



IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

**IN RE: PETITION FOR THE ADOPTION OF AMENDED TENNESSEE
CODE OF JUDICIAL CONDUCT TOGETHER WITH CHANGES IN
RULES AND STATUTES**

No. M2011-00420-SC-RL1-RL - Filed: June 13, 2012

ORDER

On January 4, 2012, the Court filed an order amending Tenn. Sup. Ct. R. 10 by adopting a comprehensive revision of Tennessee's Code of Judicial Conduct. In the same order, the Court also adopted new Tenn. Sup. Ct. R. 10B, setting out new procedures governing the filing and disposition of motions for disqualification or recusal of a judge and the appeals from the denial of such motions. The order stated that the revised Tenn. Sup. Ct. R. 10 and the new Tenn. Sup. Ct. R. 10B would take effect on July 1, 2012.

Section 1.04 of Rule 10B, as previously adopted by the Court, contains three cross-references to Tenn. Sup. Ct. R. 11, § VII. It has come to the Court's attention that the three cross-references were incomplete, because they omitted the appropriate paragraph of Tenn. Sup. Ct. R. 11, § VII. Accordingly, the Court hereby amends Tenn. Sup. Ct. R. 10B, § 1.04 by adding the paragraph designations as indicated below by underlining:

1.04. A judge who recuses himself or herself, whether on the Court's own initiative or on motion of a party, shall not participate in selecting his or her successor, absent the agreement of all parties. With the agreement of all parties to the case, the judge may seek an interchange in accordance with Tenn. Sup. Ct. R. 11, § VII(c)(1). Otherwise, the presiding judge of the court shall effect an interchange in accordance with Tenn. Sup. Ct. R. 11, § VII(c)(2) or (3). If an interchange cannot be effected, or if the presiding judge is the recused judge, the presiding judge shall request the designation of a judge by the Chief Justice, pursuant to Tenn. Sup. Ct. R. 11, § VII(c)(4).

Consistent with the July 1, 2012 effective date of revised Tenn. Sup. Ct. R. 10 and new Tenn. Sup. Ct. R. 10B, this amendment shall take effect on July 1, 2012.

IT IS SO ORDERED.

PER CURIAM