

Oath of Office

I, *[Insert Full Name]*, do solemnly swear *[or affirm]* that I will support the Constitution of the United States of America, the Constitution of the State of Tennessee, and the ordinances of the *City/Town* of *[Insert City/Town]* and that I will administer justice without respect of persons, and that I will faithfully and impartially discharge all the duties incumbent upon me as Judge of the Municipal Court of the *City/Town* of *[Insert City/Town]* the State of Tennessee, to the best of my skill and ability

This the *[Insert Day, Month & Year]*.

[Insert Full Name]

I, *[Insert Name and Title]*, have this day administered the Oath of Office to *[Insert Name]*, Judge of the *[Insert Court & District]*, of the State of Tennessee, as prescribed and required by law.

This the *[Insert Day, Month & Year]*.

[Insert Name]



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BILL YOUNG
Director

ANA L. ESCOBAR
Deputy Director

MEMORANDUM

TO: Tennessee Trial and Appellate Judges
FROM: Bill Young
DATE: August 6, 2014
RE: Oath of Office



This Office has received several inquiries regarding Tennessee law on the taking and administration of the oath of office by newly elected judges. This memo addresses that issue.

Tennessee Code Annotated Section 17-1-104 states the following regarding oaths:

Before entering upon the duties of office, every judge and chancellor in this state is required to take an oath or affirmation to support the constitutions of the United States and of this state, and to administer justice without respect of persons and impartially to discharge all the duties incumbent on a judge or chancellor to the best of the judge's or chancellor's skill and ability. The oath may be taken by a supreme court judge before the governor, or another supreme court judge, and by an inferior court judge before another such judge or judge of the court of general sessions.

In reviewing this statute, the Tennessee Attorney General has opined in Tenn. Op. Atty. Gen. No. 80-427 that any such oath may be taken any time after the judge's election results are certified but before the judge begins the duties of the office. The newly elected judge is responsible for sending his or her oath of office to the Secretary of State. See Tenn. Code Ann. § 8-18-108 (note oaths taken by general sessions judges are filed with the office of the county clerk pursuant to Tenn. Code Ann. Sec. § 8-18-107). The newly elected judge will not be on the State of Tennessee payroll until September 1, 2014.

Please let me know if you have any further questions.

cc: Ana L. Escobar, Deputy Director