

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

**IN RE: AMENDMENTS TO RULE 9, SECTION 10
RULES OF THE TENNESSEE SUPREME COURT**

No. ADM2018-02186

**COMMENT OF THE BOARD OF PROFESSIONAL
RESPONSIBILITY TO AMENDMENTS TO TENNESSEE
SUPREME COURT RULE 9, SECTION 10**

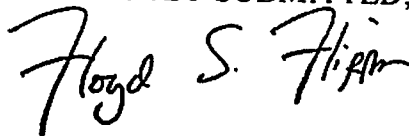
The Board of Professional Responsibility (the Board) pursuant to Order filed December 13, 2019, submits the following comments to proposed amendments to Tennessee Supreme Court Rule 9, Section 10.

The Court initially entered an Order on December 6, 2018 soliciting comments on proposed amendments to Tenn. Sup. Ct R. 9, §10 which mandated electronic registration for attorneys. The Board supported those proposed amendments to Tenn. Sup. Ct. R. 9, §10 as labor and cost saving for the Board. However, numerous attorneys filed comments objecting to the proposed amendments providing for electronic registration.

By Order filed December 13, 2019, the Court is soliciting comments on proposed amendments to Tenn. Sup. Ct. R. 9, §10 allowing attorneys to continue submitting their annual registration by mail and check while incurring an additional \$5.00 fee for processing these payments.

Pursuant to existing Tenn. Sup. Ct. R. 9, §10, attorneys may now elect to complete and pay their annual registration on-line through the Board's attorney portal or by mail and check. In fiscal year 2018-2019, 7,977 attorneys submitted their registration by mail compared to 18,472 attorneys who registered electronically through the Board's attorney portal. While the proposed amendments recognize that attorneys continued use of printed registration statements, mail and payment by check is labor intensive and expensive, the Board fears that the varying annual fee amount may create confusion. Alternatively, the Board respectfully suggests that the annual fee be raised \$5.00 for all active and inactive attorneys, however, attorneys who register and pay online will be incentivized by receiving a \$5.00 discount. Additional registration fees generated by this fee increase may be designated to Tennessee Lawyers' Fund for Client Protection. Accordingly, the Board respectfully objects to the proposed amendment to Tenn. Sup. Ct. R. 9, §10 and requests the Court's consideration of the alternate proposed amendment.

RESPECTFULLY SUBMITTED,



Floyd Flippin, Chair (BPR No. 010442)
Board of Professional Responsibility of the
Supreme Court of Tennessee

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Certificate of Service

I certify that the foregoing has been mailed to Joycelyn Ashanti Stevenson, Esq., Executive Director, Tennessee Bar Association, 221 4th Avenue North, Suite 400, Nashville, Tennessee by U.S. mail, on this the 13 day of January, 2020.

By: Floyd S. Flippin
Floyd Flippin, Chair (BPR No. 010442)
Chairman of the Board

By: Sandy Garrett
Sandy Garrett (#013863)
Chief Disciplinary Counsel