

RESOLUTION 2003-10

RESOLUTION TO URGE THE GENERAL ASSEMBLY TO AMEND CHAPTER 255 OF THE PRIVATE ACTS OF 1982, RELATIVE TO THE AUTHORITY TO HIRE PERSONNEL FOR THE JUVENILE COURT OF WEAKEY COUNTY.

WHEREAS, Section 9 of Chapter 255 of the Private Acts of 1982 provides that the Juvenile Court Judge shall appoint such personnel as may be necessary to efficiently carry on the business of the Court; and

WHEREAS, the State of Tennessee provides Weakley County with funds for the improvement of juvenile court services by employing a youth services officer to be appointed and supervised by the court; and

WHEREAS, the Judicial Ethics Committee in advisory opinion No. 98-5 has opined that the implementation of these statutory requirements give the appearance of impropriety, in violation of Canon 2 of the Code of Judicial Conduct; and

WHEREAS, the Weakley County Commission has adopted rules providing for the County Commission to appoint the youth service officers (Rule 7F).

NOW, THEREFORE, BE IT RESOLVED by a two-thirds (2/3) vote of the county legislative body of Weakley County, Tennessee assembled in regular session on this 25th day of November 2002 in Dresden, Tennessee that the members of the General Assembly representing Weakley County are urged to introduce and work for the passage of the private act attached hereto which would provide for the appointment of the youth service officer by the county commission.

BE IT FURTHER RESOLVED, that copies of this resolution be mailed by the County Clerk to the members of the General Assembly representing Weakley County.

BE IT FURTHER RESOLVED, that all resolutions of the Board of County Commissioners of Weakley County, Tennessee which are in conflict with this resolution are hereby repealed, and;

BE IT FURTHER RESOLVED, that this resolution take effect from and after its passage, the public welfare requiring it. This resolution shall be spread upon the minutes of the Board of County Commissioner.

Pursuant To The Rules Of The Commission, This Resolution Is Sponsored By The Following Members Of The Weakley County Board Of County Commissioners:

SPONSORED BY: [Signature]

SPONSORED BY: [Signature]

ACKNOWLEDGED AND APPROVED: [Signature] Chairman, Public Safety Committee

Motion made by _____ that the foregoing resolution be adopted:

Motion seconded by _____

Upon being put to a roll call vote, Motion _____ by a vote of _____ Yeas, _____ Nays, _____ Passed and _____ Absent.

APPROVED:

ATTESTED:

Ron Gifford, County Executive

Pat Scarbrough, County Clerk

This the 25th day of November 2002.

AN ACT to amend Chapter 255 of the Private Acts of 1982, relative to the authority to hire personnel for the Juvenile Court of Weakley County.

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

SECTION 1. Section 9 of Chapter 255 of the Private Acts of 1982 is amended by deleting such section in its entirety and substituting instead the following:

“The County Legislative Body shall, pursuant to the laws and regulations of Weakley County, appoint a youth service officer for the Weakley County Juvenile Court. Such youth services officer shall have the authority to hire and fire any employees necessary to carry out the functions of such position subject to budgetary limitations.”

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

SECTION 3. 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 upon being approved as provided in Section 4.