

# TACIR

The Tennessee Advisory Commission  
on Intergovernmental Relations



226 Anne Dallas Dudley Blvd., Suite 508  
Nashville, Tennessee 37243-0760

Phone: (615) 741-3012

Fax: (615) 532-2443

[www.tn.gov/tacir](http://www.tn.gov/tacir)

## **MEMORANDUM**

**TO:** Commission Members

**FROM:** Cliff Lippard  
Executive Director

**DATE:** 26 January 2024

**SUBJECT:** Judicial Districts—Backgrounds and Scenarios

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Senator Lundberg recently requested that Commission staff evaluate three judicial redistricting proposals submitted by the Tennessee Trial Judges Association to the Advisory Task Force on the Composition of Judicial Districts, which looked at judicial redistricting in Tennessee in 2018 and 2019. He asked that the staff evaluate the proposals using two main criteria: 1) access to justice and 2) resource allocation. The staff has performed analysis to estimate how the state's judicial workload would be allocated among each of the proposed judicial districts under the three options, finding that while all three may reduce costs slightly statewide, they would have little effect on reducing workload and may even make access to justice more difficult in some cases.

### **Tennessee's Court System**

Tennessee's state courts include the Supreme Court, appellate, chancery, and circuit courts. The state's highest court is the Supreme Court—the court of last resort. It hears civil and criminal cases appealed from lower state courts.<sup>1</sup> The state's intermediate appellate courts are the Court of Appeals and the Court of Criminal Appeals. The Court of Appeals hears appeals in civil cases from trial courts and certain state

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<sup>1</sup> Tennessee Administrative Office of the Courts. "Supreme Court." Accessed January 9, 2024. <https://www.tncourts.gov/courts/supreme-court>.

administrative agencies.<sup>2</sup> The Court of Criminal Appeals hears appeals of criminal cases from trial courts.<sup>3</sup>

Circuit and chancery courts are the state trial courts.<sup>4</sup> Circuit courts hear civil and criminal cases.<sup>5</sup> They also hear appeals from lower limited jurisdiction courts.<sup>6</sup> Chancery courts hear civil cases such as divorces and probate of wills.<sup>7</sup> The courts' jurisdictions can also overlap; for example, divorce and adoption cases can be heard in circuit and chancery courts.<sup>8</sup> Public or private acts can create separate courts to hear certain types of cases, such as probate or criminal cases.<sup>9</sup> Both the state and counties fund state trial courts—the state pays for judges' and judge assistants' salaries, district attorneys' and public defenders' salaries, court system software, technical assistance, and training, while counties pay for the clerks' offices, salaries, equipment, and courthouses.<sup>10</sup> There are currently 32 judicial districts.<sup>11</sup> The 32nd District was recently created in 2022.<sup>12</sup> Some districts have only one county in them while others cover multiple counties.

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<sup>2</sup> Tennessee Administrative Office of the Court. "Court of Appeals." Accessed January 9, 2024. <https://www.tncourts.gov/courts/court-appeals>.

<sup>3</sup> Tennessee Administrative Office of the Court. "Court of Criminal Appeals." Accessed January 9, 2024. <https://www.tncourts.gov/courts/court-criminal-appeals>.

<sup>4</sup> Tennessee Administrative Office of the Courts. "About the Trial Courts." Accessed January 9, 2024. <https://www.tncourts.gov/courts/circuit-criminal-chancery-courts/about>.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> Tennessee Advisory Commission on Intergovernmental Relations. 2017. *Tennessee's Court Fines and Taxes: Funding the Courts Fairly*.

<sup>8</sup> Tennessee Administrative Office of the Courts. "About the Trial Courts." Accessed January 9, 2024. <https://www.tncourts.gov/courts/circuit-criminal-chancery-courts/about>.

<sup>9</sup> Tennessee Advisory Commission on Intergovernmental Relations 2017.

<sup>10</sup> Tennessee Advisory Commission on Intergovernmental Relations 2017; and Tennessee Code Annotated, Sections 8-7-105 and 8-14-107.

<sup>11</sup> Tennessee Administrative Office of the Courts. *Judicial Districts Map*. Accessed January 9, 2024. <https://www.tncourts.gov/jdmap>.

<sup>12</sup> Tennessee Code Annotated, Section 16-2-506.

Courts of limited jurisdiction include general sessions, juvenile, and municipal courts.<sup>13</sup> Every county has a general sessions court, which usually hears both civil and criminal cases, although jurisdiction varies from county to county.<sup>14</sup> General sessions courts also hear juvenile cases in counties that do not have a separate juvenile court.<sup>15</sup> Some counties have also created special courts, such as drug and veterans' treatment, mental health, and environmental courts.<sup>16</sup> Municipal courts' jurisdiction is limited to traffic cases and others involving city ordinance violations, and some municipal courts also have concurrent general sessions jurisdiction.<sup>17</sup>

Local governments fund the limited jurisdiction courts—counties pay for general sessions and juvenile judges' salaries, clerks' salaries and office expenses, and courthouses, while the state funds court software and judge and clerk training in these courts.<sup>18</sup> Cities pay for municipal courts through their general funds and fees and taxes set by their legislative bodies.<sup>19</sup> The state helps fund municipal clerk training.<sup>20</sup>

### ***Tennessee's Judicial District Reform Studies***

There have been several studies over the past 30 years looking at how the court systems should be structured in Tennessee. In its 1996 report, the Commission on the Future of the Tennessee Judicial System recommended a "substantial consolidation of all trial courts, including the present Circuit Court, Criminal Court, Chancery Court, Probate Court, Juvenile Court, General Sessions Court and municipal courts with General Sessions jurisdiction. All of these functions would fall into one grouping, to be known as district courts."

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<sup>13</sup> Tennessee Advisory Commission on Intergovernmental Relations 2017.

<sup>14</sup> Tennessee Administrative Office of the Courts. "About General Sessions Courts." Accessed January 9, 2024. <https://www.tncourts.gov/courts/general-sessions-courts/about>.

<sup>15</sup> Ibid.

<sup>16</sup> Tennessee Advisory Commission on Intergovernmental Relations 2017.

<sup>17</sup> Tennessee Administrative Office of the Courts. "About Municipal Courts." Accessed January 9, 2024. <https://www.tncourts.gov/courts/municipal-courts/about>.

<sup>18</sup> Tennessee Advisory Commission on Intergovernmental Relations 2017.

<sup>19</sup> Ibid.

<sup>20</sup> Tennessee Code Annotated, Section 16-18-304.

They envisioned reducing the 31 judicial districts, at the time, down to 8 to 12 districts and eliminating the multiple clerks' offices and centralizing the record keeping and administrative functions for each district. They argued that these larger consolidated districts "would allow for more efficient resource management," while acknowledging that there were numerous objections to this proposal.<sup>21</sup> They heard many objections from chancellors, but their objections diminished when a member of the Commission on the Future of the Tennessee Judicial System explained that there might be a division of district court dedicated to the "expertise of Chancery Court."<sup>22</sup>

In 2003, the General Assembly passed a resolution to create the Study Committee on Judicial Redistricting.<sup>23</sup> The resolution created the committee to study the trial court system to determine whether reorganizing the courts would result in more efficiency and cost savings.<sup>24</sup> The committee did not recommend any changes to the judicial districts but did call for a committee to convene regularly to continue to examine the issues.<sup>25</sup>

The Comptroller's Office looked at the issue of judicial reform in its 2004 report *Tennessee's Court System; Is Reform Needed?*<sup>26</sup> In the study, the office noted that "for two decades, reports have documented the need for court reform in Tennessee because of its inefficiency, ineffectiveness, and inequities."<sup>27</sup> The office suggested in the report that the state legislature may want to "convert all courts (except municipal courts) to state courts to improve the overall efficiency and effectiveness of the court system" and

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<sup>21</sup> Commission on the Future of the Tennessee Judicial System. 1996. *Report from The Commission on the Future of the Tennessee Judicial System*. Nashville, Tennessee. Accessed January 3, 2024. [https://www.tncourts.gov/sites/default/files/docs/report\\_of\\_future\\_of\\_tn\\_judicial\\_system.pdf](https://www.tncourts.gov/sites/default/files/docs/report_of_future_of_tn_judicial_system.pdf).

<sup>22</sup> Ibid.

<sup>23</sup> House Joint Resolution 275.

<sup>24</sup> Ibid.

<sup>25</sup> Nugent-Borakove, M. Elaine, Dr. Jon Gould, and Holly Stevens. 2009. *Tennessee Judicial Redistricting Study*. Accessed January 3, 2024. [https://tncourts.gov/sites/default/files/docs/judicial\\_staff\\_report\\_2009\\_-\\_jmi.pdf](https://tncourts.gov/sites/default/files/docs/judicial_staff_report_2009_-_jmi.pdf).

<sup>26</sup> Denton, Denise, Bonnie Adamson, and Ethel R. Detch. 2004. *Tennessee's Court System; Is Reform Needed?* Tennessee Comptroller of the Treasury, Office of Research: Nashville, Tennessee. Accessed January 3, 2024. [https://comptroller.tn.gov/content/dam/cot/orea/advanced-search/orea-reports-2004/2004\\_OREA\\_CourtReform.pdf](https://comptroller.tn.gov/content/dam/cot/orea/advanced-search/orea-reports-2004/2004_OREA_CourtReform.pdf).

<sup>27</sup> Ibid.

“consolidate all trial courts into one circuit court with divisions for different types of cases.”<sup>28</sup>

Three years later the Comptroller’s Office hired the Justice Management Institute (JMI) and the Center for Justice, Law, and Society (CJLS) at George Mason University to study the issue of judicial redistricting in Tennessee. In their 2009 report, *Tennessee Judicial Redistricting Study*, the authors found that

- few, if any states, have articulated specific criteria for judicial redistricting;
- there is significant variation in local practice among and within districts as to when cases are heard, and the determination of district boundaries must take these local practices into consideration;
- there is substantial opposition to re-drawing district lines;
- based on the data collected for the study and our analysis of it, JMI does not recommend that judicial redistricting occur at this time; and
- workload equalization and access to courts can be achieved without redrawing district boundaries through the use of weighted caseload methodology to allocate judicial resources.<sup>29</sup>

The General Assembly passed Public Chapter 974 in 2018 that created an advisory task force to review the current judicial districts.<sup>30</sup> The legislation directed the Advisory Task Force on the Composition of Judicial Districts to recommend and publish a proposed statewide judicial redistricting plan along with its findings.<sup>31</sup> The Task Force held five public hearings, heard from over 80 speakers, and received over 100 public comments. Most did not think judicial redistricting was necessary. The only exceptions were the comments of people from Hickman, Lewis, and Perry counties in the 21st District who wanted to be separated from that district and form their own separate district. In its report, the Task Force concluded that

- the public is overwhelmingly opposed to judicial district realignment;
- because of demographic changes, the 21st Judicial District should be realigned;

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<sup>28</sup> Ibid.

<sup>29</sup> Nugent-Borakove, Gould, and Stevens 2009.

<sup>30</sup> Chapter 974, Public Acts of 2018.

<sup>31</sup> Advisory Task Force on the Composition of Judicial Districts. 2019. *Final Report*. Nashville. Tennessee. Accessed January 3, 2024. [https://www.tncourts.gov/sites/default/files/docs/task\\_force\\_final\\_report.pdf](https://www.tncourts.gov/sites/default/files/docs/task_force_final_report.pdf).

- future weighted caseload studies need to include both District Attorney Generals and District Public Defenders;
- except in the 21st Judicial District, there is no need to realign the judicial districts anywhere in Tennessee;
- there should be no reduction in judges in Tennessee, including the 30th Judicial District; and
- because of population growth, the General Assembly should consider devoting more resources to Tennessee’s judicial system.

The General Assembly passed another act, Public Chapter 1098, Acts of 2022, that directs the Speakers of the Senate and House of Representatives to establish an advisory task force by July 1, 2025.<sup>32</sup> The task force must recommend and publish a proposed statewide judicial redistricting plan that provides reasonable and timely access to Tennessee’s courts and promotes the efficient utilization of publicly funded resources allocated for the courts by January 1, 2027. If the General Assembly fails to pass a judicial redistricting plan by December 31, 2027, funding for each judicial district that has a disproportionately high number of judges, as determined by the Comptroller, must be reduced by 10% during the subsequent fiscal year. The Comptroller is required to determine which judicial districts have a disproportionately high number of judges based on the most recent census data and weighted caseload report.

### ***Other States’ Judicial Redistricting Efforts***

States will sometimes make minor changes to their judicial districts but don’t often make major changes.<sup>33</sup> According to William Raftery, an analyst with the National Center for State Courts, “The much more common situation is to add a judge here, take a judge there.”<sup>34</sup> When considering judicial redistricting, states look not only at population but at the types of cases filed and the average time it takes to make a

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<sup>32</sup> Tennessee Code Annotated, Section 16-2-522.

<sup>33</sup> Wogan, J.B. 2017. “Judicial Redistricting: Issue Politicians Don't Want to Discuss.” *Governing*, May 30. Accessed January 3, 2024. <https://www.governing.com/archive/gov-judicial-redistricting-courts-judges.html>.

<sup>34</sup> Ibid.

decision in these cases.<sup>35</sup> This can make judicial redistricting more difficult than legislative redistricting.<sup>36</sup>

Some states have permanent councils, commissions, or committees that look at the issue of judicial redistricting or apportionment of judges, and they have listed the information to be used when making these determinations in their statutes. Louisiana, for example, has a Judicial Council that has the authority to conduct an annual review of judicial districts and can provide recommendations to the state legislature on the appropriate number of districts and judges within each district based upon caseload, population, or other pertinent factors.<sup>37</sup> Other states have more extensive lists of information that the body is required to consider when making these determinations.

Alabama has a Judicial Resources Allocation Commission, which is required to annually review the need for increasing or decreasing the number of district and circuit court judges.<sup>38</sup> When making that determination, it is required to look at criteria, including

- a judicial weighted caseload study, as adopted by the Alabama Supreme Court;
- the population of the district or circuit as determined on the basis of the most recent decennial census of the United States or annual population estimates prepared by the United States Bureau of the Census;
- judicial duties in the district or circuit, including consideration of those circuits which have specialized divisions;
- uniformity in the calculation of how civil, criminal, and domestic cases are accounted for between circuits; and
- any other information deemed relevant by the commission.

Missouri has a Judicial Conference that is required to submit a judicial circuit realignment plan to the legislature every 20 years beginning in 2020. The plan must be based on an analysis of

- a current judicial weighted workload model,

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<sup>35</sup> Ibid.

<sup>36</sup> Ibid.

<sup>37</sup> Louisiana Revised Statutes, Section 13.61.

<sup>38</sup> Code of Alabama, Section 12-9A-1.

- a current clerical weighted workload model,
- whether litigants in the current circuits have adequate access to the courts,
- the populations of the current and proposed judicial circuits determined on the basis of the most recent decennial census of the United States or annual population estimates prepared by the United States Bureau of the Census,
- judicial duties and travel time,
- historical connections between counties in the judicial circuits, and
- other information deemed relevant by the judicial conference.<sup>39</sup>

Nebraska has a Judicial Resources Commission, which is required to hold a hearing annually to determine whether a new judgeship is appropriate in any judicial district or a reduction in judgeships is appropriate or the judicial district boundaries or the number of judicial districts should be changed.<sup>40</sup> It is also required to examine current caseload statistics, and it can make recommendations for the more balanced use of existing judicial resources. When making decisions regarding the number of judges or changes in judicial districts, it must base its decision on

- its analysis of judicial workload statistics which are based on the caseload numbers weighted by category of case;
- whether litigants in the judicial district have adequate access to the courts,
- the population of the judicial district, other judicial duties and travel time involved within the judicial district; and
- other factors determined by the Supreme Court to be necessary to assure efficiency and maximum service.<sup>41</sup>

### ***Tennessee Trial Judges Association Judicial Redistricting Proposals***

Senate Judiciary Committee staff, at the request of Senator Lundberg, provided TACIR staff with copies of three judicial redistricting options to evaluate from the Tennessee Trial Judges Association. All three options would reduce the number of judicial districts to 29. Fifteen districts comprised of 35 counties would be unchanged from

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<sup>39</sup> Revised Statutes of Missouri, 478.073.

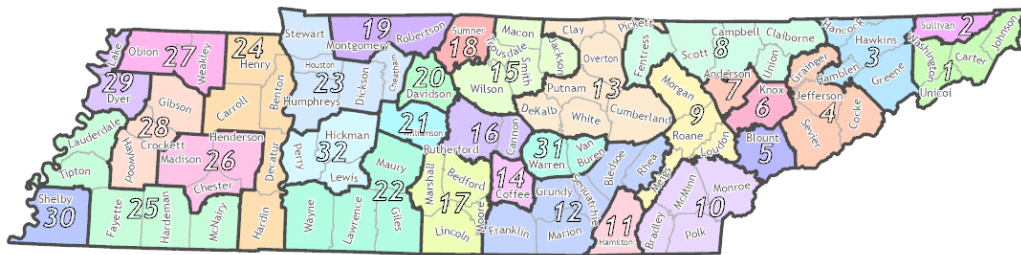
<sup>40</sup> Nebraska Revised Statute, Section 24-1205.

<sup>41</sup> Nebraska Revised Statutes, Section 24-1007 and 24-1206.

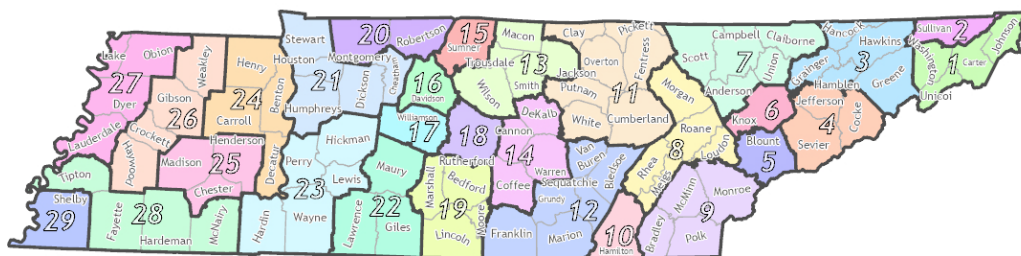


their current configurations. The remaining districts are changed. The three proposals for revising the remaining judicial districts are similar. They differ only in which judicial district they put Decatur, Wayne, and Weakley counties. In option 1, Decatur County remains in Judicial District 24, Wayne County moves from Judicial District 22 to Judicial District 23, and Weakley County moves from Judicial District 27 to Judicial District 26. In option 2, Decatur County moves from Judicial District 24 to Judicial District 23, and Weakley County moves from Judicial District 27 to Judicial District 24; Wayne County moves from Judicial District 22 to Judicial District 23 as it would in Option 1. In option 3, Decatur County moves from Judicial District 24 to Judicial District 23, and Weakley County moves from Judicial District 27 to Judicial District 24—as they would in option 2. Wayne County remains in Judicial District 22, making it a 16th district unchanged from its current configuration.

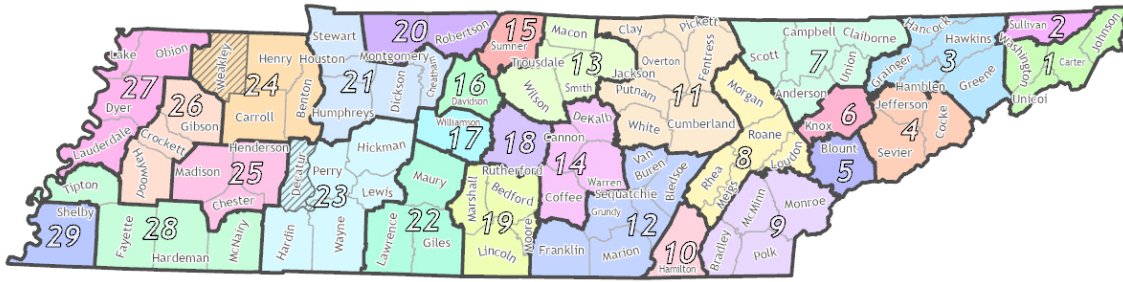
**Map 1. Tennessee’s Current Judicial Districts**



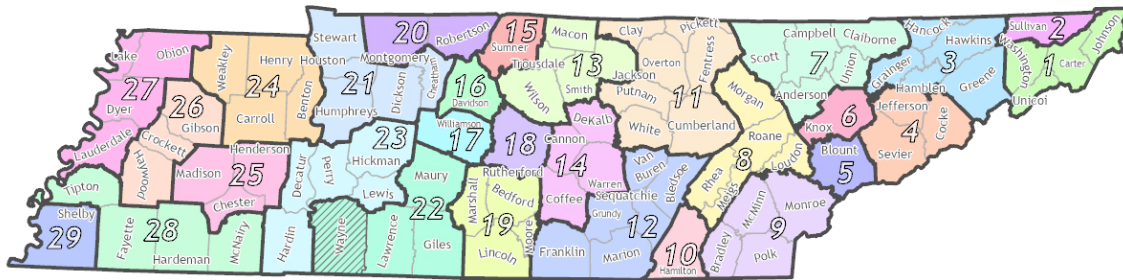
**Map 2. Redistricting Option 1**



**Map 3. Redistricting Option 2**



**Map 4. Redistricting Option 3**



**Methods for Evaluating Proposals**

As the laws from other states show, there are many types of information that can be considered when determining whether the number of judges should be increased or reduced or whether judicial district boundaries or the number of judicial districts should be changed. These include population, caseload, weighted caseload studies, judicial duties in the district, travel time, and historical connections between counties in the districts.

Tennessee law requires the Comptroller to annually update a judicial weighted caseload study that is to be used in determining the need for the creation or reallocation

of judicial positions.<sup>42</sup> The estimate of judges needed is calculated “by multiplying the total number of case filings by case weights (average minutes per case for each type of case) and dividing that number by the judges’ annual availability for case-specific work.”<sup>43</sup> However, the weighted caseload study has not been updated since fiscal year 2018-19 because of the effects of the pandemic on the courts.<sup>44</sup> Further, the judicial case weights used in the formula were last updated in 2013 by the National Center for State Courts (NCSC).<sup>45</sup> It has been recommended that case weights be updated every five to seven years.<sup>46</sup>

The Comptroller’s Office is also required to annually update weighted caseload reports for district attorneys general and public defenders, but the reports have not been updated since fiscal year 2005-06.<sup>47</sup> This is in part because the data from General Sessions courts has historically been unreliable. However, in 2021, the Administrative Office of the Courts (AOC) launched the General Sessions Data Repository (GSDR), which will collect more standardized, detailed case information from the state’s general sessions courts than has been collected previously.<sup>48</sup> The GSDR has data from 87 of the state’s general sessions courts, and the AOC was said to be working to include data from the four largest counties—Shelby, Davidson, Knox, and Hamilton—by the end of 2023.”

The weighted caseload study has been recognized as one of the better methods for evaluating judicial needs. Tennessee’s Advisory Task Force on the Composition of Judicial Districts recognized in its 2019 report that the “weighted caseload study is the

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<sup>42</sup> Tennessee Code Annotated, Section 16-2-513.

<sup>43</sup> Tennessee Comptroller’s Office. 2020. *FY 2018-19 Tennessee Judicial Weighted Caseload Study Update*. Accessed January 8, 2024. <https://comptroller.tn.gov/content/dam/cot/orea/advanced-search/2020/WeightedCaseload2020.pdf>; and National Center for State Courts. 2013. *Tennessee Trial Courts Judicial Weighted Caseload Study, 2013*. Accessed January 8, 2024. [https://comptroller.tn.gov/content/dam/cot/orea/advanced-search/2013/2013\\_OREA\\_WCTNTrialCtsJudWtCase.pdf](https://comptroller.tn.gov/content/dam/cot/orea/advanced-search/2013/2013_OREA_WCTNTrialCtsJudWtCase.pdf).

<sup>44</sup> Tennessee Comptroller’s Office. 2022. *Judicial Weighted Caseload Memorandum*. Accessed January 8, 2024. <https://comptroller.tn.gov/content/dam/cot/orea/advanced-search/2022/JWCMemo2022.pdf>.

<sup>45</sup> Ibid.

<sup>46</sup> Ibid.

<sup>47</sup> Ibid.

<sup>48</sup> Ibid.

best available method for measuring trial judge needs and workloads.”<sup>49</sup> According to the NCSC, use of weighted caseload studies is preferred over population when it comes to determining whether the number of judges should be increased or decreased.<sup>50</sup>

Weighted caseload studies have their limitations. There may be other factors “such as trial court clerks’ reporting processes, availability of judicial support staff, and local legal practices” that can affect the need in districts.<sup>51</sup> The studies may also be affected if the data that is used in the calculations is not entered correctly.<sup>52</sup> The studies can also be less accurate if the weighted caseload models used are not updated periodically because of “the passage of new laws, technological changes, population shifts, and other factors.”<sup>53</sup>

The NCSC has noted that weighted caseload studies are just a starting point.<sup>54</sup> Other qualitative factors may need to be considered including the differences between rural and urban jurisdictions and number of support staff.<sup>55</sup>

### **Evaluation of the Proposals**

To evaluate potential resource allocation for each of the three redistricting proposals, keeping in mind the lack of current county level weighted caseload, TACIR staff first analyzed the statistical relationships between weighted caseload, unweighted case filings, and population for the state’s existing judicial districts, using district-level data from fiscal years 2016-17 through 2018-19. Staff then applied this analysis to unweighted case filing data at the county level to estimate each proposed judicial district’s share of the state’s total judicial workload. The table below shows staff’s estimate of how the state’s judicial workload would be allocated among each of the 29 proposed judicial districts under the three options.

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<sup>49</sup> Advisory Task Force on the Composition of Judicial Districts 2019.

<sup>50</sup> Email from Bill Raftery, senior analyst, knowledge management, National Center for State Courts, January 3, 2024.

<sup>51</sup> Tennessee Comptroller’s Office 2020.

<sup>52</sup> Advisory Task Force on the Composition of Judicial Districts 2019.

<sup>53</sup> National Center for State Courts. 2019. *Missouri Circuit Court Judicial Officer Weighted Workload Assessment Study*. Accessed January 8, 2024.

<https://www.courts.mo.gov/file.jsp?id=5621&version=meter%20at%20null>.

<sup>54</sup> Ibid.

<sup>55</sup> Ibid.

**Table 1. Estimated Share of Judicial Workload and Allocation of Judges for Proposed Redistricting Options**

District	Proposed Option 1				Proposed Option 2				Proposed Option 3			
	Estimated Work-share	Share of Judges	District Judges	Excess or Deficit	Estimated Work-share	Share of Judges	District Judges	Excess or Deficit	Estimated Work-share	Share of Judges	District Judges	Excess or Deficit
1	3.16%	5.0	5	—	3.16%	5.0	5	—	3.16%	5.0	5	—
2	2.65%	4.2	4	-0.2	2.65%	4.2	4	-0.2	2.65%	4.2	4	-0.2
3	3.23%	5.1	5	-0.1	3.23%	5.1	5	-0.1	3.23%	5.1	5	-0.1
4	3.25%	5.2	5	-0.2	3.25%	5.2	5	-0.2	3.25%	5.2	5	-0.2
5	1.42%	2.3	3	+0.7	1.42%	2.3	3	+0.7	1.42%	2.2	3	+0.8
6	6.65%	10.6	10	-0.6	6.65%	10.6	10	-0.6	6.65%	10.6	10	-0.6
7	2.64%	4.2	5	+0.8	2.64%	4.2	5	+0.8	2.64%	4.2	5	+0.8
8	2.64%	4.2	3	-1.2	2.64%	4.2	3	-1.2	2.63%	4.2	3	-1.2
9	3.13%	5.0	5	—	3.13%	5.0	5	—	3.12%	5.0	5	—
10	5.04%	8.0	9	+1.0	5.04%	8.0	9	+1.0	5.04%	8.0	9	+1.0
11	3.02%	4.8	5	+0.2	3.02%	4.8	5	+0.2	3.02%	4.8	5	+0.2
12	1.74%	2.8	4	+1.2	1.74%	2.8	4	+1.2	1.74%	2.8	4	+1.2
13	2.87%	4.6	4	-0.6	2.87%	4.6	4	-0.6	2.87%	4.6	4	-0.6
14	2.08%	3.3	3	-0.3	2.08%	3.3	3	-0.3	2.08%	3.3	3	-0.3
15	2.63%	4.2	3	-1.2	2.63%	4.2	3	-1.2	2.63%	4.2	3	-1.2
16	10.30%	16.4	18	+1.6	10.30%	16.4	18	+1.6	10.30%	16.4	18	+1.6
17	2.80%	4.5	4	-0.5	2.80%	4.5	4	-0.5	2.80%	4.5	4	-0.5
18	5.09%	8.1	6	-2.1	5.09%	8.1	6	-2.1	5.09%	8.1	6	-2.1
19	1.59%	2.5	3	+0.5	1.59%	2.5	3	+0.5	1.59%	2.5	3	+0.5
20	4.72%	7.5	6	-1.5	4.72%	7.5	6	-1.5	4.72%	7.5	6	-1.5
21	2.03%	3.2	3	-0.2	2.03%	3.2	3	-0.2	2.03%	3.2	3	-0.2
22	2.67%	4.2	4	-0.2	2.67%	4.2	4	-0.2	2.89%	4.6	4	-0.6
23	1.16%	1.8	2	+0.2	1.33%	2.1	2	-0.1	1.13%	1.8	2	+0.2
24	1.13%	1.8	2	+0.2	1.34%	2.1	3	+0.9	1.34%	2.1	3	+0.9
25	2.42%	3.9	4	+0.1	2.42%	3.9	4	+0.1	2.42%	3.9	4	+0.1
26	1.37%	2.2	3	+0.8	0.99%	1.6	2	+0.4	0.99%	1.6	2	+0.4
27	1.34%	2.1	3	+0.9	1.34%	2.1	3	+0.9	1.34%	2.1	3	+0.9
28	1.99%	3.2	4	+0.8	1.99%	3.2	4	+0.8	1.99%	3.2	4	+0.8
29	15.26%	24.3	24	-0.3	15.26%	24.3	24	-0.3	15.26%	24.3	24	-0.3
	100%	159	159	—	100%	159	159	—	100%	159	159	—

Where an entire existing district has been incorporated into one of the proposed new districts, all of its current judges have been allocated to the proposed district. Where an existing district would be split into more than one district, its judges are only split if the estimated workshare of the new district requires additional judges. In all three options,

Fentress, Grainger, Rhea, and Van Buren counties are separated from their current districts but do not bring judges with them to their new districts.

In all three options, one of the three judges from the current 24th District would follow Hardin County to the new 23rd District, joining the lone judge from existing District 32. The two remaining judges from the current 24th District would be adequate to serve the new 24th. The two current District 27 judges are split in all three options, with one from Weakley County joining the two current District 28 judges in the new 26th District under option 1. In options 2 and 3, one of the two current 27th District judges could go to the new 24th District with Weakley County, providing excess capacity. The remaining judge from Obion County remains in the new 27th District in all three options. In options 2 and 3, all four judges in the current 22nd District would remain in the new 22nd, despite Wayne County moving to the new 23rd District. District 22 is unchanged from its current configuration in option 3, to include Wayne County.

In all three options, four judicial districts (districts 8, 15, 18, and 20) could face a deficit of at least one full judge. In options 1 and 2, three others (districts 6, 13, and 17) could also face a deficit of 0.5 or more. In option 3, that list would include District 22. District 22 would likely have an adequate number of judges in options 1 and 2. There are 12 other districts that would likely have an appropriate number of judges in all three options. All three options have nine districts with an excess of at least 0.5 judges, including three (districts 10, 12, and 16) with at least one full judge more than their estimated need.

Because all three options reduce the number of districts, and assumingly the number of corresponding district attorneys and public defenders, they would likely reduce court administration costs somewhat statewide. But they would appear to have negligible effect on reducing workload and, because of increased geographic distance in some districts, could increase travel requirements for some judges and make access to justice more difficult.

With that in mind, as well as the 2009 *Tennessee Judicial Redistricting Study* finding that “workload equalization and access to courts can be achieved without redrawing district boundaries through the use of weighted caseload methodology to allocate judicial resources,” staff also estimated the optimal number of judges need to meet the judicial workload for the state’s 32 current judicial districts.” The actual number of judges in 2023 is shown, along with estimated deficit or excess, in the table below. Seven districts are estimated to be in deficit, 17 have the appropriate number, and eight have excess judges.

**Table 2. Estimated Share of Judicial Workload and Allocation of Judges for Tennessee’s Current Judicial Districts**

District	Calculated Workshare Estimate	x 159 = Judges Needed	Whole Number Allocation	Actual Judges (2023)	Excess or Deficit
1	3.16%	5.0	5	5	—
2	2.65%	4.2	4	4	—
3	2.88%	4.6	5	5	—
4	3.62%	5.8	6	5	-1
5	1.42%	2.3	2	3	+1
6	6.66%	10.6	11	10	-1
7	1.07%	1.7	2	2	—
8	1.71%	2.7	3	3	—
9	2.02%	3.2	3	3	—
10	3.13%	5.0	5	5	—
11	5.04%	8.0	8	9	+1
12	2.20%	3.5	3	4	+1
13	3.06%	4.9	5	5	—
14	0.83%	1.3	1	2	+1
15	2.87%	4.6	5	4	-1
16	5.45%	8.7	9	6	-3
17	1.59%	2.5	3	3	—
18	2.63%	4.2	4	3	-1
19	4.72%	7.5	7	6	-1
20	10.31%	16.4	16	18	+2
21	2.81%	4.5	4	4	—
22	2.89%	4.6	5	4	-1
23	2.03%	3.2	3	3	—
24	1.46%	2.3	2	3	+1
25	2.36%	3.8	4	4	—
26	2.42%	3.9	4	4	—
27	0.75%	1.2	1	2	+1
28	0.98%	1.6	2	2	—
29	0.62%	1.0	1	2	+1
30	15.26%	24.3	24	24	—
31	0.77%	1.2	1	1	—
32	0.64%	1.0	1	1	—
			159	159	