

**Anderson County Legal Services Advisory Committee
Meeting Agenda
Thursday, November 7, 2024 at 9 am (Room 118A)**

1. Call to Order
2. Public Comment
3. Approval of minutes (October 28, 2024 meeting)
4. Updates/Questions for Jamie Brooks, special counsel
5. Approval of Offer Letter to Jamie Brooks (draft offer letter attached) to include discussion of additional language for offer letter regarding potential changes to the Private Act that may impact terms of employment, salary, job description, staffing, benefits, tenure, etc.
6. Discussion of changes to the Private Act creating the position of Anderson County Law Director (current private act attached, CTAS paragraph on county attorney, list of county attorneys)
7. Unfinished Business
8. New Business
9. Next Meeting
10. Adjourn

**Anderson County Legal Services Advisory Committee
Meeting Minutes: October 28, 2024**

Members Present: Terry Frank, Tracy Wandell, Tim Shelton, Russell Barker, Regina Copeland, Jeff Cole, Rex Lynch, Gary Long, and Sabra Beauchamp

Members Absent: Johnny Alley and Josh Anderson

Others Present: LEEAN TUPPER, Nichole Brooks, Special Counsel Jamie Brooks Jr., Robby Holbrook, Denise Palmer, and Annette Prewitt

Terry Frank called the meeting to order at 10:05 a.m.

Approval of Meeting Minutes from September 23, 2024

Minutes were **approved as presented** on a motion by Sabra Beauchamp and second by Rex Lynch.

There being no updates regarding legal matters, Jamie Brooks Jr. left the meeting.

Review of Applicants for Position of Law Director

Interim HR Director Andrew Stone gave an overview of the applicants for the position of Law Director. He said there were a total of five applicants, and he was able to contact four of the five via phone and/or e-mail.

Rex Lynch made a motion to recommend to County Commission the hiring of Jamie Brooks Jr. as full-time county law director. Second by Jeff Cole.

After discussion following the applicants and the process, Gary Long made a motion to Call the Question (move on the previous question) second by Rex Lynch. Chairman Frank noted it had been moved and seconded to stop debate, and vote on the pending question. By show of hands, 2/3 having voted in favor of ending debate, the vote proceeded immediately with Rex Lynch, Russell Barker, Sabra Beauchamp, Gary Long, Tim Shelton, and Jeff Cole voting "yes," and Terry Frank, Regina Copeland, and Tracy Wandell voting "no."

Vote on Rex Lynch's previous motion to recommend to County Commission the hiring of Jamie Brooks Jr. as full-time county law director (Second by Jeff Cole): The **motion passed** by show of hands, with Russell Barker, Rex Lynch, Sabra Beauchamp, Regina Copeland, Tim Shelton, Jeff Cole, Gary Long, and Tracy Wandell voting "yes" and Terry Frank voting "no."

Chairman Frank noted the committee minutes would be forwarded to County Commission for placement on the November Commission agenda for consideration at its November 18th meeting.

Legal Staff Compensation

At the committee's request, Nichole Brooks left the room.

Interim HR Director Andrew Stone reviewed Nichole Brooks' salary history and bonus history since 2010. After review and discussion, the committee opted to research comp time laws and to allow the new law director – after appointment by County Commission – to review and determine compensation for office staff.

Both Nichole Brooks and Jamie Brooks Jr. re-entered the meeting.

Unfinished Business

Sabra Beauchamp made a motion to review the Private Act, for committee members to note any changes, and be ready to discuss and make decisions regarding changes to the Private Act at the next meeting. Second by Rex Lynch. **Motion carried by voice vote.**

Next Scheduled Meeting

The Legal Services Advisory Committee will next meet on November 7, 2024 at 9 a.m. in Room 118A.

The meeting was adjourned at 10:50 a.m.



Anderson County Government
Human Resources & Risk Management
100 N. Main Street, Suite 102 Clinton, TN 37716
P: 865-264-6300 F: 865-264-6259

(Date)

(Employee Name)

(Employee Address)

Dear _____:

Congratulations! Anderson County is pleased to confirm a contingent offer of employment as _____ with the _____ office. This offer of employment may be contingent upon your successful completion of physical examination, pre-employment drug screening, background investigation, any other required testing for your position, and your cooperation in their success.

Once you have completed and passed the above items, your first six (6) months with Anderson County will be considered your probationary period. Anderson County is an at-will employer. This offer letter is not an employment agreement nor is it an expressed or implied employment contract.

As discussed, the hourly pay offered is _____. Your tentative start date with the County is _____. Prior to your first day of employment, you will be required to present legal documents that provide evidence of your right to work in the United States to the Human Resources and Risk Management Department. They will need to process your I-9 form and other onboarding information before you can begin your first shift. **Please report to Anderson County Courthouse, 100 N Main Street, Room 118A in Clinton TN on _____ for new employee orientation.**

You will be eligible for core benefits effective on the first day of the month following a full calendar month from your hire date. As a county employee, you are required to participate in TCRS (Tennessee Consolidated Retirement System). There is a mandatory pre-tax contribution of 5% from your salary. Anderson County also contributes above your contribution amount. The County payroll runs bi-weekly, with a pay date on Friday. Based upon your start date, you can expect your **first paycheck** _____.

As a full-time employee you are eligible for the following:

- Sick leave will begin accruing at a rate of 8.0 hours per month immediately.
- Personal leave will be prorated based upon your date of hire and will start immediately.
- Forty (40) hours of vacation leave will be available for use after the month following your six (6) month probationary period.
- Paid Holiday leave for days when your office is closed in recognition of an approved Holiday.

We are very pleased to have you join the County! We look forward to your contributions and know you will find your employment with Anderson County to be a very rewarding experience. Please contact your **Human Resources and Risk Management Department at 865-264-6300** if you have any questions.

Sincerely,

Andrew Stone
Interim Director of Human Resources & Risk Management

I have read and understand this offer of employment and its contingencies. I agree to the foregoing and accept this offer.

CHAPTER NO. 77

SENATE BILL NO. 2615

By McNally

Substituted for: House Bill No. 2462

By Hackworth, Winningham

AN ACT to repeal Chapter 161 of the Private Acts of 1998; and any other acts amendatory thereto, and to provide for and establish the Office of County Law Director for Anderson County, Tennessee, to provide for the authority, powers and duties of said office, and to fix the compensation, therefore.

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

SECTION 1. The Office of the County Law Director for Anderson County, Tennessee, is hereby created and established and shall exist at all times from and after September 1, 2006. The office will be managed and supervised exclusively by the county law director.

SECTION 2. The Legal Services Advisory Committee is hereby created to assist with the implementation and establishment of the Office of the County Law Director and the development of its policies and procedures. The county law director will meet with the advisory committee to update and notify the members of recent legal issues within county government at regular intervals to be determined by the advisory committee. The advisory committee shall monitor and provide oversight to the Office of the County Law Director and its director for the purpose of providing assistance when needed, evaluation concerns and monitoring for policy compliance purposes. The advisory committee will develop the job description and required qualifications for the law director and staff, and will also develop the selection process for the director's position. Upon two-thirds (2/3) majority vote the advisory committee will select and recommend a candidate for final confirmation by majority vote of the Anderson County legislative body. The voting members of the Legal Services Advisory Committee shall consist of the following elected officials of Anderson County:

1. County mayor,
2. County clerk,
3. Circuit court clerk,
4. Highway superintendent,
5. Assessor of property,
6. Register of deeds,
7. Sheriff,
8. Trustee, and
9. Three (3) members from the county legislative body, as selected by their membership.

The Legal Services Advisory Committee shall select a chairperson and secretary from their membership body. The chairperson shall be responsible for conducting each meeting and the secretary shall record and maintain the official minutes of the committee. These officers shall serve for one-year terms.

Nothing contained within this act shall prohibit the Legal Services Advisory Committee from commencing with their duties under this act prior to September 1, 2006.

SECTION 3. The county law director shall devote his or her full-time legal employment to the duties of the Office of the County Law Director and shall not represent any other clients in the practice of law while holding office as the county law director.

SECTION 4. The law director shall be a licensed Tennessee attorney; graduate of an ABA accredited law school; duly licensed and admitted to practice law in the courts of the State of Tennessee, Federal District Court for the Eastern District of Tennessee, Sixth Circuit Court of Appeals and the United States Supreme Court; and a resident of Anderson County, or capable of becoming a resident within six (6) months of appointment to the position. The Legal Services Advisory Committee is authorized to promulgate and establish additional mandatory job requirements and preferred job requirements for the position of county law director and his or her additional staff members.

SECTION 5. The annual salary of the county law director is hereby established at a minimum floor of ninety percent (90%) of the annual salary paid to the Anderson County General Sessions Court judges and shall be payable out of the general funds of Anderson County in equal installments on the same dates as other general fund employees. The county law director and his or her staff shall be eligible for all employee benefits offered to other Anderson County employees including, but not limited to: all insurance coverage plans and policies; retirement plans; vacation, sick and personal leave; holiday pay; and salary adjustments as authorized and approved by the county legislative body.

SECTION 6. It shall be the duty of the county law director of Anderson County to take the oath of office prescribed for other county officials by the county clerk and appropriate to his or her office before entering upon the discharge of duties, and thereafter to transact all legal business of Anderson County.

SECTION 7. The duties of the county law director shall include, but are not limited to, the following:

(a) Represent and render legal advice to the county legislative body and all county officials, including, elected and appointed department heads, employees and duly appointed boards, commissions and committees in matters relating to their official work and duties; and

(b) Represent the county in all litigation, whether the county is suing or being sued in all state or federal courts, administrative boards and commissions; and

(c) To meet with the county legislative body at all regular and special meetings; and

(d) To act as the county's delinquent tax attorney upon selection as such by the county trustee and approval by the county mayor, as now provided by law, and without additional compensation. If the law director is selected as the county's delinquent tax attorney, all statutory fees allocated by general law to the county's delinquent tax attorney shall be deposited in the general fund of Anderson County and shall not be retained by the county law director; and

(e) To draft, and/or approve, contracts, leases, deeds, or other legal instruments to which the county might be a party, or to review same when requested by county officials; and

(f) To provide legal opinions on matters requested by county officials; and

(g) To render opinions with regard to public finance obligations such as notes and bonds; and

(h) To draft policies, procedures, rules and regulations upon the request of county officials, commissions, committees, boards or other governing bodies empowered to consider and/or adopt the same; and

(i) To represent the county mayor in all fee petitions brought by the officials of the various fee offices; and

(j) To monitor and evaluate any and all cases assigned to insurance counsel by the county's insurance carrier; and

(k) To provide annual opinions to auditors regarding pending or threatened claims or litigation, in accordance with standards promulgated by the American Bar Association; and

(l) In general, to act as general counsel for Anderson County and to perform all duties associated with that position.

SECTION 8. County officials should not employ any attorney other than the county law director to represent the county, or such official, unless additional or substitute counsel is approved by the county legislative body; otherwise, such official shall be personally responsible for the expense of the employment of such attorney. However, nothing contained herein shall prevent any county official, department or office of the county from employing its own counsel, if such official or entity has the power to employ its own counsel by general law and such employment complies with all budget requirements, finance laws and current budgetary appropriations. If a conflict in legal representation develops, the county law director may request that additional or substitute legal counsel be employed by written request to the county commission.

SECTION 9. The Anderson County Attorney's Office and the position of county attorney are hereby abolished and all private acts related to that position are hereby repealed. The county law director shall have the same power and authority, as conferred and mandated by state law, as Tennessee county attorneys have under general law; including, but not limited to, authority to file suit to abate nuisances, authority to remove unfaithful public officers, and the authority to enforce zoning and building code violations. The county law director shall otherwise act as the county attorney with all powers and duties granted to that position by state law. Nothing contained within this act shall be construed as having the effect of removing any incumbent from office or abridging the term of any official prior to the end of the term for which such official was elected.

SECTION 10. All necessary expenses incurred by the county law director in the discharge of his or her official duties shall be paid by Anderson County. All expenses shall be supported by receipted bills, receipts, invoices, and other documents and papers, and

examined, audited and approved by the county mayor, or his designee, before payment, providing that they fall within the budget as established by the county legislative body.

SECTION 11. The county law director is hereby authorized to employ such staff members as may be necessary to fulfill his or her duties with the approval of the county legislative body and with salaries to be approved by the county legislative body. Staff members shall be payable out of the general funds of Anderson County in equal installments on the same dates as other general fund employees and shall serve at the pleasure of the county law director.

SECTION 12. The county legislative body shall provide suitable rooms and/or office space, with the necessary appurtenances and conveniences, for the Office of the County Law Director and staff. The county legislative body shall also furnish said office or offices with the appropriate equipment, utilities, furniture, computers and supplies as may be needed by such offices, including appropriate legal research materials and resources, Internet capabilities and a law library sufficient to carry out the duties of the county law director.

SECTION 13. The county legislative body may employ special counsel when, in its sole discretion, counsel other than, or in addition to, the law director is needed.

SECTION 14. The county law director may be terminated at any time with two-thirds (2/3) majority vote by the Legal Services Advisory Committee and two-thirds (2/3) subsequent approval by the county legislative body at their next regularly scheduled meeting. The county law director will serve at the will of the Legal Services Advisory Committee and the county legislative body.

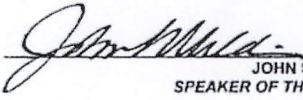
SECTION 15. All laws, and portions of laws, in conflict with the provisions of this act, including, but not limited to, Chapter 161 of the Private Acts of 1998, and all amendatory and preceding acts thereof in conflict with the provisions of this act be, and the same are, hereby repealed as of September 1, 2006.

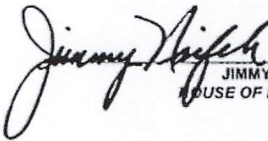
SECTION 16. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 17. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Anderson County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Anderson County legislative body and certified to the secretary of state.

SECTION 18. 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 September 1, 2006, if approved as provided in Section 17.

PASSED: February 15, 2006


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 16th day of February 2006


PHIL BREDESEN, GOVERNOR

County Statutory Offices and Positions

Reference Number: CTAS-215

In addition to the county constitutional offices and important statutory offices such as the chief administrative officer of the county highway department and the important employment position of director of schools, counties have various other offices and employment positions that have been created by either general law or private act. Some of the offices and positions described are not found in all counties but are fairly common.

An explanation of the office of Judicial Commissioner can be found under Courts. Election Administrators are covered under Elections and County Building Commissioner is covered under Land Use, Planning and Zoning.

County Attorney

Reference Number: CTAS-450

The county attorney or law director is a popularly elected official in a few counties by private act or county charter, an officer elected for a term of office by the county legislative body under a private act in a few others, and an executive appointed department head in others by county or metropolitan government charter. In most counties, however, there is not an office of county attorney; rather, the position is one of employment or retainer under the general law authority of the county mayor to employ or retain counsel when there is no county attorney. An attorney employed or retained by the county mayor is to advise the county mayor and the members of the county legislative body as to their legal rights as members, prepare resolutions for passage by the body, and represent the county either as plaintiff or defendant in such suits as may be brought by or against the county, except suits by the county to collect delinquent taxes. An attorney employed or retained by the county mayor under this general law authority is entitled to a reasonable fee for such counsel's services and/or retention, which amount is to be fixed by a majority vote of the members of the county legislative body at one of its regular meetings and paid out of the general fund of the county. T.C.A. § 5-6-112. The counties that have an office of county attorney or law director by charter or private act may have different duties and compensation schemes, but all play an important role in advising the county mayor or metropolitan mayor and representing the county. The county charter, metropolitan government charter or private acts must be examined to determine the exact role and duties of the county attorney in those counties.

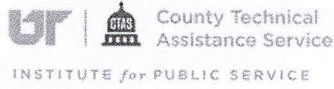
County Medical Examiner

Reference Number: CTAS-451

The county medical examiner is appointed by the county mayor, subject to confirmation by the county legislative body, based on a recommendation from a convention of physicians resident in the county. A county medical examiner must be a physician who is either a graduate of an accredited medical school authorized to confer upon graduates the degree of doctor of medicine (M.D.) and who is duly licensed in Tennessee, or is a graduate of a recognized osteopathic college authorized to confer the degree of doctor of osteopathy (D.O.) and who is licensed to practice osteopathic medicine in Tennessee, and must be elected from a list of a maximum of two (2) doctors of medicine or osteopathy nominated by convention of the physicians, medical or osteopathic, resident in the county, the convention to be called for this purpose by the county mayor. T.C.A. § 38-7-104.

If it is not possible to obtain an acceptance as a county medical examiner from a physician in a county, authority is given for the election of a county medical examiner from an adjacent or another county. A county medical examiner, when temporarily unable to perform the duties of the office, has the authority to deputize any other physician in the area to act as county medical examiner during the absence. If the county legislative body fails to certify a county medical examiner for a county or if the county medical examiner resigns or is unable to fulfill the duties of the office during the interim between county legislative body sessions and a deputy has not been appointed by the county medical examiner, the chief medical examiner shall have the authority to appoint a county medical examiner to serve until the next session of the county legislative body. T.C.A. § 38-7-104.

A county medical examiner shall serve a five-year term, and shall be eligible for reappointment by the county mayor with confirmation by the county legislative body. T.C.A. § 38-7-104.



County Attorneys

[CSV](#)

COUNTY OFFICES

ADMINISTRATORS OF ELECTIONS

ASSESSORS OF PROPERTY

CLERKS OF COURT

COUNTY ATTORNEYS

COUNTY CLERKS

COUNTY COMMISSIONERS

COUNTY EXECS AND MAYORS

FINANCE DIRECTORS

HIGHWAY OFFICIALS

REGISTERS OF DEEDS

SHERIFFS

TRUSTEES

COUNTY DETAILS

JUDICIAL OFFICIALS

STATE LEGISLATORS

CTAS STAFF

COUNTY INFORMATION

Contact

Questions about county information?

Contact **Liz Gossett, CTAS Marketing Director.**

Anderson	Jay Yeager	101 South Main Street, Suite 310 Clinton, TN 37716	(865) 457-6290 jyeager@aclawdirector.com
Bedford	John Bobo	Regions Bank, Suite 202 Shelbyville, TN 37160	(931) 684-4611 jbobo@bobohuntandwhite.c
Benton	James Melton	7132 Cedar Grove Road Big Sandy, TN 38221	(615) 390-3810 jwmelto1@bellsouth.net
Bledsoe	Howard Upchurch	119 Main Street Pikeville, TN 37367	(423) 447-2903 hupchurch@bledsoe.net
Blount	Craig Garrett	607 Smithview Drive Maryville, TN 37803	(865) 984-8200 cgarrett@cgarrettlaw.com
Bradley	Crystal Freiberg	P.O. Box 1167 Cleveland, TN 37364	(423) 728-7160 cfreiberg@bradleycountyt.n.c
Campbell	Joseph Coker	P.O. Box 134 Jacksboro, TN 37757	(423) 562-5187 joe@joecoker.com
Cannon	Jonathon Fagan	157 Cedar Lane Auburntown, TN 37016	(615) 604-1030 jd@faganjd.com
Carroll	Robert Keeton Jr.	20240 East Main Street Huntingdon, TN 38344	(731) 986-4444 keetonlawoffices@keetonlaw

Carter	<u>Joshua Hardin</u>	3863 Highway 19 East Elizabethton, TN 37643	(423) 542-0200 jahardinlaw@gmail.com
Cheatham	<u>Michael Bligh</u>	750 Old Hickory Blvd., Bldg. 2, Ste. 150 Brentwood, TN 37027	(615) 669-6507 mbligh@blighlegal.com
Chester	<u>Marty Phillips</u>	P.O. Box 1147 Jackson, TN 38302	(731) 426-8128 mphillips@raineykizer.com
Claiborne	<u>James Estep III</u>	P.O. Box 770 Tazewell, TN 37879	(423) 626-3525 jdestep@centurytel.net
Clay	<u>James White Jr.</u>	P.O. Box 333 Celina, TN 38551	(931) 243-3535 jdwhite@info-ed.com
Cocke	<u>Melissa Gossman</u>	1009 Nance Rd New Market, TN 37820	(614) 949-0180 mjgossman90@gmail.com
Coffee	<u>Mark Williams</u>	514 Hillsboro Blvd. Manchester, TN 37355	(931) 581-3797
Crockett	<u>Jasper Taylor IV</u>	P.O. Box 729 Bells, TN 38006	(731) 663-2737 iv_j@bellsouth.net
Cumberland	<u>Philip Burnett</u>	300 Thurman Avenue Crossville, TN 38555	(931) 484-7549
Davidson	<u>Jon Cooper</u>	100 Metro Courthouse Nashville, TN 37201	jon.cooper@nashville.gov
Decatur	<u>Geoffrey Lindley</u>	209 East Main Street Jackson, TN 38301	(731) 426-8138 glindley@raineykizer.com
DeKalb	<u>Hilton Conger</u>	208 East Public Square Smithville, TN 37166	(615) 597-4087 hilton@congerlaw.net
Dickson	<u>Brian Ragan</u>	210 East College Street	(615) 446-2221 bragan@rprvllaw.com

		Dickson, TN 37055	
Dyer	<u>J. Michael Gauldin</u>	P.O. Box 220 Dyersburg, TN 38024	(731) 286-2401 mike@wghatty.com
Fayette	<u>Rick Rosser</u>	102 East Court Square Somerville, TN 38068	(901) 465-5624 rgrosseratty@bellsouth.net
Fentress	<u>Leslie Ledbetter</u>	6890 South York Highway Clarkrange, TN 38553	(931) 863-5997 nurselaw@twlakes.net
Franklin	<u>Joseph C. Johnson</u>	107 First Avenue, Northeast Winchester, TN 37398	(931) 297-2097 joey@joeyjohnsonlaw.com
Gibson	<u>Floyd Flippin</u>	1302 Main Street Humboldt, TN 38382	(731) 784-2818 flippin@click1.net
Giles	<u>Chris Williams</u>	120 North Second St Pulaski, TN 38478	(931) 363-6500 cwilliams@newsouthlaw.com
Grainger	<u>Lane Wolfenbarger</u>	P.O. Box 21 Rutledge, TN 37861	(865) 828-5258 slw@swlawpllc.com
Greene	<u>Roger Woolsey</u>	204 Cutler Street, Suite 120 Greeneville, TN 37745	(423) 798-1779 rwoolsey@greenecountytn.gov
Grundy	<u>Bill. Reider</u>	214 North Atlantic Street Tullahoma, TN 37301	(931) 455-5478 billrieder@lighttube.net
Hamblen	<u>Chris Capps</u>	PO Box 1897 Morristown, TN 37816	(423) 307-3868
Hamilton	<u>Rheubin Taylor</u>	204 Courthouse, 625 Georgia Avenue Chattanooga, TN 37402	(423) 209-6150 rmtaylor@hamiltontn.gov

Hancock	<u>Floyd Rhea</u>	P.O. Box 84 Sneedville, TN 37869	(423) 733-2274 rhealaw1@earthlink.net
Hardeman	<u>Dale Conder, Jr.</u>	PO Box 1147 Jackson, TN 38302	(731) 426-8130 dconder@raineykizer.com
Hardin	<u>Justin Reynolds</u>	55 Court Street, Suite A Savannah, TN 38372	(731) 925-7000 justin@reynoldslawfirm.com
Hawkins	<u>Allen Coup</u>	130 Main St. W Mount Carmel, TN 37645	(423) 357-2244
Haywood	<u>Sarah Levy</u>	2355 Hwy. 54 North Brownsville, TN 38012	slevy@haywoodtn.gov
Henderson	<u>Lena Beal</u>	22 Monroe Ave Lexington, TN 38351	(731) 969-9077 beallawoffice@gmail.com
Henry	<u>Rob Whitfield</u>	P.O. Box 385 Paris, TN 38242	(731) 642-8781 rob@greergreerandwhitfield.com
Hickman	<u>Dan Mecklenborg</u>	1200 N. Oak Dr. Centerville, TN 37033	
Houston	<u>Charles R. Parks</u>	803 Donelson Pkwy, Ste B Dover, TN 37058	(931) 232-9915 charles@cp4law.com
Humphreys	<u>John Lee Williams</u>	102 South Court Square Waverly, TN 37185	(931) 296-7741 john.williams@porchpeeler.com
Jackson	<u>Kayla Collins Cantrell</u>	P.O. Box 311 Gainesboro, TN 38562	(931) 268-3383 kaylacantrelllaw@gmail.com
Jefferson	<u>Rainwater; Drinnon; & Churchwell PLLC</u>	P.O. Box 1760 Dandridge, TN 37725	(865) 397-3131 sdoug@rainwaterlaw.net
Johnson	<u>Ryan Carroll</u>	410 W Main St, PO Box 51 Mountain City, TN 37683	(423) 727-9671 ryan@gwmlawfirm.com

Knox	<u>David Buuck</u>	4220 Litchfield Way Knoxville, TN 37920	
Knox	<u>David Buuck</u>	400 Main Street, 612 City County Building Knoxville, TN 37902	(865) 215-2327 david.buuck@knoxcounty.org
Lake	<u>Hal Boyd</u>	106 South Court Street Tiptonville, TN 38079	(731) 253-7382
Lauderdale	<u>Dan Douglas</u>	109 N. Main Street Ripley, TN 38063	(731) 635-5113 dan@dandouglaslaw.com
Lawrence	<u>Charles Holt Jr.</u>	235 Waterloo Street Lawrenceburg, TN 38464- 0357	(931) 762-7167 cholt@bhsdlaw.com
Lewis	<u>Jack Heath</u>	19 Cedar Street Hohenwald, TN 38462	(931) 796-7974 jack.spitzerfirm@gmail.com
Lincoln	<u>Ed Simms</u>	104 Main Avenue North. Fayetteville, TN 38079	(931) 433-1044 wesimms@wesimmsattorney.com
Loudon	<u>Bob Bowman</u>	P.O. Box 629 Knoxville, TN 37901-0629	
Macon	<u>E. Guy Holliman</u>	102 Scottsville Road Lafayette, TN 37083	(615) 666-2172
Madison	<u>Jay Bush</u>	160 West University Parkway Suite A Jackson, TN 38305	
Marion	<u>William Gouger</u>	P.O. Box 759 Jasper, TN 37347	(423) 942-9975 bgouger@cameron-gouger.com

Marshall	<u>Barbara Medley</u>	111 West Commerce Street Lewisburg, TN 37091	(931) 359-7555 bmedley@bellsouth.net
Maury	<u>Daniel Murphy</u>	P.O. Box 90 Columbia, TN 38402-0090	(931) 388-0832 dmurphy@mcflattorneys.com
McMinn	<u>Timothy L. Hill, Esq.</u>	P.O. Box 1085 Athens, TN 37303	(423) 745-4660 thill@mcminnco.tn.gov
McNairy	<u>Craig Kennedy</u>	P.O. Box 647 Selmer, TN 38375	(731) 645-6177 ckennedy@deusnerandkenn
Meigs	<u>Randy Rogers</u>	316 North Athens Street Athens, TN 37303	randy@rogerslaw.org
Monroe	<u>Jerome Melson</u>	900 South Gay Street, Suite 2300 Knoxville, TN 37830	(865) 525-5300 ejm@tennlaw.com
Montgomery	<u>Tim Harvey</u>	310 Franklin Street Clarksville, TN 37040	(931) 552-0549 timharvey@wtharveylaw.com
Moore	<u>Bill Rieder</u>	324 NE Atlantic St Tullahoma, TN 37388	(931) 455-5478
Morgan	<u>Tracey Williams</u>	110 Cumberland Street PO Box 866 Wartburg, TN 37887	(423) 223-0855 tracey@twilliams-law.com
Obion	<u>Steve Conley</u>	P.O. Box 427 Union City, TN 38281	(731) 885-1482 steve@theconleyfirm.com
Overton	<u>Lillie Ann Sells</u>	317 E. University Street Suite 1 Livingston, TN 38570	(931) 267-7415 lasells0404@gmail.com
Pickett	<u>Amanda Howard</u>	100 West Henson Street	

		Livingston, TN 38570	
Polk	<u>Eric Brooks</u>	2224 Keith Street, NW Cleveland, TN 37311	(423) -618-5078
Putnam	<u>Jeff Jones</u>	1420 Neal Street, Room 201 Cookeville, TN 38501	(931) 372-9123 jjones@wimberlylawson.com
Rhea	<u>Carol Barron</u>	264 Third Avenue Dayton, TN 37321	(423) 775-1884 barroncarolann@aol.com
Roane	<u>Greg Leffew</u>	PO Box 63 Rockwood, TN 37854	(865) 354-3241 LeffewLaw@comcast.net
Robertson	<u>Clyde Richert III</u>	516 S. Main Street Springfield, TN 37172	(615) 384-8774 richertlaw@aol.com
Rutherford	<u>Nicholas Christansen</u>	16 Public Square North Murfreesboro, TN 37130	(615) 893-5522 nchristiansen@mborolaw.co
Scott	<u>John Beaty</u>	P.O. Box 302 Huntsville, TN 37756	(423) 663-4301 beatyj@highland.net
Sequatchie	<u>Jennifer Mitchell</u>	P.O. Box 666 Dunlap, TN 37327	(423) 949-4159 austinlaw@bledsoe.net
Sevier	<u>Tyler Huskey</u>	2430 Teaster Lane Suite 210 Pigeon Forge, TN 37863	(865) 453-0240 tch@tennlaw.com
Sevier	<u>Jerry McCarter</u>	330 Baskins Creek Road, Suite 3 Gatlinburg, TN 37738	(865) 436-5023 mccarteratty@gmail.com
Shelby	<u>Marlinee Iverson</u>	140 Adams Avenue Memphis, TN 38103	(901) 222-2100 marlinee.iverson@shelbycou
Smith	<u>Jeremiah</u>	P.O. Box 409	(615) 281-8479

	<u>Hassler</u>	Carthage, TN 37030	jeremy@hasslerlaw.net
Stewart	<u>Charles Parks</u>	803 Donelson Pkwy, Ste B Dover, TN 37058	(931) 232-9915 charles@cp4law.com
Sullivan	<u>Daniel Street</u>	3411 Highway 126, Suite 209 Blountville, TN 37617	(423) 323-6481 scattorney@scattorney.us
Sumner	<u>Eric Sitler</u>	355 N. Belvedere Drive Room 303 Gallatin, TN 37066	(615) 451-6060 esitler@sumnercountyttn.gov
Tipton	<u>David Owen</u>	204 Highway 51 South Covington, TN 38019	(901) 476-6066 owenlawfirm@bellsouth.net
Trousdale	<u>Branden Bellar</u>	206D Main Street Carthage, TN 37030	(615) 588-1605 branden@brandenbellar.com
Unicoi	<u>Doug Shults</u>	P.O. Box 129 Erwin, TN 37650	(423) 743-9179 doug@shultsandshults.com
Union	<u>K David Myers</u>	P.O. Box 13 Maynardville, TN 37807	(865) 992-5939 davidmyers04@comcast.net
Van Buren	<u>Howard Upchurch</u>	P.O. Box 289 McMinnville, TN 37111	(931) 946-2314
Warren	<u>Robert Bratcher</u>	100 West Main Street McMinnville, TN 37110	(931) 473-7000 robert@stanleyandbratcher.c
Washington	<u>Allyson Wilkinson</u>	P.O. Box 555 Jonesborough, TN 37659	(423) 753-4864
Wayne	<u>Andrew Yarbrough</u>	504 64 East Waynesboro, TN 38485	(931) 722-3904 andy@netease.net
Weakley	<u>Allison Whitledge</u>	241 South Lindell Street Martin, TN	(731) 589-5546 allison@thewblaw.com

38237

White

Sam
Benningfield

111 Depot
Street, Suite 2
Sparta, TN
38583

(931) 836-3600

Williamson

Buerger,
Moseley &
Carson

4068 Rural
Plains Circle,
Suite 100
Franklin, TN
37064

(615) 794-8850

jmoseley@buergerlaw.com

Wilson

Mike
Jennings

326 N.
Cumberland
Street
Lebanon, TN
37087

(615) 444-0585

mjenningslaw@aol.com

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Contact Us

University of Tennessee County Technical
Assistance Service (CTAS)
226 Anne Dallas Dudley Boulevard, Suite 400
Nashville, Tennessee 37219
Phone: 615.532.3555
Fax: 615.532.3555
www.ctas.tennessee.edu

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