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Chapter V - Court System

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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Chapter V - Court System

Chancery Court

Private Acts of 2019 Chapter 18

SECTION 1. The Chancery Court of Pickett County shall have jurisdiction relating to the probate of wills and the administration of estates of every nature, including the estates of decedents and of wards under guardianships or conservatorships and related matters as provided under Tennessee Code Annotated, Section 16-16-201. The Clerk and Master of Pickett County shall serve as the clerk of all matters of probate and all records relative to jurisdiction and proceedings before the court shall be filed with the Clerk and Master of Pickett County.

SECTION 2. The General Sessions Court of Pickett County shall have concurrent jurisdiction with the Circuit and Chancery Courts over domestic relations matters.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Pickett County. Its approval or nonapproval shall be proclaimed by the presiding officer of such legislative body and certified 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 as provided in Section 3.

Passed: May 10, 2019.

Circuit Court

Clerk

Private Acts of 1953 Chapter 146

SECTION 1. That the Circuit Court Clerk for Pickett County, Tennessee, shall be entitled to and receive the sum of Six Hundred Dollars (\$600.00) per annum for his services as Clerk of the Court of General Sessions. Such sum shall be in addition to and supplementary of the salary allowed him as Clerk of the Circuit Court of said County under the provisions of Section 8-2405 [8-24-104] of the Tennessee Code Annotated. Payments of such sum shall be made by equal monthly installments out of the general fund of the County. In the event the Clerk's fees of such office exceed the amount allowed him as Circuit Court Clerk under the provisions of the above Code section and the provisions of this Chapter combined, he may elect and accept such fees in lieu of salary. Provision for this added compensation is made pursuant to authority granted in Section 18-408 [18-4-201] of the Tennessee Code Annotated.

SECTION 2. That this Act shall have no effect unless the same be approved by a two-thirds vote of the Quarterly County Court of Pickett County. The presiding officer shall proclaim its approval or non-approval and shall certify the same to the Secretary of State.

SECTION 3. That this Act shall take effect from and after its passage, the public welfare requiring it.

Adopted: March 1, 1961.

General Sessions Court

Juvenile and Probate Jurisdiction

Private Acts of 1982 Chapter 237

SECTION 1. In addition to the jurisdiction conferred upon Courts of General Sessions by general law, the General Sessions Court in Pickett County shall exercise exclusive jurisdiction over all matters relating to the disposition of juveniles conferred by Tennessee Code Annotated, Title 37, and any other general law and all matters relating to the probate of wills and the administration of estates.

Such General Sessions Court shall exercise concurrent jurisdiction with the trial courts to grant fiats for the issuance of restraining orders, injunctions and attachments.

On the effective date of this Act, all courts or persons, except those courts maintaining concurrent jurisdiction, exercising jurisdiction conferred upon the Court of General Sessions by the provisions of this Act shall be divested of such jurisdiction.

The General Sessions Judge shall have the authority to appoint referees to hear special cases. When exercising juvenile jurisdiction, such referees shall be governed by and follow the same procedures set out in Tennessee Code Annotated, Section 37-207.

SECTION 2. The county clerk shall maintain the records, dockets, and perform such duties as may be necessary for the disposition of all probate matters coming before the General Sessions Court. The circuit court clerk shall maintain the records, dockets, and perform such duties as may be necessary for the disposition of all juvenile matters coming before the General Sessions Court.

As amended by: Private Acts of 2007, Chapter 107

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 Pickett County. Its approval or nonapproval shall be proclaimed by the presiding officer of such 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 take effect upon becoming a law, the public welfare requiring it. For all other purposes it shall take effect upon being ratified as provided in Section 3.

Passed: February 25, 1982.

Court System - Historical Notes

Board of Jury Commissioners - Jurors

The following acts once affected jurors or boards of jury commissioners in Pickett County, but are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1923, Chapter 160, exempted Pickett County from the requirements of the general law that Criminal Judges appoint foremen of grand juries. Private Acts of 1927, Chapter 156, re-established the provisions of the general law for Pickett County. Private Acts of 1929, Chapter 932, repealed this provision.
2. Private Acts of 1925, Chapter 353, was the first private act setting up a Board of Jury Commissioners for Pickett County, with provisions similar to those now found in the general law. Private Acts of 1933, Chapter 735, repealed this Act and mandated that Jurors be appointed by the Quarterly County Court.
3. Private Acts of 1933, Chapter 734, provided that in Pickett County the Foreman of the Grand Jury would be appointed by the Judges of the Circuit or Criminal Courts from the venire made up by the Quarterly County Court.
4. Private Acts of 1953, Chapter 251, was the last private act creating a Board of Jury Commissioners for Pickett County before it became subject to the general law cited above.

Chancery Court

The following acts form an outline of the development of equity jurisdiction in Pickett County, although they no longer have the force of law since they have either been superseded by general law, repealed, or failed to receive local ratification.

1. Acts of 1885, Chapter 12, set the time for holding Chancery Court in Pickett County on the second Mondays in April, August and December.
2. Acts of 1890, Chapter 19, changed the time for holding Chancery Court to the third Mondays in May and November.
3. Acts of 1897, Chapter 294, set the terms of Chancery Court in Pickett County on the second Mondays in April and October.
4. Acts of 1903, Chapter 97, changed the beginning date of Chancery Court terms in Pickett County to the first Thursday after the second Monday in April and the second Monday in October.
5. Private Acts of 1927, Chapter 40, provided that Chancery Court in Pickett County would be on the third Monday in March and September.

Chancery Court - Clerk and Master

Listed below is an act which once applied to the clerk and master in Pickett County.

1. Private Acts of 1911, Chapter 73, provided that the Clerk and Master of the Chancery Court in Pickett County would receive an annual salary of \$600, provided that he filed an annual statement of the fees received by his office.

Circuit Court

The following acts were once applicable to the circuit court of Pickett County but now have no effect, having been repealed, superseded, or having failed to win local approval.

1. Acts of 1885, Chapter 12, set the time for holding Circuit Court in Pickett County on the second Mondays of April, August and December.
2. Acts of 1897, Chapter 294, changed the time of Circuit Court terms in Pickett County to the second Mondays in April and October.
3. Acts of 1901, Chapter 232, set the Circuit Court terms in Pickett County on the third Monday in February, the second Monday in June and the fourth Monday in October of each year.
4. Acts of 1905, Chapter 359, created a Criminal Court for the counties of Anderson, Campbell, Morgan, Scott, Pickett, Fentress and Union, and provided that in Pickett County its terms would be on the second Mondays in February, June and October. The Criminal Court would exist until September 1, 1906, thereafter criminal jurisdiction would vest in and be exercised by the Circuit Courts of said counties.
5. Acts of 1907, Chapter 85, created a court to have criminal jurisdiction in the Counties of White, Putnam, Cumberland, Overton, Pickett, Clay, Jackson, Smith, Macon, Trousdale and Smith, and provided that the judge of this court would also preside over the circuit court in Pickett, Trousdale and Macon Counties. In Pickett County court would be held the second Monday in February, June, and October. Private Acts of 1921, Chapter 629, amended the 1907 Act to require the Judge of the Fifth Judicial Circuit to preside.

Circuit Court - Clerk

The following acts have no current effect, but once applied to the Pickett County Circuit Court Clerk. They were repealed, superseded, or never received local approval. Also referenced below is an act which repealed prior law without providing new substantive provisions.

1. Private Acts of 1911, Chapter 258, set the annual salary of the circuit court clerk in Pickett County at \$600, provided that an annual statement of the fees collected by that office was filed with the County Judge. This act was repealed by Private Acts of 1915, Chapter 111.

District Attorney General - Assistants and Criminal Investigators

The following acts once affecting Pickett County are no longer in effect but are listed here for historical purposes. Also referenced below is an act which repealed prior law without providing new substantive provisions.

1. Acts of 1907, Chapter 381, created the office of Assistant Attorney General for the Fifth Circuit. Private Acts of 1919, Chapter 166, repealed this Act.
2. Public Acts of 1970, Chapter 537, and Public Acts of 1976, Chapter 563, provided for additional Assistant District Attorneys General for the Fifth Judicial Circuit. Pickett County is now in the Thirteenth Judicial District according to T.C.A. 16-2-506, which also stipulates the number of judges, Assistant District Attorneys General and Investigators for the District.

General Sessions

The following act once affected the general sessions court of Pickett County, but is no longer in effect and is included herein for reference purposes.

1. Private Acts of 1961, Chapter 146, set an additional compensation which was to be paid to the Circuit Court Clerk for his duties as the General Sessions Court Clerk for Pickett County.

Juvenile Court

The following act once affecting juvenile courts in Pickett County is included herein for reference purposes.

1. Private Acts of 1982, Chapter 237, gives the General Sessions Court of Pickett County exclusive jurisdiction over juvenile matters.

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