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# General Sessions Court

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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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# General Sessions Court

## Private Acts of 1982 Chapter 327

**SECTION 1.** Effective September 1, 1982, there is created a Court of General Sessions of Stewart County.

**SECTION 2.** At the August General Election in 1982, and every eight (8) years thereafter, a person shall be elected as general sessions judge for a term of eight (8) years by the qualified voters of Stewart County. Such person shall possess all of the qualifications required of judges of inferior courts and shall be licensed to practice law in this state. Such judge shall have the same authority, powers and duties provided by law for Judges of Courts of General Sessions.

**SECTION 3.** The Court of General Sessions of Stewart County shall have the same jurisdiction as is conferred by law upon Courts of General Sessions. Such court shall also exercise exclusive juvenile jurisdiction in such county and when exercising such jurisdiction, the General Sessions Judge shall have all jurisdiction, authority, powers and duties conferred or imposed by Tennessee Code Annotated, Title 37 or any other law relating to the disposition of juveniles.

**SECTION 4.** Effective September 1, 1982, any person or court in Stewart County exercising jurisdiction conferred upon the Court of General Sessions by the provisions of this Act shall be divested of such jurisdiction. All matters within the jurisdiction of the General Sessions Court created by this Act, except those matters which have been heard and taken under advisement, shall be transferred to such General Sessions Court at the close of business on the day preceding the day such court is created. On such date, all official books, records and other documents pertaining to a matter within the jurisdiction of the General Sessions Court shall be delivered to such court.

**SECTION 5.**

(a) The compensation of the Judge of the Court of General Sessions of Stewart County shall be in the same amount as provided by law and a supplement of five thousand three hundred dollars (\$5,300) a year for compensation for service as the judge exercising juvenile jurisdiction. The compensation shall be payable in equal monthly installments from county funds appropriated for such purposes.

(b) Beginning September 1, 1982, the compensation supplement of such judge shall be the amount fixed in subsection (a) of this section adjusted to reflect the percentage of change in the consumer price index between that of the calendar year 1981 and the calendar year next preceding September 1 of the year for which the salaries are to be paid. The adjustments shall occur on September 1, 1983, and on September 1 of every year thereafter for the ensuing year commencing September 1. As used in this subsection "consumer price index" shall mean the consumer price index (all items--United States city average) as published by the United States department of labor, bureaus of labor statistics. Provided, however, the amount of adjustment authorized by this subsection shall not exceed seven percent (7%) for a given year.

**SECTION 6.** This Act shall not be construed to prohibit the Judge of the Court of General Sessions of Stewart County from the private practice of law except that the judge shall be prohibited from practicing in any matter over which the Court of General Sessions of Stewart County may exercise jurisdiction.

**SECTION 7.** The Circuit Court Clerk shall be the Clerk of the General Sessions Court as established by this Act. Such clerk shall keep separate records, dockets, minute books and rule dockets for all general sessions matters and all juvenile matters within the jurisdiction of the General Sessions Court. The circuit court clerk shall be empowered to designate one (1) or more employees as deputies from time to time to be deputy clerk for juvenile matters. The circuit court clerk shall also be authorized to issue warrants, petitions, and other process and notices, as necessary.

**SECTION 8.** Notwithstanding any provision of Tennessee Code Annotated, Title 2, chapter 5, Part 1 or any other provisions of the law to the contrary, for the 1982 election only, if this Act is approved pursuant to Section 9 after the final date for filing nominating petitions for the 1982 Regular August Election, the County Election Commission of Stewart County shall establish a time for filing such nominating petitions for the office of Judge of the Court of General Sessions.

**SECTION 9.** This Act shall have no effect unless it is approved by a two-thirds ( $\frac{2}{3}$ ) vote of the county legislative body of Stewart County. 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 10.** 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 the purpose of qualifying for and seeking election to the General Sessions Judgeship created by this Act, this Act shall take effect upon being approved as provided in Section 9. For all other purposes, it shall take effect on September 1, 1982.

PASSED: April 8, 1982.

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