

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

10/26/2021

Clerk of the
Appellate Courts

**IN RE: AMENDMENT TO TENNESSEE SUPREME COURT RULE 13,
SECTION 5(a)(1)**

No. ADM2021-01262

ORDER

After due consideration, the Court hereby amends Rule 13, Section 5(a)(1) of the Rules of the Tennessee Supreme Court in the form set out in Appendix A to this Order. Rule 13, Section 5(a)(1), as amended by this Order, shall be effective upon the filing of this Order.

The Clerk shall provide a copy of this Order to LexisNexis and to Thomson Reuters. In addition, this Order shall be posted on the Tennessee Supreme Court's website.

IT IS SO ORDERED.

PER CURIAM

APPENDIX

AMENDMENT TO TENN. SUP. CT. R. 13, § 5(a)(1)

[New text is indicated by underlining/Deleted text is indicated by striking]

Section 5. Experts, investigators, and other support services.

(a)(1) In the trial and direct appeal of all criminal cases in which the defendant is entitled to appointed counsel ~~and~~, in the trial and appeals of post-conviction proceedings in capital cases involving indigent petitioners, and in juvenile transfer proceedings, the court, in an ex parte hearing, may in its discretion determine that investigative or expert services or other similar services are necessary to ensure that the constitutional rights of the defendant are properly protected. If such determination is made, the court may grant prior authorization for these necessary services in a reasonable amount to be determined by the court. The authorization shall be evidenced by a signed order of the court. The order shall provide for the payment or reimbursement of reasonable and necessary expenses by the director. See Tenn. Code Ann. § 40-14-207(b); State v. Barnett, 909 S.W.2d 423 (Tenn. 1995); Owens v. State, 908 S.W.2d 923 (Tenn. 1995).