



Administrative Policies
And Procedures
Tennessee Supreme Court
Administrative Office of the Courts

Index #: 3.03

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Effective Date: 1/1/2021

Supersedes:

Approved by: Chief Justice Jeff Bivins and Director Deborah Taylor Tate

Subject: Continuing Legal Education for Child Support Magistrates

- I. Authority: T.C.A. § 36-5-402, Supreme Court Rule 21, Supreme Court Rule 22
- II. Purpose: To establish guidelines for authorizing and paying for Continuing Legal Education (hereinafter referred to as "CLE") for Child Support Magistrates, as well as to establish minimum requirements for specialized training. It is the intent for CLE requirements to be obtained by Child Support Magistrates by first attending Administrative Office of the Courts (hereinafter referred to as "AOC") produced trainings either live or via pre-recorded sessions available online, or by attending local bar presentations or other CLE courses that are available without registration fees or additional travel expenses.
- III. Application: All Child Support Magistrates appointed pursuant to T.C.A. §36-5-402 and Supreme Court Rule 22 and whose salary is paid in whole out of the state treasury.
- IV. Definitions: None.
- V. Policy:
 - A. All Child Support Magistrates shall complete CLE requirements in compliance with the regulations and guidelines of this administrative policy.
 - B. All Child Support Magistrates shall, as part of the 15 hours of CLE annually required by Supreme Court Rule 21 §3.01, complete at least 5 CLE hours annually that are specifically related to Title IV-D of the Social Security Act (42 U.S.C. § 651 et seq.) child support cases.
- VI. Procedures:
 - A. Application Process for Attendance of Non-AOC Produced Courses

1. Prior Written Request - Should the magistrate determine that it is beneficial to attend a CLE program that is not produced or sponsored by the AOC or that is not available locally with no registration fees or additional travel, the magistrate shall make a written request to travel to or attend an education conference at least six (6) weeks prior to the date of the course. Requests must be sent to the AOC director.
2. Approval - The AOC will notify the magistrate in writing whether the request has been approved or denied. If approved, the magistrate will be given additional instructions regarding travel arrangements.

B. Reimbursement Procedure for Attendance of Non-AOC Produced Courses

1. The state will pay for required annual CLE requirements subject to available funds. Note: It is the intent for CLE requirements to be obtained by magistrates by first attending AOC produced trainings either live or via pre-recorded sessions available online, or by attending local bar presentations or other CLE courses that are available without registration fees or additional travel expenses.
2. Local Programs: It is the primary intent of this program to afford magistrates the opportunity to attend AOC produced CLE programs or local CLE programs at state expense. These programs should be considered in order to reduce the total cost of such programs. The AOC will reimburse the magistrate for his/her registration fees and pay his/her CLE fee charged by the Commission on Continuing Legal Education.
3. Out-of-Town Programs: When AOC produced or local programs are not available or for good cause shown and with the prior approval of the AOC director, magistrates who travel to another city to attend CLE programs will be reimbursed for their registration fees for the CLE program. They also may be reimbursed for travel expenses, in keeping with the Judicial Travel Regulations in effect at the time the travel is incurred, and subject to the availability of funds. Travel shall be at the least expensive rates and at no time will there be reimbursement for first class flights.
4. Certification of Attendance & Reimbursement Procedures: Upon completion of the program, certification of attendance must be provided to the AOC director. Expenses will not be paid without proof of course attendance and will be reimbursed by inclusion of expenses on the magistrate's monthly expense claim.

5. The AOC director may grant exemptions and allow exceptions from these policies and guidelines when deemed appropriate and necessary. Any appeal of the AOC director's decision shall be to the Chief Justice.

C. Specialized training

1. It is the intent that magistrates receive the required 5 CLE hours of specialized child support training from AOC produced programs. In the event a magistrate is unable to attend an AOC produced program specifically related to Title IV-D child support cases, the magistrate must submit a request to the AOC director, detailing the reasons for non-attendance and requesting leave to attend other local or state sponsored programs specific to child support matters.
2. A magistrate must submit course information for a non AOC produced program to the AOC director for approval of the curricula as satisfaction of the required CLE hours.
3. If attending a course that is not AOC produced to satisfy the required 5 CLE hours, certification of completion of the required 5 CLE hours must be provided to the AOC director by December 31 each year.
4. The AOC director may grant exemptions and allow exceptions from these policies and guidelines when deemed appropriate and necessary. Any appeal of the AOC director's decision shall be to the Chief Justice.