

IN THE SUPREME COURT OF TENNESSEE

**IN RE: AMENDMENT TO RULE 9, § 24.3
RULES OF THE SUPREME COURT OF TENNESSEE**

Filed 04/28/2000

ORDER

_____ Rule 9, § 24.3, Rules of the Supreme Court, governing disciplinary enforcement, is amended by replacing it with the following:

In the event that a judgment of disbarment, suspension, public censure, private reprimand, temporary suspension, disability inactive status, reinstatement, or denial of reinstatement results from formal proceedings, the Board shall assess against the respondent attorney the costs of the proceedings, including court reporter's expenses for appearances and transcription of all hearings and depositions, the expenses of the hearing committee in the hearing of the cause, and the hourly charge of disciplinary counsel in investigating and prosecuting the matter.

The respondent attorney may petition the Board for relief from costs within thirty days of receipt of the final bill of costs or on the termination of any action upon which the disciplinary proceeding was based, whichever occurs last. In seeking relief, the respondent attorney shall have the opportunity to appear and be heard before the Board or a duly constituted panel thereof. Having conducted such a hearing, the Board shall file an order within thirty days; this order must include the basis for the Board's decision. An order reflecting the decision shall be treated as a decree of the circuit or chancery court and, as such, is appealable to the Tennessee Supreme Court under Rule 9, § 1.3, Rules of the Supreme Court.

The hourly charges of disciplinary counsel, on formal proceedings filed subsequent to this amendment, shall be assessed at \$30 per hour for investigative time incurred prior to the filing of formal proceedings and \$80 per hour in connection with formal proceedings.

The hourly charges of disciplinary counsel, on formal proceedings filed prior to this amendment, shall be assessed at \$20 per hour for investigative time and \$30 per hour for trial time.

Payment of the costs assessed by the Board pursuant to this rule shall be required as a condition precedent to reinstatement of the respondent attorney.

PER CURIAM