

Trial Courts

1. Circuit Courts

- a. Circuit Courts are courts of general jurisdiction in Tennessee in all cases where jurisdiction is not conferred upon another tribunal. (Tenn. Code Ann. §16-10-101)
- b. Circuit court judges hear civil and criminal cases and appeals of decisions from 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.

2. Chancery Courts

- a. A chancery court has all the powers, privileges and jurisdiction properly and rightfully incident to a court of equity. (Tenn. Code Ann. §16-11-101)
- b. A chancery court has exclusive original jurisdiction of all cases of an equitable nature, where the debt or demand exceeds fifty dollars (\$50.00). It has no jurisdiction of any debt or demand of less value than fifty dollars (\$50.00). (Tenn. Code Ann. § 16-11-103)
- c. A chancery court has jurisdiction over election contests within its division. (Tenn. Code Ann. § 2-17-101)

3. Criminal Courts

- a. Criminal Courts were established by the legislature to relieve circuit courts in areas with heavy caseloads. In addition to having jurisdiction over criminal cases, 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.

4. Probate Courts

- a. All jurisdiction relating to the probate of wills and the administration of estates, including the estates of decedents and of wards under guardianships or conservatorships and related matters. (Tenn. Code Ann. § 16-16-201)

5. General Sessions Court. Each county served by a general sessions court of limited jurisdiction, which hears both civil and criminal cases:

a.

1. *Civil Jurisdiction*— The amount in controversy shall not exceed \$25,000. (Tenn. Code Ann. § 16-15-501 (d)(1))
 - a. There exists an automatic right for appeal from a judgment in General Sessions Court. The appeal is de novo review by a circuit court.
2. *Criminal Jurisdiction*— 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.
 - a. General Sessions is also vested with jurisdiction to try and determine and render final judgment in all misdemeanor cases brought before the court by warrant where the person enters a plea of guilty in writing or requests a trial upon the merits and expressly waives an indictment, presentment, grand jury investigation and jury trial. (Tenn. Code Ann. § 40-1-109)

6. **Juvenile Court.** A juvenile court has exclusive original jurisdiction over the following types of actions:
- a.
 1. Proceedings in which a child is alleged to be delinquent, unruly or dependent and neglected, or to have committed a juvenile traffic offense. (Tenn. Code Ann. § 37-1-103)
 2. Commitment of delinquent children to the department of children's services. (See Tenn. Code Ann. § 37-1-137)
 3. Violation of the duty to report brutality, abuse, neglect or child sexual abuse. (See Tenn. Code Ann. § 37-1-403)
 4. Proceedings affecting delinquent juvenile's parent or guardian for failure to take reasonable steps to control delinquent behavior or a child within the jurisdiction of the court. (See Tenn. Code Ann. § 37-1-174)
 7. **Municipal Court.** This court deals with violations of the laws and ordinances of the municipality.
 8. **Veterans Court.** This court provides a means to divert eligible veteran participants from the traditional criminal justice system and provide them support and rehabilitation through comprehensive substance abuse and/or mental health treatment; education; vocational programs; and community resource referrals for housing, childcare, and transportation, all while being judicially monitored. (Tenn. Code Ann. § 16-6-102)
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Appellate Courts

Grand Divisions: For the administration of justice in the supreme court, the court of appeals and the court of criminal appeals, the state is

divided into the three (3) grand divisions described in §§ 4-1-201 4-1-204. (Tenn. Code Ann. § 1-2-101 (a))

There are two types of Appellate Courts:

1. **Tennessee Court of Appeal**

- a. Jurisdiction: The jurisdiction of the court of appeals is appellate only and extends to all civil cases except workers' compensation cases and expedited, anonymous, juvenile appeals. (Tenn. Code Ann. §16-4-108 (a)(1))
- b. When sitting in sections of three (3) judges each, the concurrence of two (2) of the judges shall be sufficient to determine all matters coming before the section; and such action, without more, shall have effect, in all respects, as if the entire court of appeals had participated in the action. (Tenn. Code Ann. §16-4-109 (a))
- c. When the court sits en banc, the concurrence of seven (7) of the judges, and, when two (2) sections sit together, the concurrence of five (5) of the judges, shall so suffice and be effective. (Tenn. Code Ann. § 16-4-109 (b))
- d. The Court of Appeal meets in three districts:
 1. Western Grand Division — located in Jackson and has jurisdiction over the following counties: Benton, Carroll, Chester, Crockett, Decatur, Dyer, Fayette, Gibson, Hardeman, Hardin, Haywood, Henderson, Henry, Lake, Lauderdale, Madison, McNairy, Obion, Shelby, Tipton and Weakley. (Tenn. Code Ann. § 4-1-204)
 2. Middle Grand Division — located in Nashville and has jurisdiction over the following counties: Bedford, Cannon, Cheatham, Clay, Coffee, Davidson, DeKalb, Dickson, Fentress, Franklin,

Giles, Grundy, Hickman, Houston, Humphreys, Jackson, Lawrence, Lewis, Lincoln, Macon, Marshall, Maury, Montgomery, Moore, Overton, Perry, Pickett, Putnam, Robertson, Rutherford, Sequatchie, Smith, Stewart, Sumner, Trousdale, Van Buren, Warren, Wayne, White, Williamson and Wilson. (Tenn. Code Ann. § 4-1-203)

3. Eastern Grand Division— located in Knoxville and has jurisdiction over the following counties: Anderson, Bledsoe, Blount, Bradley, Campbell, Carter, Claiborne, Cocke, Cumberland, Grainger, Greene, Hamblen, Hamilton, Hancock, Hawkins, Jefferson, Johnson, Knox, Loudon, Marion, McMinn, Meigs, Monroe, Morgan, Polk, Rhea, Roane, Scott, Sevier, Sullivan, Unicoi, Union and Washington. (Tenn. Code Ann. § 4-1-201).

2. Tennessee Court of Criminal Appeals

- a. Jurisdiction: The jurisdiction of the court of criminal appeals shall be appellate only, and shall extend to review of the final judgments of trial courts in:
 1. Criminal cases, both felony and misdemeanor;
 2. Habeas corpus and Post-Conviction Procedure Act proceedings attacking the validity of a final judgment of conviction or the sentence in a criminal case, and other cases or proceedings instituted with reference to or arising out of a criminal case;
 3. Civil or criminal contempt arising out of a criminal matter; and
 4. Extradition cases. (Tenn. Code Ann. §16-5-108 (a)(1)-(4)).

b. The court of criminal appeals shall sit in panels of three (3) judges. The court may sit en banc, or in panels of five (5) or seven (7) judges, at any regular or special term, in the discretion of the presiding judge, entered upon the minutes of the particular court in each instance. In each such event, the concurrence of a majority of the judges is necessary to constitute a decision of the court. (Tenn. Code Ann. §16-5-107)