

Court of Appeals



Court of Appeals judges are (seated from left) David R. Farmer, Patricia J. Cottrell, Herschel P. Franks, Alan E. Highers, and Charles D. Susano, Jr. (standing from left) Holly M. Kirby, Richard H. Dinkins, Andy D. Bennett, John Westley McClarty, Frank G. Clement, Jr., D. Michael Swiney, and J. Steven Stafford.

The **COURT OF APPEALS**, created by the General Assembly in 1925, hears appeals in civil – or non-criminal – cases from trial courts and certain state boards and commissions.

The court has 12 members, who sit in panels of three in Jackson, Knoxville and Nashville. All decisions made by the Court of Appeals may be appealed, by permission, to the Tennessee Supreme Court.

No witnesses, juries or testimony are presented before the Court of Appeals. Instead, attorneys present oral and written arguments.

Court of Appeals judges are elected on a “yes-no” ballot every eight years. When a vacancy occurs on the intermediate appellate court, the 17-member Judicial

Nominating Commission interviews applicants and recommends three candidates to the governor, who appoints a new judge to serve until the next August general election.

As with judges on the Supreme Court and the Court of Criminal Appeals, the 12 members of the Court of Appeals must, by state law, be evaluated every eight years. Results of the evaluations are published in newspapers across the state to help voters decide whether the judges should be retained.

“The Constitution of the United States was made not merely for the generation that then existed, but for posterity – unlimited, undefined, endless, perpetual posterity.”

Senator Henry Clay