

IN THE CIRCUIT COURT OF MADISON COUNTY, TENNESSEE
JUDY BARNHILL, CIRCUIT COURT CLERK

JUDY BARNHILL,)
Clerk of Circuit Court and)
General Sessions Court of)
Madison County, Tennessee,)
)
Petitioner/Plaintiff,)
)
vs.)
)
JIMMY HARRIS,)
County Mayor for)
Madison County, Tennessee,)
)
Respondent/Defendant.)

FILED
JUL 13 2007
K Blount
DEPUTY CLERK
10:40 A.M.
Docket No. C-07-222 P.M.

PETITION FOR APPLICATION OF AUTHORITY TO EMPLOY AND COMPENSATE DEPUTY CLERKS

Comes the petitioner, Judy Barnhill, and would state and show as follows:

1. The Petitioner, Judy Barnhill, was elected to Clerk of the Circuit and General Sessions Court for Madison County, Tennessee, in the general election held in Madison County, Tennessee on August 6, 1998, and began serving her present four-year term on September 1, 2006.
2. That, by virtue of Chapter 50 of the Private Acts of the State of Tennessee for the year 1941, the Clerk of the Circuit Court for Madison County, Tennessee, also serves as the Clerk of the General Sessions Court for Madison County, Tennessee.
3. Pursuant to Tenn Code Annotated Section 8-20-101, The Petitioner would show that even though she devotes her entire working time to the business and affairs of the Circuit Court and General Sessions Court for Madison County, Tennessee, she cannot properly and efficiently conduct those duties without the assistance of deputies and assistants at a sufficient number and at a sufficient

salary. Under these circumstances, the Plaintiff is entitled to apply to this Honorable Court for an order authorizing and allowing her to employ such deputies and assistants as are necessary to properly conduct her office and to employ such deputies and assistants at such salaries that are sufficient. The Plaintiff would show that such action is now necessary.

4. Pursuant to Tenn Code Annotated Section 8-20-101 (c)(1) and Section 8-20-102 the Petitioner/Plaintiff is required to name the county executive (county mayor) Jimmy Harris, County Mayor of Madison County, as the party Respondent/Defendant and is required to serve a copy of this petition on the county executive (county mayor), who shall file answer to the petition.

5. Petitioner would show that it is actually necessary to employ the following deputies at the listed salaries on the following terms to properly conduct her office:

<u>Job Classification</u>	<u>Salary Request</u>
One full-time Chief Deputy Clerk, to be paid an annual salary of :	\$50,000
One full-time GS Adm. Assist/Bookkeeper, to be paid an annual salary of :	\$44,000
One Deputy Clerk, Level III/Bookkeeper, to be paid an annual salary of :	\$42,000
One full-time Deputy Clerk, Level III, to be paid an annual salary of :	\$36,000
One full-time Deputy Clerk, Level III, to be paid an annual salary of :	\$35,000
Two full-time GS Criminal Adm/Deputy Clerks, Level III, to be paid an annual salary of :	\$35,000
One Collection Adm/Deputy Clerk, to be paid an annual salary of :	\$33,000
Five Deputy Clerks, Level II, to be paid an annual salary of :	\$33,000
Six full-time Deputy Clerks, Level I, to be paid an annual salary of :	\$30,000

6. Petitioner would further show that there are certain needs in the office beyond salary which include, but are not limited to, maintenance, office supplies, training material and programs,

educational seminars, and other office expenses related to the operation of the office in an efficient and proper manner. The Plaintiff would request an order allowing her to expand a reasonable amount to cover the costs of these expenses.

7. Petitioner would finally show that, based on past experience, the fees collected by her office shall exceed the afore-said salaries and expenses and the salary of the Petitioner by a large margin, and that such salaries, positions, and expenses are actually necessary to the proper conduct and operation of her office.

8. Pursuant to Tenn Code Annotated Section 8-20-101(b), the Plaintiff does request the transfer of this case to the Chancery Court of Madison County Tennessee in accordance with Tenn. Code Ann. Section 8-20-101(d).

PREMISES CONSIDERED, PETITIONER THEREFORE PRAYS:

1. That proper process issue requiring the County Mayor to answer the complaint within five (5) days pursuant to Tenn. Code Ann. Section 8-20-102.

2. That this matter be set for a hearing and at that hearing the Petitioner/Plaintiff be allowed an Order granting her the authority to expend the sums mentioned above in the Complaint for employees and for salaries and expenses.

3. That the Petitioner/Plaintiff's attorney in this cause be awarded reasonable attorney's fees for this action as provided for by law.

4. That the Petitioner/Plaintiff have such other, further and general relief as the justice of her cause might require.

Respectfully submitted,

[Handwritten Signature]

Daniel J. Taylor, BPR #018700
Attorney for Petitioner/Plaintiff
312 East Lafayette, P.O. Box 2004
Jackson, Tennessee 38302-2004
(731) 424-0461

[Handwritten Signature]

Judy Barnhill
Clerk of the Circuit & General Sessions Courts
for Madison County, Tennessee

AFFIDAVIT

STATE OF TENNESSEE
COUNTY OF MADISON

I, Judy Barnhill, hereby make oath that the facts contained in the foregoing petition are true to the best of my knowledge, information and belief.

This the 13th day of July, 2007.

[Handwritten Signature]
Judy Barnhill

ACKNOWLEDGMENT

Sworn to and subscribed before me this 13th day of July, 2007.

[Handwritten Signature]
Notary Public

My commission expires: 3-21-2011



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 General Sessions Court of)
 Madison County, Tennessee,)
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 JIMMY HARRIS,)
 County Mayor for)
 Madison County, Tennessee,)
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 Respondent/Defendant.)

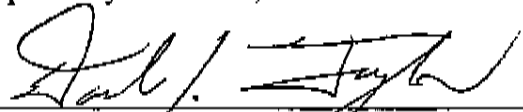
Docket No. C-07-222

AMENDMENT TO PETITION FOR APPLICATION OF AUTHORITY TO EMPLOY
AND
COMPENSATE DEPUTY CLERKS

The petitioner, Judy Barnhill, would amend her petition previously filed to insert the following as an additional sentence at the conclusion of Paragraph 1:

1. This petition has been filed within thirty (30) days after the date of the final adoption of the county budget for the fiscal year pursuant to Tennessee Code Annotated Section 8-20-101(b).

Respectfully submitted,



Daniel J. Taylor, BPR #015700
 Attorney for Petitioner/Plaintiff
 312 East Lafayette, P.O. Box 2004
 Jackson, Tennessee 38302-2004
 (731) 424-0461

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing has been served on:

Jerome Teel - BPR # 16310
Madison County Attorney
P.O. Box 10788
Jackson, TN 38308-0113

by depositing the same in the United States mail, postage prepaid, addressed as shown above, on the

16th day of July, 2007.

Daniel Taylor by SR2
w/ permission