

The **TENNESSEE SUPREME COURT** is the state's highest court and the court of last resort. The five Supreme Court justices hear appeals of decisions from other courts and interpret the laws and Constitutions of Tennessee and the United States. Justices, elected on a "yes-no" vote every eight years under the revised "Missouri Plan", known as the "Tennessee Plan" represent each of the state's three grand divisions. By constitutional mandate, the court meets in Knoxville, Nashville and Jackson.

The Supreme Court has jurisdiction to review civil and criminal cases appealed from lower courts. Appeals are granted or denied at the discretion of the justices, except in capital punishment cases, where appeals are automatic. The state Supreme Court's jurisdiction was expanded in 1992 by the Appellate Court Improvements Act. Under the act, the state's high court may assume jurisdiction over undecided cases in the Court of Appeals or Court of Criminal Appeals when there is special need for an expedited decision. The Supreme Court also has jurisdiction in cases involving state taxes, the right to hold public office or issues of constitutional law.

Arguments before the Supreme Court are presented by attorneys. Unlike trials in lower courts, there are no witnesses, juries or testimony. After justices have heard oral arguments and reviewed attorneys' written materials, known as briefs, they issue written decisions, or opinions. Tennessee Supreme Court opinions can be appealed only to the federal courts, which may or may not agree to consider an appeal.

Intermediate Appellate Courts

The 12-member **COURT OF APPEALS** does just what its name suggests. The Court of Appeals hears most appeals of civil - or non-criminal - cases from lower courts. All final decisions of the Court of Appeals may be appealed to the Tennessee Supreme Court. The Court of Appeals meets in Knoxville, Nashville and Jackson, sitting in panels of three judges.

Court of Appeals judges are selected under the Tennessee version of the "Missouri Plan." When a vacancy occurs on the Court of Appeals, the 15-member Judicial Selection Commission recommends three candidates from the grand division of the state in which the vacancy exists. The governor appoints a new judge from the list of three candidates.

Court of Appeals judges run on a "yes-no" ballot every eight years. Voters decide to retain or reject the judges, who run unopposed.

The **COURT OF CRIMINAL APPEALS** hears trial court appeals in felony and misdemeanor criminal cases. The twelve Court of Criminal Appeals judges also are selected under Tennessee's version of the Missouri Plan.

Panels of three judges sit monthly in Jackson, Knoxville and Nashville to hear cases. As with the Court of Appeals, the Court of Criminal Appeals meets at other places and times as necessary.

Also like the Court of Appeals, the Court of Criminal Appeals does not conduct trials. Instead, the records of the original trials in lower courts are reviewed, with attorneys presenting the legal issues.

Trial Courts

Tennessee's 95 counties are divided into 31 judicial districts. Within each district are Circuit Courts and Chancery Courts as provided by the state constitution. Some districts also have legislatively established Criminal Courts. Judges of these courts are elected to eight year terms.

CIRCUIT COURTS are courts of general jurisdiction in Tennessee. Circuit judges hear civil and criminal cases and appeals of decisions from City, Juvenile, Municipal and General Sessions courts. The jurisdiction of Circuit Courts often overlaps that of the Chancery Courts. Criminal cases are tried in Circuit Court except in districts with separate Criminal Courts established by the General Assembly.

CHANCERY COURTS are a good example of the court system's English heritage. The traditional equity courts are based on the English system in which the chancellor acted as the "King's conscience." Chancellors may, by law and tradition, modify the application of strict legal rules and adapt the relief given to the circumstances of individual cases.

CRIMINAL COURTS are established by the General Assembly to relieve Circuit Courts in areas where they are justified by heavy caseloads. Criminal Courts exist in 13 of the State's 31 judicial districts. In addition to having jurisdiction over criminal cases, the 29 Criminal Court judges hear misdemeanor appeals from lower courts. In districts without Criminal Courts, criminal cases are handled at the trial level by Circuit Court judges.

PROBATE COURTS in Shelby and Davidson counties were created by the legislature and given exclusive jurisdiction over probate of wills and administration of estates. The courts also handle conservatorships and guardianships.

Courts of Limited Jurisdiction

GENERAL SESSIONS COURT jurisdiction varies from county to county based on state laws and private acts. Every county is served by the court which hears civil and criminal cases, including matters formerly handled by justices of the peace. Civil jurisdiction is restricted to specific monetary limits and types of actions. Criminal jurisdiction is limited to preliminary hearings in felony cases and misdemeanor trials in which a defendant waives the right to a grand jury investigation and trial by jury in Circuit or Criminal Court. General Sessions judges also serve as juvenile judges except in counties in which the legislature has established a separate Juvenile Court. General Sessions judges are elected to eight year terms.

JUVENILE COURT jurisdiction is vested in General Sessions Courts in all counties except those in which the law establishes special Juvenile Courts. Juvenile Courts have exclusive jurisdiction in proceedings involving minors alleged to be delinquent, unruly, dependent and neglected. Juvenile Courts also have concurrent jurisdiction with Circuit, Chancery and Probate Courts in some areas. **MUNICIPAL COURT**, also known as city court, has jurisdiction in cases involving violations of city ordinances. Generally, a city judge has authority to assess fines up to \$50 and jail sentences up to 30 days. However, jurisdiction varies widely from city to city. About 300 Tennessee cities have Municipal Courts.