

Exhibit A

TITLE 3

TOWN COURT

CHAPTER 1

SECTION

- 3-101. Appointment, qualifications, etc. of judge
- 3-102. Judge to preside
- 3-103. Recorder may serve as judge under circumstances
- 3-104. Jurisdiction

3-101. Appointment, qualifications, etc., of judge – The Board of Mayor and Aldermen shall appoint and fix the qualifications, salary and term of office of the town judge.

3-102. Judge to preside - The town judge shall preside over the town court.

3-103. Recorder may serve as judge under certain circumstances - The Town Recorder may serve as judge of the town court if they are a licensed attorney in the State of Tennessee and the appointed judge is not present.

3-104. Jurisdiction – The town judge shall have the power and authority to try and determine all cases for the offense of town ordinances, assess penalties and court costs, exercise contempt powers but not confine a violator of an ordinance to try and determine violation laws or civil law matters.

MUNICIPAL COURT

CHAPTER 2

SECTION

- 1. Town Judge
- 2. Court Clerk
- 3. Court Administration
- 4. Summonses and Subpoenas

TOWN JUDGE

SECTION

3-201. Town Judge

3-202. Jurisdiction

3-201. Town Judge – (1) Appointment – The town judge designated by the charter to handle judicial matters with the town shall preside over the town court and 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 town 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 town judge.

(2) Qualifications – The town judge shall be a minimum of twenty-five (25) years of age, be licensed by the State of Tennessee to practice law and be a resident of the State of Tennessee.

(3) Judge Pro tem - During the absence of the town judge from his/her duties for any reason or any time the office of the town judge is vacant, the Board of Mayor and Aldermen may appoint a town judge pro tem to serve until the town judge returns to his/her duties or the office of the town judge is no longer vacant. The town judge pro tem shall have all the qualifications required, and powers, of the town judge.

3-202. Jurisdiction - The town judge shall have the authority to try persons charged with the violation of municipal ordinances, and to punish person convicted of such violations by levying a civil penalty under the general penalty provision of this code.

COURT CLERK

SECTION

- 3-203. Appointment of Court Clerk
- 3-204. Oath
- 3-205. Duties
- 3-206. Removal

3-203. Appointment of the court clerk - The court clerk shall be appointed by the Board of Mayor and Aldermen at the recommendation of the Town Administrator.

3-204. Oath - The court clerk shall take the oath of office prescribed for clerks of courts by state law.

3-205. Duties – The court clerk shall have all the powers and duties prescribed for clerks of courts of general sessions.

3-206. Removal – The town Clerk may be removed from office or ousted for the following reasons:

- (1) Conviction of a misdemeanor in office or of a felony;
- (2) Failing to give security required by law or ordinance;
- (3) Failing to pay over public money collected officially;
- (4) Incompetency or neglect of duty or official misconduct in office;
- (5) Any other cause to which the penalty or removal is attached by law.

COURT ADMINISTRATION

SECTION

- 3-207. Maintenance of docket
- 3-208. Imposition of penalties and costs
- 3-209. Contempt of court

3-207. Maintenance of docket – The town judge shall keep a complete docket of all matters coming before him/her judicial capacity. The docket shall include for each defendant such information as his name, warrant and/or summons numbers; alleged offense; disposition; penalties, and costs imposed and whether collected; and all other information which may be relevant.

3-208. Imposition of Fines, Penalties, and Court Costs – (1) All fines and costs shall be imposed by the town judge and recorded by the municipal court clerk on the municipal court docket.

(2) Court Costs – In all cases heard and determined by him/her, the town judge shall impose court costs. One dollar (\$1) of the court costs shall be forwarded by the court clerk to the state treasurer in accordance with to the Tennessee Code Annotated 16-18-304(a) to be used by the Administrative Office of the Courts for training and continuing education courses for municipal court judges and municipal court clerks.

(3) When any person has been charged with violation of a law regarding vehicle equipment (including but not limited to inoperable headlights, tail lights, brake lights or turn signals), driver licensing, or vehicle licensing and registration, the charge may be dismissed if the person charged with the violation submits evidence of compliance with such law on or before the court date; provided, however that the town judge may establish a separate court cost to be collected from the person charged with the violation. This separate court cost will be collected from the person in lieu of the court costs detailed in Section 3-208(2) above.

(4) Litigation Taxes – In all cases where the defendant is charged with the violation of a town ordinance or authorized state statute and is found guilty, whether by trial or plea of guilty, such defendant shall pay:

(a) The state litigation taxes as defined in Tennessee Code Annotated 67-4-601.

(b) In addition, pursuant to the authority granted in Tennessee Annotated 67-4-601, the Town of Cornersville adopts a local litigation tax of \$13.75 and the court shall levy this local litigation tax in all cases in which the state litigation tax is levied.

© Any other taxes and/or fees imposed pursuant to state statutes and/or city ordinances.

3-209. Contempt of court - Contempt of court is punishable by a fine of fifty dollars (\$50) or a lesser amount as may be imposed in the judge's discretion.

SUMMONSES AND SUBPOENAS

SECTION

3-211. Issuance of summonses

3-212. Issuance of subpoenas

3-210. Issuance of summonses- When a complaint of an alleged ordinance violation is made to the town judge, the town judge may, in his/her discretion, issue a summons ordering the alleged offender personally to appear before the town court at a time specified therein to answer to the charges against him/her. The summons shall contain a brief description of the offense charged but need not verbatim the provisions of the municipal code or ordinance alleged to have been violated. Upon failure of any person to appear before the town court as commanded in a summons lawfully served on him, the cause may be proceeded with ex parte,

and the judgement of the court shall be valid and binding subject to the defendant's right of appeal.

3-211. Issuance of subpoenas - The town judge may subpoena as witnesses all persons who's testimony he/she believes will be relevant and material to matters coming before his/her court, and it shall be unlawful for any person lawfully served with such a subpoena to fail or neglect to comply therewith.

Bonds and Appeals

CHAPTER 3

SECTION

3-301. Appeals

3-302. Bond amounts, conditions, and forms

3-301. Appeals- Any person dissatisfied with any judgement of the town court against him/her may, within ten (10) days thereafter, Sundays exclusive, appeal to the circuit court of the county upon giving bond. "Person" in this section includes, but is not limited to, a natural person, corporation, business entity or the municipality.

3-302. Bind amounts, condition, and fines – (1) Appeal Bonds. An appeal bond in the any case shall be two hundred fifty dollars (\$250) for such person's appearance and the faithful prosecution of the appeal.

(2) Pauper's Oath. A bond is not required provided the defendant/appellant

(a) Files the following oath of poverty:

I, _____, do solemnly swear under penalties of perjury, that owing to _____ poverty, I am not able to bear the expense of the action which I am about to _____ commence, and that I am justly entitled to the relief sought, to the best of my belief;

(b) Files an accompanying affidavit of indigency.

The affidavit of indigency must be sworn to by the defendant/appellant and the facts therein may be investigated. "Person" in this section includes, but not limited to, a natural person, corporation, business entity or the municipality.