IN THE SUPREME COURT OF TENNESSEE AT NASHVILLE

IN RE AMENDMENT TO THE TENNESSEE RULES OF EVIDENCE

No. ADM2016-01777

FILED

DEC 21 2016

Clerk of the Courts
Rec'd By

ORDER

The Court adopts the attached amendment effective July 1, 2017, subject to approval by resolutions of the General Assembly. The rule amended is:

RULE 611 MODE AND ORDER OF INTERROGATION AND PRESENTATION.

The text of the amendment is set out in the attached Appendix.

IT IS SO ORDERED.

FOR THE COURT:

CHIEF JUSTICE

<u>APPENDIX</u>

AMENDMENT TO THE RULES OF EVIDENCE

TENNESSEE RULES OF EVIDENCE

RULE 611

MODE AND ORDER OF INTERROGATION AND PRESENTATION

[Add the new Advisory Commission Comment set out below; the text of the rule and the existing Comments are unchanged:]

Advisory Commission Comments [2017]

Nothing in these rules prohibits the court in its inherent authority from permitting a suitable animal, toy, or support person to accompany a witness who is shown to be at risk for being unable to communicate effectively without the aid of such comfort. *See State v. Juan Jose Reyes*, No. M2015-00504-CCA-R3-CD, 2016 WL 3090904 (Tenn. Crim. App. May 24, 2016), *perm. app. denied* (Tenn. Sept. 23, 2016).