2.** The County Clerk of Carter County shall be the sole county official authorized and empowered to grant letters of administration and letters testamentary, appoint administrators and executors, receive and adjudicate all claims, probate wills in common form, determine allowances to the surviving spouse and family of the deceased, preside over the assignment of homestead, take and state all accounts and settlements, subject to the approval of the chancellor, direct and approve final distributions, and hear and determine all probate matters whether herein enumerated or not. The chancellor shall hear all probates in solemn form and may hear such other probate matters as he may deem proper. Probate-related actions taken by the county clerk shall be subject to review by the chancellor by simple motion, petition or filing of exceptions as may be appropriate.

**SECTION 3.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Carter County before September 1, 1982. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified by him to the Secretary of State.

**SECTION 4.** 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 on September 1, 1982, if approved as provided in Section 3.

Passed: May 6, 1982.

**COMPILER'S NOTE:** Private Acts of 1982, Chapter 325, herein, is identical to this act except that it was not approved by the Carter County Legislative Body and never became law.

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