

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
08/30/2017
Clerk of the
Appellate Courts

**IN RE: PETITION TO AMEND TENNESSEE SUPREME COURT RULE 9,
SECTION 32**

No. ADM2017-00554

ORDER

On March 13, 2017, the Tennessee Board of Professional Responsibility (“BPR”) filed a petition asking the Court to amend Rule 9, section 32 of the Rules of the Tennessee Supreme Court. The petition proposed to amend the rule section in order to clarify that hearings are open to the public, unless subject to a protective order.

On April 18, 2017, the Court entered an order soliciting public comments on the proposed amendments. The deadline for submitting written comments was June 19, 2017. The Court received written comments during the comment period from Daniel C. Todd and the Knoxville Bar Association (“KBA”). Both Mr. Todd and the KBA opposed the proposed amendments, expressing concern for issues that would arise from open hearings. The Court thanks Mr. Todd and the KBA for their input.

After due consideration, the Court hereby adopts the amendments to Tennessee Supreme Court Rule 9, section 32, as set out in the attached Appendix. The amendments shall take effect immediately upon the filing of this Order.

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

It is so ORDERED.

PER CURIAM

APPENDIX

TENN. SUP. CT. R. 9, SECTION 32

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

- 32.1 All matters, investigations, or proceedings involving allegations of misconduct by or the disability of an attorney, including ~~all hearings and~~ all information, records, minutes, correspondence, files or other documents of the Board, district committee members and Disciplinary Counsel shall be confidential and privileged, and shall not be public records or open for public inspection, except as otherwise provided in this Section.

All hearings held before a duly appointed hearing panel or Court, except those pursuant to Section 27, shall be public, subject to the provisions of Section 32.6 and Tenn. Sup. Ct. R. 30.