

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: AMENDMENTS TO THE RULES OF THE TENNESSEE
SUPREME COURT

ORDER - Filed - December 18, 2007

Due to changes in the organization and operation of the Court's affiliated agencies, the Court has determined that certain provisions of the rules governing those agencies should be amended. Accordingly, the Court hereby amends the Rules of the Supreme Court as set out below.

Rule 7 (Board of Law Examiners): Amend Rule 7, Section 12.07 by deleting the existing section in its entirety and replacing it with the following new section:

Sec. 12.07. Appointment and Duties of Administrator. — The Court shall appoint an Administrator of the Board, who shall serve at the pleasure of the Court. Following his or her appointment by the Court, the Administrator shall report to the Board, which shall conduct regular performance evaluations of the Administrator and report such evaluations to the Court. The Administrator shall be responsible for all administrative duties in the enforcement of this Rule, including, but not limited to, investigation of the character of applicants, investigation of schools, preliminary review of applications, making arrangements for the giving of examinations, keeping books, records and files, and such other responsibilities as may be delegated or directed by the Board.

Amend Rule 7, Sec. 12.08 by deleting the existing section in its entirety and replacing it with the following new section:

Sec. 12.08. Secretarial Assistance. — The Administrator may employ such full or part-time secretarial and other office assistance as he or she may deem appropriate.

Amend Rule 7, Sec. 12.09 by deleting the existing section in its entirety and replacing it with the following new section:

Sec. 12.09. Assistants to the Board. — The Court may appoint attorneys licensed to practice law in this State and in good standing to assist in the preparation and grading of examination questions, and to perform such other duties in the enforcement of this Rule as the Board may from time to time direct. The assistants shall serve staggered terms of five (5) years, and may be reappointed to serve a second five-year term, provided that shorter terms may be designated initially by the Court where necessary to observe the above rotation practices.

Rule 9 (Board of Professional Responsibility): Amend Rule 9, section 24.2 by deleting the existing section in its entirety and replacing it with the following new section:

24.2. Accounting. The Administrative Office of the Courts performs accounting functions for the Board, either directly or through its oversight and final approval of transactions performed by Board personnel.

Rule 21 (Commission on CLE & Specialization): Amend Rule 21, section 1.09 by deleting the existing section in its entirety and replacing it with the following new section:

1.09. The Court shall appoint an executive director of the Commission, who shall serve at the pleasure of the Court. Following his or her appointment by the Court, the executive director shall report to the Commission, which shall conduct regular performance evaluations of the executive director and report such evaluations to the Court. The executive director may engage such staff as may be necessary to conduct the business of the Commission within the scope of this Rule.

Rule 25 (Lawyers' Fund for Client Protection): Amend Rule 25, section 6.01 ("Duties and Responsibilities of the Board") by deleting subparagraphs (d) and (f) and replacing them with the following new subparagraphs (d) and (f):

(d) To provide a full report at least annually to the Supreme Court of Tennessee and make other reports and publicize the activities to the public and the Bar.

* * *

(f) To retain and compensate consultants, actuaries, agents, legal counsel and other persons as necessary; this authority to contract for professional services as needed by the board shall not be construed to authorize the board to hire employees of the board.

Rule 33 (Tennessee Lawyers Assistance Program): Amend Rule 33.03 (“Director of the Program”) by deleting paragraph A and replacing it with the following new paragraph A:

A. **Appointment/Hire.** The Court shall appoint the TLAP director, who shall serve at the pleasure of the Court. Following his or her appointment by the Court, the director shall report to the commission, which shall conduct regular performance evaluations of the director and report such evaluations to the Court.

The foregoing amendments shall become effective on January 1, 2008.

IT IS SO ORDERED.

FOR THE COURT:

WILLIAM M. BARKER, CHIEF JUSTICE