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# Private Acts of 1982 Chapter 304

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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 1982 Chapter 304

**SECTION 1.** As used in this Act, unless the context otherwise requires:

- (a) "Court" means the Juvenile Court of Hawkins County.
- (b) "Judge" means the Judge of the Juvenile Court of Hawkins County.
- (c) "Clerk" means the Circuit Court Clerk or Deputy Clerk of Hawkins County.

As amended by: Private Acts of 1987, Chapter 17

**SECTION 2.** Effective September 1, 1982, there is created in Hawkins County a Juvenile Court to be known and styled as the Juvenile Court of Hawkins County. Such court shall be a court of record and shall be presided over by a judge who shall have the qualifications and salary provided by this Act.

**SECTION 3.** At the next regular election for county officials to be held in August, 1982, and every eight (8) years thereafter, a person licensed to practice law in this state and possessing all of the other qualifications required by law for Judges of Circuit Courts, Chancery Courts and Criminal Courts shall be elected Judge of the Juvenile Court of Hawkins County for a term of eight (8) years. The judge shall take and subscribe to the same oath of office as that prescribed for the Judges of the Circuit, Chancery and Criminal Courts. In the event the office of judge shall become vacant by reason of death, resignation, retirement or other reason before the expiration of the term of office or before a successor is elected and qualified, such vacancy shall be filled as provided by law.

**SECTION 4.** The Hawkins County Circuit Court Clerk shall serve as the Clerk of the Hawkins County Juvenile Court and any of such Clerk's Deputies shall also be Deputies for the Juvenile Court created by this Act.

As amended by: Private Acts of 1987, Chapter 17

**SECTION 5.** That Judge and Clerk of such Juvenile Court shall have all of the jurisdiction, powers, duties, and authority of other Juvenile Court Judges and Clerks as provided in Tennessee Code Annotated, Title 37 or any other general law.

**SECTION 6.** The Juvenile Court and the position of Juvenile Judge shall be funded by the Hawkins County Board of Commissioners on an annual basis by budget submitted thereto or as provided by law. The Judge of the Hawkins County Juvenile Court shall receive a salary equal to the compensation of the present General Sessions Judge of Hawkins County. Annual adjustments of the Juvenile Judge's salary shall be made at the same rate as the General Sessions Judge of Hawkins County.

As amended by: Private Acts of 2008, Chapter 74

Private Acts of 2022, Chapter 66

**SECTION 7.** The Judge shall serve on a full-time, five-days-per-week basis, and shall hold court as many days per week as deemed necessary to cover the caseload of the Juvenile Court. The Juvenile Judge shall not be allowed to participate in the practice of law in all other courts within the court systems and is prohibited from performing legal services in other courts.

As amended by: Private Acts of 2008, Chapter 74

Private Acts of 2022, Chapter 66

**SECTION 8.** The judge is authorized to make and promulgate rules and regulations for the administration and efficient operation of the court and to fix the times and places at which all person within the jurisdiction of the court shall have their causes set for disposition.

**SECTION 9.** The judge shall, pursuant to the law and regulations of Hawkins County, appoint such personnel as may be necessary to efficiently carry on the business of the court. All such appointments shall be limited by the total appropriations made for such personnel during each fiscal year.

**SECTION 10.** The Sheriff of Hawkins County shall furnish the necessary deputies and special deputies to attend and dispense with the business of the court.

**SECTION 11.** The county legislative body shall provide the court with facilities adequate and sufficient to allow the court to perform its various duties as a Juvenile Court.

**SECTION 12.** All unfinished and pending matters in the court of courts exercising Juvenile Court jurisdiction prior to the date this act takes effect shall be transferred to the court created by this act at the close of business on the day preceding the day this act becomes effective. On such date, all official books, records and other documents pertinent to any matter within the jurisdiction of the Juvenile Court shall be delivered to such court.

**SECTION 13.** Notwithstanding the provisions of Tennessee Code Annotated, Title 2, Chapter 5, Part 1 or any other provision of the law to the contrary, for the 1982 election only, the candidates for the office of

Judge of the Juvenile Court of Hawkins County shall qualify by filing nominating petitions no later than twelve o'clock (12:00) noon, prevailing time, on Thursday, May 4, 1982.

**SECTION 14.** If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to that end the provisions of this Act are declared to be severable.

**SECTION 15.** This Act shall have no effect unless it is approved by a two-thirds ( $\frac{2}{3}$ ) vote of the county legislative body of Hawkins County. Its approval or non-approval shall be proclaimed by the presiding officer of the Hawkins County legislative body and certified by him to the Secretary of State.

**SECTION 16.** 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, Section 3 of this Act shall be effective upon being approved as provided in Section 14, the public welfare requiring it. The remaining sections shall become effective on September 1, 1982, if properly approved by the county legislative body of Hawkins County.

PASSED: April 8, 1982.

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