



July 22, 2024

Private Acts of 1980 Chapter 201

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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Private Acts of 1980 Chapter 201

COMPILER'S NOTE: This act should be read in conjunction with Private Acts of 1988, Chapter 136, which follows this act.

SECTION 1. There is hereby created a second judgeship in the Court of General Sessions in Washington County. Such judgeship shall possess concurrent jurisdiction, powers, duties and responsibilities with the existing judgeship except as provided herein. The Court of General Sessions in Washington County shall be comprised of Part I which shall be the currently existing judgeship, and Part II which shall be the judgeship created by this Act. Parts I and II of the Court of General Sessions shall in addition, have exclusive jurisdiction and powers with respect to the probate of wills and administration of estates and with respect to juvenile matters as now executed by the County Executive of Washington County, which is hereby divested of such jurisdiction and power, but this provision shall not affect or impair the powers and functions of the county executive of Washington County in other respects. Neither shall this provision affect or impair the powers or functions of the Juvenile Judge of Johnson City, Tennessee.

In addition to the jurisdiction conferred by this section, the Court of General Sessions shall have concurrent jurisdiction over the estates of incompetents and minors (infants) as well as the appointment of conservators and guardians, to the same extent and as fully and completely as heretofore exercised under the provisions of Tennessee Code Annotated, Section 16-16-107. The procedure, rules of practice, and laws governing such court shall be the same as are now in force, except where expressly changed by this Act. Each part of the court shall regulate its own session.

As amended by: Private Acts of 1983, Chapter 105

COMPILER'S NOTE: The original Act does not have a Section 2.

SECTION 3. The present judge and his successors of the Court of General Sessions in Washington County shall sit and hold court regularly in Part I; and the judge and his successors in Part II shall sit and hold court regularly. But, if at any time the business of any part of such court has been completed by the hearing of all prepared causes before it, and there remain undisposed causes in the other part of such court, then it shall be the duty of both judges to sit in the hearing of the undisposed causes, until those causes have been determined. In such circumstances, the apportionment of the undisposed causes shall be by such judges between themselves in a way and at times that shall be conducive to a speedy termination thereof.

SECTION 4. As soon after the passage of this Act as may be practicable, the judges of such court shall apportion between the two parts thereof the causes now pending therein. The causes shall be apportioned in order to expedite the hearing of such causes.

SECTION 5. Washington County shall furnish for the sitting of each part of such court separate rooms. Provided, however, that all causes relating to the probate of wills and administration of estates and the designated juvenile matters shall be heard in Jonesboro, Tennessee, with the court records thereof being maintained in the County Clerk's office. All causes relating to the probate of wills, the administration of estates, and juvenile matters heretofore described and designated; the exercise of jurisdiction over the estates of incompetents and minors; and the appointment of conservators and guardians, shall be heard in Jonesboro, Tennessee, with the records thereof being maintained in the office of the County Clerk.

As amended by: Private Acts of 1983, Chapter 105

SECTION 6. The clerk of the Circuit Court of Washington County, Tennessee shall act as Clerk of the Court of General Sessions of Washington County, Tennessee except that jurisdiction of the General Sessions Court dealing with probate of wills, administration of estates, juvenile matters heretofore described and designated, estates of incompetents and minors and the appointment of conservators and guardians which special jurisdiction shall be served by the County Clerk of Washington County, Tennessee, who shall act as Clerk of the General Sessions Court with respect to such excepted jurisdiction last above set forth. Provided further that the Clerk of the Circuit Court in his capacity as Clerk of the General Sessions Court and the County Clerk in his capacity as Clerk of the Special Jurisdiction of the Sessions Court above described shall each have such deputies and assistants as may be necessary for the proper administration of the duties of their respective offices and said deputies and assistants shall be appointed in the same manner as now provided by law for the appointment and their compensation shall be as now provided by law for each respective clerk's office.

As amended by: Private Acts of 1983, Chapter 105

SECTION 7. The office of judge of Part II of the Court of General Sessions of Washington County shall be filled by an appointee to be named by the Governor. The judge so appointed shall serve until August 31, 1980 and until his successor is elected in the Regular August Election of 1980 and qualified. The judge of Part II of the Court of General Sessions of Washington County elected at the Regular August Election of

1980 shall serve for a term of two (2) years from the first day of September in 1980 and shall be subsequently elected at the General August Election of 1982 and thereafter each eight (8) years. He shall hold office for the term for which he was elected or until his successor is elected and qualified.

SECTION 8. COMPILER'S NOTE: This section amended Private Acts of 1955, Chapter 165 which is published herein.

SECTION 9. This Act shall in no way be construed to have the effect of removing an incumbent from office, or abridging his term, or altering his salary prior to the end of the term for which such official was selected.

SECTION 10. This Act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the county legislative body of Washington County before June 15, 1980. 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 11. 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 in Section 10.

PASSED: March 6, 1980.

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