

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

FILED

05/04/2021

Clerk of the  
Appellate Courts

**IN RE: TENN. SUP. CT. R. 8, RPC 1.8(e)**  
**Humanitarian Aid Provided by Non-Profit Legal Assistance Organizations**

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**No. ADM2021-00464**

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**ORDER**

The Tennessee Alliance for Legal Service (“TALS”) has asked this Court to enter an order clarifying that Tennessee Supreme Court Rule 8, RPC 1.8(e)<sup>1</sup> does not preclude TALS and its four partners, Legal Aid of East Tennessee, Legal Aid of Middle Tennessee and the Cumberland, Memphis Area Legal Aid Services, and West Tennessee Legal Services, from administering a proposed financial assistance program that will be funded by a grant from the Tennessee Department of Human Services (“DHS”) using Temporary Assistance for Needy Families (“TANF”) funds. Under this proposal, TALS will make payments to third parties on behalf of eligible clients for qualifying expenses, such as rent, rental/utility arrearages, housing debts, resettlement costs, food, clothing, or transportation expenses, and will subsequently seek reimbursement from DHS. TALS anticipates having up to \$13.8 million dollars available to assist up to 1,160 families. TALS believes the opportunity DHS is providing is unique, will help families become more economically self-sufficient, and will have the added community benefit of financially assisting landlords, who have also suffered as a result of the COVID-19 pandemic.

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<sup>1</sup> RPC 1.8(e) provides:

A lawyer shall not provide financial assistance to a client in connection with pending or contemplated litigation, except that: (1) a lawyer may advance court costs and expenses of litigation, the repayment of which may be contingent on the outcome of the matter; and (2) a lawyer representing an indigent client may pay court costs and expenses of litigation on behalf of the client.

Upon due consideration of TALS' request, and in light of both the extreme hardships caused by the COVID-19 pandemic and this Court's ongoing commitment to improve access to justice in Tennessee, we hereby clarify Tennessee Supreme Court Rule 8, RPC 1.8 as follows:

When the Tennessee Alliance for Legal Services, Legal Aid of East Tennessee, Legal Aid of Middle Tennessee and the Cumberland, Memphis Area Legal Aid Services, or West Tennessee Legal Services receives donations or other funding to provide humanitarian aid to persons in need, such as financial assistance to pay for food, clothing, shelter, or transportation, the organization's use of such donations or other funding to provide humanitarian aid to its clients or the clients' families shall not be deemed a violation of paragraph (e) of this Rule.

This order shall take effect immediately upon filing and shall remain in effect until further order of this Court.

It is so ORDERED.

PER CURIAM