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Opinion No. 01-160

Authority of city to refer to its court as a general sessions court

## QUESTION

What authority exists for a municipality to refer to its court as a general sessions court? Put differently, under the law as it presently exists in Tennessee, may a general sessions court exist for any political subdivision other than a county?

## OPINION

The term "General Sessions Court" cannot accurately refer to a city court.

## ANALYSIS

This opinion asks whether a municipality is authorized to refer to its court as a general sessions court. City courts are typically created under the city charter or some other statute like Tenn. Code Ann. §§ 16-17-101, *et seq.*, authorizing a home rule municipality to create a city court. Some city courts exercise concurrent general sessions jurisdiction over criminal offenses committed within city limits. But this concurrent jurisdiction does not make a city court a general sessions court. General sessions courts are established in counties either by private act or under Tenn. Code Ann. §§ 16-15-101, *et seq.* The jurisdiction of a general sessions court is coextensive with the county. Tenn. Code Ann. § 16-15-501(a). A general sessions judge is a county officer. *State ex rel. Winstead v. Moody*, 596 S.W.2d 811 (Tenn. 1980). For these reasons, we think the term "General Sessions Court" cannot accurately refer to a city court, even if the city court exercises concurrent jurisdiction with a general sessions court over criminal offenses committed within city limits. *See also* Op.Tenn.Atty.Gen. 81-528 (September 22, 1981); Op.Tenn.Atty.Gen. 81-265 (April 24, 1981).

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