

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

01/26/2018

Clerk of the
Appellate Courts

**IN RE: PETITION TO AMEND TENNESSEE SUPREME COURT RULE 7,
SECTION 7.01**

No. ADM2017-00785

ORDER

On April 21, 2017, the Petitioners, the University of Tennessee College of Law and Vanderbilt University Law School, filed a petition seeking to amend Tennessee Supreme Court Rule 7, section 7.01, which governs the eligibility of foreign-educated applicants to take the bar examination in Tennessee. After reviewing responses filed by the Tennessee Board of Law Examiners, the Tennessee Bar Association, and several individuals, this Court, by Order filed November 27, 2017, solicited additional comments from the Petitioners and the Tennessee Board of Law Examiners regarding proposed revisions to section 7.01. After due consideration, the Court hereby amends Tennessee Supreme Court Rule 7, section 7.01 in the form set out in Appendix A to this Order. The Amendments to this Rule shall be effective immediately.

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

IT IS SO ORDERED.

PER CURIAM

1 Appendix A

2 **Rule 7. Licensing of Attorneys.**

3 **Sec. 7.01. Eligibility to Take Examination**

4 (a) ~~Notwithstanding the provisions of sections 2.01 and 2.02 of this Rule,~~ An applicant
5 who has completed a course of study in and graduated from a law school in a foreign
6 ~~country jurisdiction~~, which law school was then recognized and approved by the
7 competent accrediting agency of such ~~country jurisdiction~~, may qualify, in the discretion
8 of the Board, to take the bar examination, provided that the applicant shall satisfy the
9 Board that his or her undergraduate education and legal education were substantially
10 equivalent to the requirements of sections 2.01 and 2.02 of this Rule. The applicant shall
11 ~~furnish such additional information as may be required by the Board~~ submit a
12 comprehensive evaluation that includes a course-by-course evaluation, determination of
13 equivalency, plus authentication of transcripts (herein "Foreign-Education Report") from
14 a Credential Evaluation Service that is a member of the National Association of
15 Credential Evaluation Services to enable the Board to determine the applicant's eligibility
16 for such admission.

17

18 (b) ~~In addition to the requirement in (a), above, the applicant shall demonstrate to the~~
19 ~~satisfaction of the Board that the applicant has been awarded by a law school fully~~
20 ~~accredited by the ABA or a Tennessee law school approved by the Board under section~~
21 ~~2.03 of this rule, an LL.M. Degree for the Practice of Law in the United States in a degree~~
22 ~~program that meets the following requirements~~ In the alternative, an applicant who has
23 completed a course of study in and graduated from a law school in a foreign jurisdiction,
24 which law school was then recognized and approved by the competent accrediting agency
25 of such jurisdiction, may qualify, in the discretion of the Board, to take the bar
26 examination, provided that the applicant shall satisfy the Board that the applicant:

27

28 (i) has been awarded, by a law school fully accredited by the ABA or a Tennessee law
29 school approved by the Board under section 2.03 of this rule, an LL.M. Degree for the
30 Practice of Law in the United States in a degree program that meets the following
31 requirements:

32

33 (1) The degree program certifies to the Board, on such form prescribed by
34 the Board, that the foreign-educated lawyer received his or her LL.M.
35 Degree from a law school that is accredited by the ABA or is a Tennessee
36 law school approved by the Board pursuant to section 2.03 of this Rule;

37
38 (2) The degree program prepares students for admission to the Bar and for
39 effective and responsible participation in the United States legal profession;
40 and

41
42 (3) The courses for the LL.M. Degree for the Practice of Law in the United
43 States ~~must be~~ were taught in English and in the United States or its
44 territories and ~~must be~~ the applicant attended the courses on site at an
45 ABA-accredited or Tennessee approved law school. The L.L.M. program
46 may be full or part-time but, if part-time, the applicant must have
47 completed the LL.M. program within thirty-six months; and

48
49 (ii) has been admitted to practice in a foreign jurisdiction and is in good standing at the
50 bar of the foreign jurisdiction, as evidenced by a certificate from the highest court or
51 agency of such foreign jurisdiction having authority over admission to the practice of
52 law, and has engaged in the active practice of law in the foreign jurisdiction, as defined in
53 section 5.01(c) of this Rule, for at least five of the eight years prior to applying to take the
54 Tennessee bar.

55
56 (c) ~~A foreign educated applicant who meets the foreign education requirements in section~~
57 ~~7.01(a) and who began a program of 24 hours in residence at an ABA accredited law~~
58 ~~school or one third of the credit hours necessary to graduate in residence from a~~
59 ~~Tennessee approved law school no more than twelve months prior to January 1, 2016,~~
60 ~~may, in the discretion of the Board and upon request for waiver, be deemed eligible to sit~~
61 ~~for the examination in lieu of the requirements of section 7.01(b) of this Rule.~~