

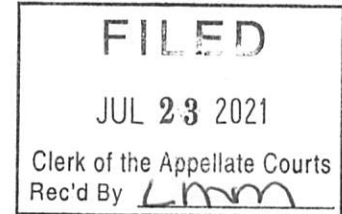


SHERRARD  
ROE  
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Amy Rao Mohan

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July 23, 2021



**BY EMAIL & US MAIL**

James M. Hivner, Clerk  
RE: Tenn. Sup. Ct. R. 21, section 3.01  
100 Supreme Court Building  
401 Seventh Avenue North  
Nashville, TN 37219-1407  
[appellatecourclerk@tncourts.gov](mailto:appellatecourclerk@tncourts.gov)

**Re: In support of Petition to Amend Rule 13; Docket Nos. ADM2021-00308,  
ADM2021-00237**

Dear Mr. Hivner:

Many of my partners and I have had the opportunity to work *pro bono* on a number of criminal, habeas, and clemency matters in conjunction with other state and federal attorneys. Phil Cramer and I worked on a case a couple years ago with the Tennessee Office of the Post-Conviction Defender and saw firsthand the significant and crucial need for experts and investigative services in this meaningful work.

As illustrated in the petitions, the necessity of this expert funding to establish a defense or claims of constitutional violations is essential to these indigent defendants and the fairness and equity of our legal system hinges on the proper application of Rule 13. I understand from our colleagues in the criminal defense bar and specifically at the Post-Conviction Office that at times, the expenditure of expert expenses, approved and ordered by a court, is later overruled by administrative entities. This is a detrimental and sometimes even fatal blow to an indigent defendant's case.

In turn, my partners and I support the recent petitions filed by the Tennessee Office of the Post-Conviction Defender and other criminal defense organizations to amend Rule 13 to ensure that indigent defendants receive the crucial funding for expert and investigative services and that Rule 13 clarify that an indigent client can receive funding for expert and investigative services as soon as the criminal proceedings against him or her are initiated. We must ensure as fellow members of the bar that indigent clients have the tools necessary to defend themselves or in the case of capital petitioners, to challenge their convictions and sentence.

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We appreciate your consideration of the petitions regarding the Rule 13 amendments and fully support its adoption.

Very truly yours,

A handwritten signature in cursive script that reads "Amy Rao Mohan".

Amy Rao Mohan

ARM/sjd