

SENATE BILL 1420

By Green

AN ACT to create a special juvenile court in Montgomery County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

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

- (1) "Clerk" means the Juvenile Court Clerk of Montgomery County;
- (2) "Court" means the Juvenile Court of Montgomery County; and
- (3) "Judge" means the judge of the Juvenile Court of Montgomery County;

SECTION 2. There is created, in Montgomery County, a juvenile court to be known and styled as the "Juvenile Court of Montgomery County." The court shall be a court of record and shall be presided over by a judge who shall have the qualifications set forth by state law. The court shall have concurrent general sessions court jurisdiction.

SECTION 3. The judge shall be elected in the 2014 August general election. The term of office shall be eight (8) years, and such judge shall be licensed to practice law in the state of Tennessee and shall possess all the qualifications of the inferior courts. The elected judge shall take and subscribe to the same oath of office as that subscribed for the judges of the circuit and general session courts. In the event the office of the judge shall become vacant by reason of death, resignation, retirement, or any other reason before the expiration of such term of office, the vacancy shall be filled by a majority vote of the Montgomery County Commission members until the next county general election.

SECTION 4. The Montgomery County juvenile court clerk shall continue to serve as clerk of the Montgomery County juvenile court and any of such clerk's deputies shall also be deputies for the juvenile court created by this act.

SECTION 5. The 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, and shall have all of the jurisdiction, powers, duties, and authority of the general sessions court judges, pursuant to applicable state law.

SECTION 6. The judge shall be a full time juvenile judge and shall exercise concurrent general session's jurisdiction in Montgomery County. Nothing in this act shall restrict the ability of the judge to participate in interchange with other judges should cause exist making an interchange necessary or for mutual convenience under the provisions of Tennessee Code Annotated, Section 17-2-208.

SECTION 7. Effective September 1, 2014, the annual salary of the position of Montgomery County juvenile judge shall be that of division I, II, and III general sessions and juvenile court judges in Montgomery County. The Montgomery County legislative body shall annually appropriate from such funds as are necessary and appropriate for the orderly operation and administration of the court herein created.

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 persons within the jurisdiction of the court shall have their causes set for disposition.

SECTION 9. The Montgomery County legislative body shall provide the court with facilities adequate and sufficient to allow the court to perform its duties as a juvenile court.

SECTION 10. 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 11. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Montgomery County. Its approval or non-approval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 12. 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 11.