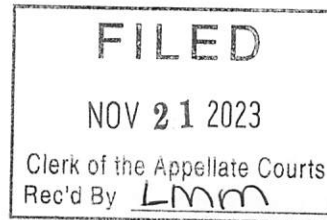




November 20, 2023



VIA E-Mail: appellatecourtclerk@tncourts.gov

**Knoxville Bar Association**  
505 Main Street, Suite 50  
P.O. Box 2027  
Knoxville, TN 37901-2027  
PH: (865) 522-6522  
[www.knoxbar.org](http://www.knoxbar.org)

James Hivner, Clerk of Appellate Courts  
Tennessee Supreme Court  
100 Supreme Court Building  
401 Seventh Avenue North  
Nashville, TN 37219-1407

Re: No. ADM2023-01437

**Officers**

**Loretta G. Cravens**  
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*Immediate Past President*

Dear Mr. Hivner:

Pursuant to the Tennessee Supreme Court's Order referenced above, the Knoxville Bar Association ("KBA") Professionalism Committee ("Committee") carefully considered the proposed amendment to Tennessee Supreme Court Rule 9, section 16 which prescribes the procedure for complaints against members of the Board of Professional Responsibility, District Committee Members, or Disciplinary Counsel, at its November 2023 meeting. The Committee presented a report of its review of the Order and the proposed amendments at the November 15, 2023 meeting of the KBA Board of Governors (the "KBA Board").

After consideration, the KBA Board provides the following comments:

**Board of Governors**

**Ursula Bailey**  
**Meagan Collier**  
**Daniel L. Ellis**  
**Jacob Spencer Fair**  
**Luke P. Ihnen**  
**Hon. E. Jerome Melson**  
**William A. Mynatt Jr.**  
**T. Mitchell Panter**  
**M. Samantha Parris**  
**Courtney Epps Read**  
**Vanessa Samano**  
**Charles S. J. Sharrett**  
**Hon. Zachary R. Walden**

- Proposed Section 16.1(3) states that "if the respondent is a member of the Board, the Chief Justice shall appoint a special standing Board of three members for all such cases." It is not clear how long the proposed standing Board is to last. Also, to the extent the rule is intended to have the special standing Board hear only additional complaints against the same Board member, the rule should be clarified as follows: striking "for all such cases" and replacing it with "for all complaints against that Board member." Under the current language of proposed 16.1(3), "for all such cases" could be read to mean all cases involving a complaint against "a" member of the Board, i.e., any member, not just cases involving the same member.
- Proposed Section 16.3 states that "[u]pon request, the Court may authorize the payment of reasonable expenses and/or fees to special disciplinary counsel, a special hearing committee, or a special board appointed pursuant to Section 16.1." The KBA Board recommends insertion of clarifying language which specifies who is to make the request for payment, when the request should be made, and who is to make the payment. The KBA Board further recommends that payments be limited to special disciplinary counsel, to ensure consistency. The KBA Board's understanding is that generally committee members and Board members are not paid.

**Executive Director**  
**Marsha S. Watson**  
[mwatson@knoxbar.org](mailto:mwatson@knoxbar.org)

Knoxville Bar Association  
Comment Re: No. ADM2023-01437  
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As always, the KBA appreciates the invitation to consider and comment on proposed rule changes.

Sincerely,

A handwritten signature in black ink that reads "Loretta G. Cravens". The signature is written in a cursive, flowing style.

Loretta G. Cravens, President  
Knoxville Bar Association

cc: Marsha Watson, KBA Executive Director (via e-mail)  
Executive Committee of the Knoxville Bar Association