

APPENDIX

***AMENDMENTS TO THE
RULES OF JUVENILE PROCEDURE***

**[Deleted text is indicated by overstriking,
and new text is indicated by underlining.]**

TENNESSEE RULES OF JUVENILE PROCEDURE

RULE 107

SUBPOENAS.

[Add the underlined text; and add new Advisory Commission Comment (2018 Amendment).]

* * * *

(c) *Subpoena for Production of Documents and Things*. With the exception of emergency hearings, preliminary hearings, and detention hearings, all subpoenas for the production of documents, images, records, data or like information shall be served at least 10 calendar days prior to the hearing, unless otherwise provided by law. Copies of the subpoena must be served pursuant to Rule 106 on all parties, and all material produced must be made available for inspection, copying, testing, or sampling by all parties, except as otherwise provided by law.

Advisory Commission Comment [2018]

The 2018 amendment adds a new sentence to the end of subsection (c), so that the procedure here conforms to Rule 45.02, Tennessee Rules of Civil Procedure.

TENNESSEE RULES OF JUVENILE PROCEDURE

RULE 117

ENTRY OF ORDER.

[Add new Advisory Commission Comment (2018 Amendment).]

Advisory Commission Comment [2018]

Pursuant to Rule 118(c), the right to an appeal attaches upon entry of the final order.

TENNESSEE RULES OF JUVENILE PROCEDURE

RULE 301

INITIATION OF CASES.

[Add new Advisory Commission Comment (2018 Amendment).]

Advisory Commission Comment [2018]

The 2018 amendment modifies the Advisory Commission Comment only: the terminology and cross reference in the last sentence of the fourth paragraph of the 2016 Advisory Commission Comment is amended to correspond with statutory amendments to Tenn. Code Ann. § 37-1-117 and § 37-1-128, and says: “In such circumstances, a dependent and neglect petition must be filed within ~~2 judicial days~~48 hours, excluding non-judicial days, pursuant to T.C.A. § ~~37-1-128~~37-1-117.”

TENNESSEE RULES OF JUVENILE PROCEDURE

RULE 309

AGREED ORDERS.

[Add new Advisory Commission Comment (2018 Amendment).]

Advisory Commission Comment [2018]

This rule does not prohibit a court from accepting stipulations entered by the parties during a pending case.

TENNESSEE RULES OF JUVENILE PROCEDURE

RULE 310

MODIFICATION OF OR RELIEF FROM JUDGMENTS OR ORDERS.

[Modify the text of the rule to include the underlined text at the end of subsection (a)(1); and add new Advisory Commission Comment (2018 Amendment).]

* * * *

(a) *Modification of Orders.*

(1) Clerical Mistakes. Clerical mistakes and errors arising from oversight or omission in orders or other parts of the record may be corrected by the court at any time on its own initiative or on motion of any party. During the pendency of an appeal such mistakes may be so corrected before the record on appeal is transmitted to the appellate court and thereafter, while the appeal is pending, may be so corrected with leave of the appellate court.

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Advisory Commission Comment [2018 Amendment]

The 2018 amendment modifies subsection (a)(1) by adding the last sentence, which was inadvertently deleted in the comprehensive revision of the Rules of Juvenile Procedure effective July 1, 2016. Reference should be made to Rule 24(e), Tennessee Rules of Appellate Procedure for certain procedures for correcting the record during the pendency of an appeal.