

**TITLE 3****MUNICIPAL COURT<sup>1</sup>****CHAPTER**

1. CITY JUDGE.
2. COURT ADMINISTRATION.
3. SUMMONSES AND SUBPOENAS.
4. BONDS AND APPEALS.

**CHAPTER 1****CITY JUDGE****SECTION**

- 3-101. City judge.  
3-102. Jurisdiction.

**3-101. City judge.** (1) Appointment. The city judge designated by the charter to handle judicial matters within the city shall be appointed by the board of mayor and aldermen and shall serve at the pleasure of the governing body. Vacancies in the office of the city judge arising from resignation, disqualification or for any other reason whatsoever, shall be filled in the same manner as prescribed for the appointment of the city judge.

(2) Qualifications. The city judge shall be a minimum of \_\_\_\_\_ (\_\_\_\_) years of age, be licensed by the State of Tennessee to practice law, and be a resident of Campbell County. If the city judge for any reason removes his domicile from Campbell County after his appointment, the removal of his domicile shall automatically create a vacancy in the office of city judge.

(3) Judge pro tem. During the absence of the city judge from his duties for any reason or at any time the office of the city judge is vacant, the board of mayor and aldermen may appoint a city judge pro tem to serve until the city judge returns to his duties or the office of city judge is no longer vacant. The city judge pro tem shall have all the qualifications required, and powers, of the city judge.

**3-102. Jurisdiction**. The city judge shall have the authority to try persons charged with the violation of municipal ordinances, and to punish persons convicted of such violations by levying a civil penalty under the general penalty provision of this code.

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<sup>1</sup>Charter reference: § 25.

**CHAPTER 2****COURT ADMINISTRATION****SECTION**

3-201. Maintenance of docket.

3-202. Disturbance of proceedings.

3-203. Litigation tax.

**3-201. Maintenance of docket.** The city judge shall keep a complete docket of all matters coming before the city court. (2000 Code, § 3-201)

**3-202. Disturbance of proceedings.** It shall be unlawful for any person to create any disturbance of any trial before the city court. (2000 Code, § 3-202, modified)

**3-203. Litigation tax.** (1) There is hereby levied a privilege tax on litigation of thirteen dollars seventy-five cents (\$13.75) on all suits in the City Court of the City of LaFollette, Tennessee.

(2) Proceeds of this tax shall be paid to the city recorder and shall be deposited in the general fund for the purpose of defraying part of the judicial and law enforcement expense of the city. (2000 Code, § 3-204, modified)

## CHAPTER 3

### SUMMONSES AND SUBPOENAS

#### SECTION

3-301. Issuance of summonses.

3-302. Issuance of subpoenas.

**3-301. Issuance of summonses.** When a complaint of an alleged ordinance violation is made to the city judge, the judge may issue a summons ordering the alleged offender to personally appear before the city court at a time specified therein to answer to the charges against him. The summons shall contain a brief description of the offense charged but need not set out verbatim the provisions of the ordinance alleged to have been violated. Upon failure of any person to appear before the city court as commanded in a summons lawfully served on him, the cause may be proceeded with ex parte, and the judgment of the court shall be valid and binding subject to the defendant's right of appeal. (2000 Code, § 3-301, modified)

**3-302. Issuance of subpoenas.** The city judge may subpoena as witnesses all persons whose testimony he believes will be relevant and material to matters coming before his court, and it shall be unlawful for any person lawfully served with such a subpoena to fail or neglect to comply therewith. (2000 Code, § 3-302)

## CHAPTER 4

### BONDS AND APPEALS

#### SECTION

3-401. Appeals.

3-402. Bond amounts, conditions, and forms.

**3-401. Appeals.** Any defendant who is dissatisfied with any judgment of the city court against him may, within ten (10) days next after such judgment is rendered, appeal to the next term of the circuit court upon posting a proper appeal bond.<sup>1</sup> (2000 Code, § 3-402)

**3-402. Bond amounts, conditions, and forms.** An appeal bond in any case shall be in the sum of two hundred and fifty dollars (\$250.00) and shall be conditioned that if the circuit court shall find against the appellant the fine and all costs of the trial and appeal shall be promptly paid by the defendant and/or his sureties. An appearance or appeal bond in any case may be made in the form of a cash deposit or by any corporate surety company authorized to do business in Tennessee or by two (2) private persons who individually own real property located within the county. No other type bond shall be acceptable. Appeals shall be consistent with the general laws governing city courts. (2000 Code, § 3-403, modified)

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<sup>1</sup>State law reference

*Tennessee Code Annotated*, § 27-5-101.