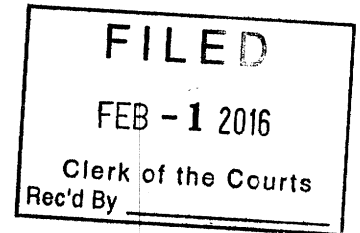


IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: PROPOSED AMENDMENT TO TENNESSEE SUPREME COURT
RULE 9, SECTION 22

No. ADM2016-00202



ORDER

Tennessee Supreme Court rule 9, section 22, pertains to the discipline of attorneys convicted or acknowledging guilt of crimes. This Court, however, has realized a need to further clarify discipline measures when an attorney receives judicial diversion for a criminal offense. Therefore, the Court is considering the addition of Tennessee Supreme Court rule 9, section 22.7, as set out in the appendix to this order. The Court has determined to solicit public comments on the proposed addition.

Accordingly, the Court solicits written comments regarding the proposed addition from judges, lawyers, bar associations, members of the public, and any other interested parties. A copy of the proposed amendment is attached as an appendix to this Order. The deadline for submitting written comments is Friday, April 1, 2016. Written comments should be addressed to:

James M. Hivner, Clerk
RE: Tenn. Sup. Ct. R. 9
Tennessee Appellate Courts
100 Supreme Court Building
401 7th Avenue North
Nashville, TN 37219-1407

and should reference the docket number set out above.

The Clerk shall provide a copy of this Order, including the appendix, to LexisNexis and to Thompson Reuters. In addition, this Order, including the appendix, shall be posted on the Tennessee Supreme Court's website. IT IS SO ORDERED.

PER CURIAM

AMENDMENT TO TENN. SUP. CT. R. 9, § 22
[New text is indicated by underlining]

Section 22. Attorneys Convicted or Acknowledging Guilt of Crimes

...

22.7. Judicial diversion pursuant to Tenn. Code Ann. § 40-35-313, including dismissal and discharge of the criminal proceedings and expungement from the official records pursuant to Tenn. Code Ann. § 40-35-313(b), shall not foreclose the initiation, investigation or prosecution of disciplinary action on the basis of the conduct constituting the diverted criminal offense(s). The Board shall evaluate the facts and circumstances of each such case and proceed pursuant to Section 15 of this Rule.