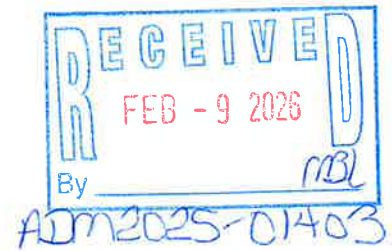


ADM2025- 01403



RE: Comments re Reforms to Increase Access to Quality Legal Representation

Lowering the barrier to entry to the legal profession does NOT ensure affordable legal services to Tennesseans and is in fact harmful to the public.

I agree that there is an issue in that current attorneys do not serve the legal deserts or provide legal services that people need them but do not translate to dollars for the attorneys. Increasing the number of attorneys will not change that.

I can see where maybe if you are going to lower the barrier for entry, then those individuals that take advantage of a proposed lower barrier i.e. go to non-ABA or recognized law school can ONLY work in a legal aid setting or serve in certain legal deserts. In addition, those individuals should be prevented from being in the judiciary.

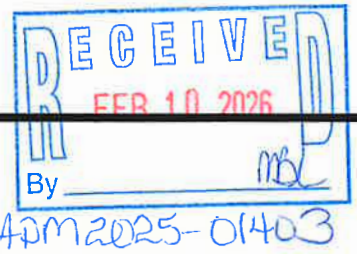
Non-lawyers owning law firms also doesn't seem to benefit anyone but the non-lawyer owners.

This is dangerous territory and will not go well if anything is changed. The only solution I can see is maybe paraprofessionals doing some of that work or require licensed attorney to take on a certain number of these matters for Legal Aid. Bottom line is no attorney will take on these matters unless required as the financial don't back that up.

If anything, the barrier to practice in Tennessee needs to be raised. Reciprocity should only be given to attorneys in States that allow same to Tennessee attorneys. The fact that California attorneys can waive into Tennessee is ridiculous.

MaryBeth Lindsey

From: R. Christopher Gilreath <cgilreath@stranchlaw.com>
Sent: Tuesday, February 10, 2026 11:06 AM
To: appellatecourtclerk
Subject: Comment on Permitting Non-Lawyer Ownership and Fee Sharing in Law Firms



Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

In response to the Supreme Court's September 16, 2025, order soliciting public comment on potential regulatory reforms, I respectfully oppose any measure that would permit non-lawyers to own law firms or share in legal fees.

Throughout the history of our State, Tennessee law and public policy holds the inherent value and worth of citizens and companies to be worth protecting and fostering. Our system of laws holds central the inalienable value of human dignity, the sanctity of work, supporting those who support our communities and society. A fair and impartial legal system is central to that core value. It is rooted in ancient wisdom, Judeo-Christian traditions, the Magna Carta, and key principles inherent in the founding of Tennessee and the United States.

Inherent in maintaining our fair and impartial legal system is the role of the advocate: We allow private persons to advocate for the rights of others, and rely on advocates as "officers of the court" to honorably and ethically represent others within our legal system. It is a sacrosanct duty and privilege. Our laws are steeped in the core belief that every individual recognized by law has inherent worth to be honored, and for which our system of justice provides methods of accountability for those who harm others. This is true whether it is criminal act, contract, personal harms, and whether or not the individual is an adult or child. We hold the individual to be so important that we place safeguards on the Court system adjudicating the rights of individuals who "cannot" represent themselves: Minor settlement approvals, Workers' Compensation settlement approvals, Guardian Ad Litem, Class Action Certification requirements, Settlement approvals, Probate proceedings, Divorce referees. When the party affected is not directly represented in court, are all examples of these protections we hold as mandatory.

Non-lawyer ownership of law firms destroys part of the essential foundations protecting our justice system. Non-lawyers are not bound to abide by ethical practices and traditions that are part of the inherent support system of the Courts. Every day we drive on roads marking lanes with nothing but paint – it is the law and social custom that provides the basis for order – we all agree to drive on the right, and stay in our lane of travel. Ownership of law firms is another inherent part of our justice system that must be preserved by rejecting non-lawyer ownership of law practices. When firm owners are bound by our traditions, ethics, and principles, our system of justice is protected from "bad ideas". Removing that "guardrail" threatens the fair administration of justice. Why? Because it allows profit motives from the finance and business world free reign to become the driving purpose of representation, over and above the ethical and legal principles we hold as central to justice in Tennessee. It also permits out-of-state people and companies to own law firms, supplanting their business ideas for the values we hold as central in Tennessee. In fact, allowing non-lawyer ownership opens up the possibility of foreign companies, banks, and individuals who don't even subscribe to American values to own and direct law

firms. Because of how financially difficult it is to operate a law practice on one's own, practical costs have driven many lawyers to operate in law firms, increasing our system's reliance on firms, rather than individuals, making it even more important to protect lawyer ownership of firms.

Grocery stores exist, but do not guarantee all have access to high quality or healthy food. There are food deserts all over the United States and Tennessee. Non-lawyer ownership and the "promise" of increased capital flowing into law firms does nothing to guarantee greater access to justice – it simply allows capital to flow where capital chooses to go. Even now, larger law firms spend on lavish accommodations and offices, while public justice programs falter and struggle. This Court is left to plea each year for contributions for access to justice programs. Infusing non-lawyer capital into law firms does zero to advance access to justice – it simply infuses more sources of capital into an already imbalanced industry, exacerbating the same problems the Court hopes to solve.

Private-equity investment has led to widespread closures of rural hospitals in favor of consolidation in metropolitan areas. Corporate ownership of housing and REITs have led to housing shortages, inflated home ownership prices, a decline of first time home buyers, and a much older average age of home owners, all pointing to degradation of access to housing. More and more families are left to rent a home than buy one. Even then, private equity ownership of more and more homes drives up rent prices because of profit motive, further squeezing individuals out of the market. Where is there an example of private equity solving the imbalance of average incomes, home ownership, quality of life, or increased access to anything necessary? Our country is and always has been founded on the dual principles of private enterprise and equal justice. We allow private business decisions, but with guardrails designed to protect and preserve foundational rights and protections we all enjoy. Our justice system is central to that balance. Infusing private equity into law firms exacerbates already historic imbalances. It further divides our industry into "haves" and "have nots". 120 years ago, Tennessee was a national leader in the progressive move towards anti-trust, patterning its anti-trust law in favor of citizens in the same manner as the Sherman Antitrust Act of 1890. Private equity is a new version of the same ill.

Non-lawyer ownership and infusion of private equity in law firms increases the likelihood that law firms would sell client data for profit. Legal definitions of property and personal privacy lag innovations in technology. 20 years ago, no one would have thought that their internet browsing history or online shopping history would be marketable data to sell. Non-lawyers driving law firms would be incentivized to sell such data for profit, breaching inherent ethical responsibilities of lawyers, making law firms predators instead of protectors. Allowing such failure would make it more likely that law firms themselves would become castles protecting impropriety, criminality, shields against justice instead of supporting justice. We already have examples of those problems. Infusing non-lawyer ownership into our industry risks exacerbating those problems.

Ethical and principled ownership of lawyers in firms is an inherent part of our justice system that must be protected. Non-lawyer ownership of law firms is a wolf in very fancy sheep's clothing. It is an inherent risk to the destruction of our legal system without any corresponding value to increase access to justice. Likewise, if the Court was going to mandate that lawyers contribute to access to justice programs, it would have already done so. Infusing more money into law firms does nothing to produce greater access to justice, at the cost of removing the guardrails of ethical practice and the legal foundations of our system of justice.

Oppose permitting non-lawyer ownership of law firms and fee sharing. It's not the way to improve our justice system.

R. Christopher Gilreath
Member



STRANCH, JENNINGS & GARVEY
PLLC

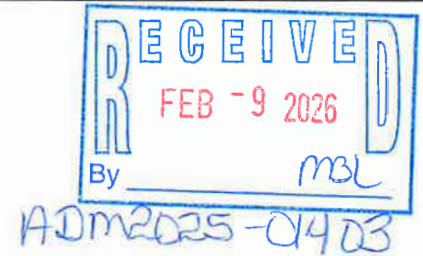
P: (615) 254-8801 x149 | **F:** (615) 255-5419 | **E:** cgilreath@stranchlaw.com

A: 223 Rosa L. Parks Avenue, Suite 200 | Nashville, TN 37203

IMPORTANT: This communication from the law firm of Stranch, Jennings & Garvey PLLC is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521, and contains information that may be confidential and privileged. Be advised that if you are not the intended recipient(s), any dissemination, distribution or copying of this communication is prohibited. Please notify the undersigned immediately by telephone or return e-mail.

MaryBeth Lindsey

From: Clint Kelly <clint@kellyfirm.net>
Sent: Monday, February 9, 2026 2:41 PM
To: appellatecourtclerk
Subject: Non-lawyer ownership of law firms



Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

I respectfully oppose permitting non-lawyers to own law firms or share legal fees.

No evidence of expanded access. Since Arizona allowed non-lawyer ownership, Alternative Business Structures have concentrated in personal injury and mass-tort litigation. These clients aren't underserved and already access contingency-fee representation. There is no evidence that shows improved access to justice in Arizona.

Risk of reduced access for the vulnerable. Private-equity investment has closed rural hospitals in favor of metropolitan consolidation. The same economics would likely apply here, as investors pursue scale and profit over serving rural and low-income communities. Non-lawyer owners could also discourage pro bono work, further harming those most in need.

Additional dangers. Non-lawyer control creates risks including: exploitation of client data for marketing or AI analytics; ethically dubious advertising; and overwhelming our limited disciplinary system with enforcement challenges. It is not hyperbolic to suggest this could undermine the legal profession. Expanding access to justice is vital, but non-lawyer ownership would undercut professional principles without delivering meaningful benefit to underserved populations.

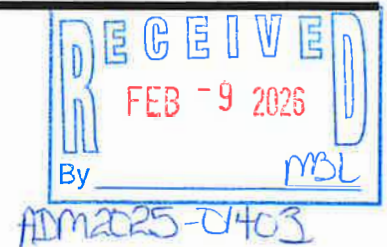


Clinton L. Kelly

629 East Main St.
Hendersonville, TN 37075
Office: 615.800.0000
Cell: 615.681.0508
clint@kellyfirm.net

MaryBeth Lindsey

From: Thomas Greer <tgreer@greerinjurlawyers.com>
Sent: Monday, February 9, 2026 2:11 PM
To: appellatecourtclerk
Subject: Non-Lawyer Owned Firms



Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

To whom it may concern:

In response to the Supreme Court's September 16, 2025 order requesting public comment on potential regulatory reforms, I oppose any proposal that would allow non-lawyers to own law firms or share in legal fees.

Access to justice is a real concern, but there is no evidence that outside ownership solves that problem. Arizona's experience shows the opposite. Since non-lawyer ownership was allowed, Alternative Business Structure firms have concentrated heavily in personal injury and mass-tort work—more than seven times as many as in any other area of law. Those are not underserved practice areas. Personal injury and mass-tort clients already have access to lawyers through contingency-fee arrangements, so the ability to pay is not the barrier. There is no empirical evidence that these reforms have improved access to justice in Arizona, and no reason to believe for-profit investors would focus on the people or communities who actually struggle to find representation.

In fact, the likely result is reduced access for the people who need it most. We have seen what happens when private equity enters other service industries. Rural hospitals have been closed or consolidated in the name of efficiency and higher margins. The same incentives would apply in the legal profession. Investors will chase scale and profit, not low-margin cases in rural or underserved communities. That means fewer lawyers available to help the poor, not more. It also creates pressure to limit the time and resources devoted to pro bono work.

There are also serious risks to the profession and to clients. Corporate owners could use confidential client data for marketing or cross-industry analytics, especially if that information is folded into larger corporate or AI systems. Advertising decisions made by non-lawyers could push ethical boundaries or ignore them altogether. And policing ethical violations by non-lawyer owners would place additional strain on an already limited disciplinary system.

I appreciate the Court's willingness to explore new ways to improve access to justice. But allowing non-lawyer ownership or fee-sharing is not the solution. It threatens the independence of the profession and risks making access to justice worse, not better.

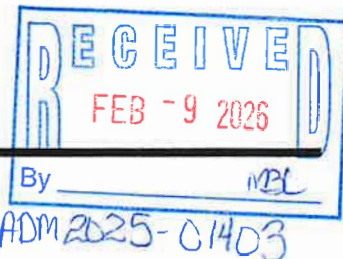
Thomas R. Greer | Greer Injury Lawyers, PLLC

6256 Poplar Avenue | Memphis, TN 38119

P. 901-680-9777 | F. 901-680-0580

tgreer@greerinjurylawyers.com | www.greerinjurylawyers.com

MaryBeth Lindsey



From: Melissa Weitzel <Melissaweitzel@mcmahanlawfirm.com>
Sent: Monday, February 9, 2026 1:49 PM
To: appellatecourtclerk
Subject: Public Comment: Proposed Regulatory Reforms (Order dated Sept. 16, 2025)

Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

I am writing to respectfully share my opposition to the proposed measures permitting non-lawyer ownership of law firms and the move toward alternatives to ABA accreditation in setting minimum educational requirements for applicants to the Tennessee Bar. While the goal of expanding access to justice is vital, I believe these specific reforms will undermine the integrity of the profession without achieving their intended purpose.

As a practitioner, I am deeply concerned by the prospect of private equity and outside investors entering the legal field. We have seen this transition in other sectors, such as veterinary medicine, where private equity buyouts have shifted the focus from care to profit-maximization, leading to significantly higher costs for consumers. Law is a self-regulating profession built on ethical obligations; introducing owners who are not bound by these same ethical duties invites a "profit-first" mentality that targets vulnerable populations and treats legal aid as a commodity rather than a service.

True access to justice is not solved by corporate ownership, but by structural support. I suggest the following alternatives:

- **Funding & Fellowships:** Investing further in nonprofits and student loan assistance for attorneys dedicated to underserved communities.
- **CLE Reform:** Implementing specific pro bono requirements as part of the CLE process.

Furthermore, moving away from ABA accreditation threatens the value and rigor of a Tennessee law degree. As a first-generation attorney, I found the path to practice—from education to licensing—to be expensive and fraught with pitfalls. Rather than lowering standards, the state should focus on supporting graduates through the licensing process and lowering the financial barriers to entry for those committed to public interest.

Thank you for your time and consideration of these comments.

Respectfully,

R. Melissa Weitzel

Attorney, McMahan Law Firm

Email | melissaweitzel@mcmahanlawfirm.com

Phone | 423-265-1100

Fax | 423-266-1981

Office | 701 Cherokee Blvd. Chattanooga, TN 37405

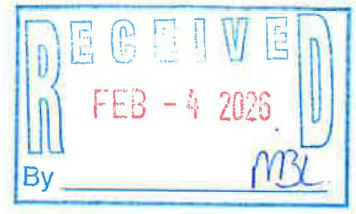
Mailing | PO Box 11107 Chattanooga, TN 37401

(she/her/hers)

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY ME IMMEDIATELY BY TELEPHONE AND DELETE THE MESSAGE. THANK YOU.

ROGER E. NELL

ATTORNEY AT LAW



ADM2025-01403

February 3, 2026

James Hivner, Clerk
Re: Regulatory Reform
100 Supreme Court Building
401 7th Avenue North
Nashville, TN 37219-1307

RE: Tennessee Supreme Court Docket No. ADM2025-01403

To the Honorable Justices of the Tennessee Supreme Court,

I¹ will remain mindful of the issues upon which the Court requested comments and the goals to be accomplished by any changes to the rules.

To restate the goals:

- A. To lower barriers to entry into the legal profession.
- B. To ensure the availability of affordable legal services to Tennesseans.
- C. To ensure the competency of Tennessee's attorneys.
- D. To safeguard the public.

The issues under consideration:

- 1) Whether the Court should modify, reduce, or eliminate its reliance on ABA accreditation in setting minimum educational requirements for applicants to the Tennessee Bar?

AND

- 2) Whether there are any practicable alternatives to ABA accreditation that the Court should consider?

¹ Practicing attorney since 1990. Formerly admitted to Iowa and Florida bars in addition to Tennessee and federal and military courts. Leadership and management experience in military units from small combat units to Department of Defense-level organizations and 25 years experience as leader and manager in current role. Formerly in private practice before assuming duty as District Public Defender, 19th Judicial District. In current role, lead and manage 20 employees including the recruiting, hiring, and terminating of lawyers; manage three physical locations; and supervise a budget in excess of \$3 million annually. Responsible for providing constitutionally effective assistance of counsel through my staff to thousands of clients annually. These are my comments based on 35 years of experience and not those of my colleagues or any organization of which I am a member.

I assume the thought here is that by allowing more than just ABA² accredited law school graduates to seek admission will increase the number of lawyers in Tennessee and thus increase the supply of legal services.

To begin with, it would be helpful to know how many more lawyers the Court thinks we need in Tennessee to meet the perceived need. My research reveals no widely accepted number of lawyers required in Tennessee or anywhere in the United States to provide needed services. Tennessee seems to be in the mid-range of lawyers per population of around 4 per 1,000 population. Undoubtedly, that ratio will be different county-by-county just as it is State-by-State. How many more do we think we need?

If a slight number of additional lawyers is needed, then slight tweaks in the existing system would suffice without lessening competence and still protecting the public. If a radical number of additional lawyers is needed, then radical changes would be required but at a greater risk to competence and harm to the public. As it stands, without a target number, any effort at increasing the number of lawyers to meet a perceived need is just a stab in the dark without the ability to accurately gauge the risk to maintaining competence and protecting the public.

Returning to the specific issue, how many non-ABA accredited law school graduates would actually seek admission to Tennessee if they were allowed? I am not sure there is a demonstrable correlation between requiring just ABA accreditation versus not that would increase the number of law school graduates seeking admission to Tennessee in a measurable or significant amount. On the other hand, it may open the flood gates to many including less competent individuals. In my estimation, particularly since there is no target number, the risk of permitting more³ non-ABA accredited law school graduates to apply to the bar is not worth the few additional lawyers we might get.

- 3) Whether there are less costly alternatives to the traditional three-year law school curriculum that would adequately prepare individuals for the practice of law?

The comments above would apply to this issue, as well. I comment separately here because there is an aspect of economics in this issue that is more patent than in the previous two.

² It matters not, for purposes of this discussion, whether the ABA's accrediting standards themselves or by comparison to another organization's standards are more or less palpable to us. The salient point is that allowing non-ABA accredited school graduates to seek admission creates a greater pool of potential applicants for Tennessee.

³ I am mindful of Nashville School of Law whose graduates are permitted to apply to the bar through current Court rule.

Before discussing economics, though, we should again discuss numbers. From available data, it seems the additional number of potential applicants (let alone successful applicants) to the bar via an apprenticeship or reading law or other path would likely be too small to even bother with the changes needed to allow it.

The only statistic I could locate is from a 2017 Priceonomics article that suggests in a ten-year period only 1,142 (about 114 per year on average) apprentices sat for bar exams. Even assuming they all passed (they didn't, only 305 did, about 30 per year on average), not all of them would come to Tennessee. Opening that path to the Tennessee Bar to garner less than 30 additional lawyers per year will not achieve the Court's goals. It will, though, risk the competence of the bar as a whole and will not safeguard the public from incompetent lawyers.

Turning to the economics of the situation, if the assumption is that a less costly path to entry to the bar will result in less expensive legal fees, that is a bad assumption. It is the same erroneous assumption the Cato Institute made in a March 2024 article and the focus of the Priceonomics article mentioned above. They only focused on the upfront cost of becoming a lawyer not the recurring cost of running a competent law office.

The cost of education to become a lawyer and the cost of licensing are just the initial, nonrecurring costs of getting into the business. The monthly and yearly recurring costs of maintaining the business remain: rent, utilities, legal research tools, computers, IT services, support staff, office supplies, cost for CLEs, professional privilege tax, BPR fees, membership fees, bank fees, etcetera. Those input costs, as it were, remain high no matter what the costs of entry into the practice are and do not go down just because there are more lawyers. Those costs exist whether the lawyer is in solo practice, in an association of lawyers, or is a partner or employee of a firm.

Running a competent law practice is not cheap and fees for legal services must cover those costs and also provide a living for the lawyer and the lawyer's family.

- 4) Whether the Court should consider adopting alternative pathways for admission to the Tennessee Bar—for example, by allowing applicants to satisfy the minimum educational requirements and/or examination requirement in part by completing an apprenticeship or serving with a legal aid organization?

For the reasons stated above under issues 1-3, no.

There is another aspect to this issue that demands attention: the immense amount of time and work required on the part of a lawyer or firm to sponsor students or apprentices.

We have hosted interns in our office for most of my tenure. We have had undergraduate criminal justice students, undergraduate and graduate social work students, and law students. They have all been temporary – one to two months at a time.

The formal burden on us with respect to creating assignments, grading assignments, reporting to the schools, formal meetings, formal instruction settings, and the like has been minimal. Still, the amount of time we have to divert from our normal workloads to provide a meaningful internship is significant. They sit with us, follow us, beg us for tasks to do, pepper us with questions, ask for guidance and mentorship, all informally. And we have enjoyed it, truly. They bring an energy and rejuvenation to our office that is amazing. But, as enjoyable as it is, it takes a lot of time and effort – all in an informal way for a short period of time.

The burden must be immense for a formal apprenticeship or reading of law. A quick glance at the requirements in other States reveals a myriad of formal requirements, reports, examinations, weekly formal education times, and other additional burdens and not just for a month or two but for two to four years. I can say that I would not willingly shoulder that burden unless someone paid for additional staff members whose sole job would be to run that program. It might be a bad assumption on one's part that there would be sufficient lawyers and firms willing to undertake such an endeavor.

- 5) Whether the Court should consider modifying requirements for admission to the Tennessee Bar for those licensed in other States to promote interstate practice and mobility?

Modifying the requirements for admission by comity is not needed. Efficiency and diligent efforts to process those applicants is needed.

From at least 1997, the Board of Law Examiners had nine members. In 2002, that number was reduced to five. It appears that all five current members are also practicing attorneys. They are paid \$16,908 a year for their service as board members. Board service is a part-time endeavor for them.

The board has an executive director with an annual salary of \$193,524 plus benefits. Available public records do not identify any other employees of the Board of Law Examiners. Anecdotally, I am told there are five other full-time employees.

The last four Tennessee bar exams had 262, 647, 244, and 710 examinees. The application process opens about two months before each exam and closes about six weeks before that exam and then there's the exam itself. Bar results are released about the time the next exam's application process opens. So, the board is closing out one examination and its applications about the time it is opening another

examination and its applications. There is likely some overlap, though, with applications that are carried forward for various reasons.

During those times, the six full-time employees handle hundreds of applications. Of course, there are more applicants than those who are permitted to sit for an exam. The board does not publish numbers of applications that are rejected or delayed.

Applicants applying for comity are year-round. The board apparently does not publish statistics related to those applications either. Six months' time is allocated to the required NCBE investigation, yet the board's website indicates that comity applications take up to fourteen months, sometimes more. The board refuses to communicate with comity applicants by phone and only allows email communication. The board has an automated email response that says, "we are an office of five" and that they shut down completely "during a bar examination" (which is an undefined period of time – just the exam days alone or days before and after, we do not know).

Given the push and short window to process applicants for the bar exams, and only five or six full-time employees, applicants by comity are probably "when-we-can-get-to-it" applicants. That would explain why the process takes more than a year and sometimes as many as two years to complete.

There is no good and just reason for that delay. Applications by comity ought to be verification drills that should not take one to two years to complete. I suspect, but do not know, that much of the work is accomplished by the NCBE investigation. What is left for the board itself to do is unknown. Whatever is left could likely have been accomplished during the time waiting for the NCBE report with some exceptions no doubt.

I was admitted by comity in 1997. We did not have the speed of email, online applications, and electronic communication that we do now. The whole process was done on paper and by U.S. mail. Yet my application only took six months to complete. In 2002, I hired an attorney who was licensed in three other States and who was seeking admission by comity. Again, that process was done on paper and it took far less than a year. I have again hired an attorney seeking admission by comity. She started that process in December 2024. The entire process is online. As of this writing (fourteen months later), we are still waiting final approval. That is hardly a unique experience and it is unacceptable.

- 6) Whether any legal services currently provided by lawyers could be competently provided by paraprofessionals and, if so, what qualifications, limitations, or subject matter restrictions the Court should consider imposing?

This delves into the definition of "practice of law" and what constitutes "unauthorized practice of law." The suggestion would be to redefine some things that are now

considered the practice of law, make them something other than that, so someone other than a lawyer could do it without committing the unauthorized practice of law. That, of course, would require statutory changes to Title 23, Chapter 3 and not just changes to the Court's rules.

Many other commentators have adequately argued why that is not a good idea. I will, as I must, address two comments regarding counsel for criminal defendants. One suggests that paraprofessionals would be sufficient to represent criminal defendants in criminal proceedings short of a trial itself. Another colleague suggests that creating a certification program through Tennessee College of Applied Technology (TCAT)⁴ for retired POST-certified law enforcement officers would enable them to represent criminal defendants in all proceedings. Neither suggestion would satisfy notions of constitutionally effective assistance of counsel and would invite a waterfall of litigation.

- 7) Whether the Court should modify, reduce, or eliminate regulations prohibiting non-lawyer ownership of law firms or fee sharing with non-lawyers?

No. Many others have expertly commented on the reasons not to go down that path. I would add one more that I have not yet seen mentioned – health insurance companies. We know the stories and have experienced them ourselves. While the insurance companies don't own a medical practice, the insurance companies do through financial coercion tell them how they can practice medicine. Why would we want to subject ourselves to that and why do we think that would safeguard our clients?

Goal of lowering barriers to entry into the practice of law.

Lowering barriers to entry into the practice of law in order to increase the supply of legal services creates greater risk of incompetent and unscrupulous individuals becoming lawyers without actually accomplishing the primary goal of access to affordable legal services.

We should not underestimate, ignore, or deny the intangible benefit of making it difficult for people to become lawyers. That is not a bad thing; it is not elitist; it is not protectionist. Many trades, professions, and jobs are tough to get into. From the outset, it tends to ensure that those who pursue that path really want it. It ensures that they are willing to work at it and that they are willing to be good at it. It ensures they have a lot of time, effort, and money at stake which hopefully makes them less willing to act badly. Any lowering of the difficulty in achieving admission to the profession dilutes that moral restraint against mis- and mal-feasance.

⁴ TCAT are the Board of Regents schools that teach many skills such as welding, automotive mechanics, barbering and cosmetology, commercial driving, HVAC, mechatronics, practical nursing, truck driving, and the like. I am proud that my son-in-law is a graduate of their programs.

Lowering barriers increases the risk of harm to clients; increases the risk of claims against Tennessee Lawyers' Fund for Client Protection resources; increases the likelihood of more professional disciplinary actions; and increases the diversion of judicial resources to those problems. Not to mention that reducing barriers to the practice of law also reduces barriers to becoming judges and we need no lessening of competence and scruples on the bench.

Lowering barriers to entry into the practice of law will not increase legal services in rural Tennessee. Once admitted to the practice of law, lawyers go where they will. There is no certainty that new lawyers will disperse to and serve the rural areas of Tennessee. No, to the contrary, they will go where other lawyers have already gone – to where the jobs are and to where the money is – urban areas. Without financial incentives to serve “legal deserts,”⁵ lowering barriers to entry will just increase the number of lawyers in markets that are already well served if not saturated.

The fundamental flaw underlying all of this is the notion that simply making more lawyers will drive down legal fees making legal services more affordable for clients. That might be true if, and only if, demand for services is also actually reduced. The dynamic at play is more complex than a middle-school understanding of supply and demand economics. More lawyers (i.e., more competition) does not *ipso facto* mean lower legal fees. So long as demand for services remains high, the marketplace will keep cost of services high even with more lawyers. Moreover, as noted above, it is expensive to run a competent law practice. More lawyers does not change that, either.

The Court should consider the following recommendations.

Recommendation: The Board of Law Examiners needs better management, more board members, and more full-time employees. The board's internal processes need to be reviewed and updated with a view to maximizing efficiency.

Recommendation: The Court could change the passing score on the bar exam but leave all other requirements the same. Research reveals that only 19 states, including Tennessee, require 270 on the UBE. All other States require a lower score (none lower than 260) or some other score on a different scale. A score of 270 (out of a possible 400 as I understand it or 67.5%) is not magical. Nothing supports a conclusion that a law graduate who scores 270 will be a competent practitioner but a graduate who scores 260-269 (or 65%) will not. I do not know how many more law graduates would be admitted to the bar each year with this change and I still don't know how many more lawyers the Court thinks we need. Any rate, lowering the

⁵ Several models exist. South Dakota and North Dakota provide annual stipends to lawyers. Illinois State Bar Association provides private funds for an annual stipend. Nebraska funds student loan assistance. Other professions (teachers and nurses, for examples) have similar programs to draw professionals to underserved areas.

passing score will do less harm to the public than any of the other suggestions in the Court's call for comment.

Recommendation: We have six law schools in Tennessee. Many of those graduates leave Tennessee. Why? We need to do a better job of keeping our graduates in Tennessee. Likewise, we need to encourage Tennessee sons and daughters who go to law school out-of-State to return and enter practice here. That's easy pickin's or ought to be.

Recommendation: Increase appointed counsel compensation to at least \$90 per hour, which is the current inflation adjusted equivalent of \$40 an hour in 1994.

The abysmal compensation of appointed counsel in all cases is well known and recommendations for increasing the rate have been made for thirty years. Before 1994, the compensation rate was \$20 per hour out-of-court and \$30 per hour in-court. In 1994, the Court increased the compensation rates to \$40 per hour out-of-court / \$50 per hour in-court. These rates remained for 24 years until in 2018 the Court adopted a flat rate of \$50 per hour, whether in or out of court. In 2024, the Court increased the flat rate compensation to \$60 per hour.

In inflation adjusted dollars, \$60 today is equivalent to \$27.53 in 1994 dollars and \$46.87 in 2018 dollars. The Court is not keeping up with inflation and lawyers are losing ground financially.⁶ My overhead, not counting staff salaries, is more than \$60 per hour based on a 2000-hour work year. Just to keep up with inflation, lawyers need \$90 per hour.

Federal CJA panel rates are set at \$175 per hour for attorneys. Current Rule 13 expert and investigator compensation rates pay everyone except investigators and mechanics (set at \$50 per hour) more than appointed lawyers (ranging from \$75 per hour for audio-visual-photo technicians to over \$300 per hour for physicians). A justice's base compensation is about \$120 per hour plus benefits, the AOC director's base compensation is about \$116 per hour plus benefits, and the board's director's base compensation is about \$99 per hour plus benefits. It is odd that lawyers who now happen to be justices and directors value their own profession and colleagues so little.

More than anything else, raising the appointed counsel compensation rate will draw more attorneys, attorneys we already have, into appointed work in rural and urban areas. This, along with suggestions made by other commentators such as implementing a statewide court rule requiring local courts to allow remote appearances for many

⁶ At the same time, the legislature has reduced the available work by changes to medical malpractice and workers compensation law. The court has encouraged people to proceed pro se in other cases further reducing the number of potential clients for attorneys. Changes to federal and state gift and estate taxation and changes to social security cases have also driven more work from attorneys.

procedural or non-evidence-taking hearings in civil matters, may achieve more than any other proposals while ensuring the goals of competency of Tennessee's attorneys and safeguarding the public.

Recommendation: Earmark the \$10,000,000 a year paid by Tennessee lawyers in professional privilege taxes to the judicial system.⁷

The Court seems to be looking for ways to increase the number of lawyers in general and the number of lawyers in rural areas without spending any money to do so. Good luck. As demonstrated above, increasing the number of lawyers will not drive legal fees down nor will it cause lawyers to move to or provide services in rural areas.

Each active member of the bar pays \$400 each year for the privilege of being a lawyer.⁸ A quick search of the BPR website generated a list of just over 25,000 active lawyers licensed in Tennessee. My calculator says that's \$10,000,000 a year paid by lawyers. I checked three times. Currently, by statute, that money goes into the State general fund for the legislature to appropriate anywhere or nowhere.

They want us to pay that (under penalty of having our licenses to practice suspended if we don't) – fine. Dedicate it to the justice system in addition to, not in lieu of, current appropriations.

Ten million dollars at \$90 per hour buys 111,111 hours of legal services. Again, I checked my calculator three times. Perhaps the Court can earmark those funds in such a way to draw lawyers to “legal deserts” as it were, too.

Conclusion

Diluting educational requirements, diluting testing requirements beyond a slight lowering of an arbitrary passing score, redefining the practice of law to allow non-lawyers to perform certain tasks, and generally lowering the barriers into the practice of law in Tennessee work against the Court's goals of ensuring the competency of Tennessee's attorneys and safeguarding the public.

⁷ While I'm slaying sacred cows, I should throw one more on the altar. A similar suggestion would apply to IOLTA funds that go to the Tennessee Bar Foundation. The last Form 990 filing available is from tax year 2024 which showed the Foundation had over \$25,000,000 on hand. That is money from interest created on client funds that has been taken by Supreme Court rule and handed over to a private foundation that, in part at least, is to “support agencies that provide civil legal services to the indigent.” In that year, the Foundation reported over \$10,000,000 in revenue but only about \$3 million was donated to all purposes leaving, again, \$25,000,000 in the bank. There is a lot more money to be mined.

⁸ As of this writing, there is a bill pending in the General Assembly that would reduce or eliminate the professional privilege tax for the remaining four professions of the original twenty-one subject to the tax. I whole heartedly support repealing that tax. However, should it remain in any amount, the revenue ought to be earmarked for the judicial system.

However, increasing the hourly rate for appointed work, increasing the amount of money available to pay for appointed work by earmarking funds, implementing rules that direct local judges to permit appearances remotely in non-evidence-taking matters, will achieve the Court's goal of ensuring that all Tennesseans have access to affordable quality legal services while also ensuring the competency of Tennessee's attorneys and safeguarding the public.

I appreciate the invitation and opportunity to join this important conversation and would enjoy further discussion of the matter. Until then, I remain

Very Truly Yours,

A handwritten signature in black ink, appearing to read "R. E. Nell", written in a cursive style.

Roger E. Nell

MaryBeth Lindsey

From: appellatecourtclerk
Sent: Wednesday, February 4, 2026 11:27 AM
To: MaryBeth Lindsey; Kim Meador
Subject: FW: Comment on Regulation of Legal Profession - Tenn. Sup. Ct. Docket No. ADM2025-01403
Attachments: Rule Comment.pdf

Please process the attached comment.

Jim



James M. Hivner
Clerk of the TN Appellate Courts
Phone: (615) 741-1314
Email: jim.hivner@tncourts.gov
Address: 401 7th Ave. N., Nashville, TN 37219

From: Roger Nell <rogernell@bellsouth.net>
Sent: Wednesday, February 4, 2026 11:10 AM
To: appellatecourtclerk <appellatecourtclerk@tncourts.gov>
Subject: Comment on Regulation of Legal Profession - Tenn. Sup. Ct. Docket No. ADM2025-01403

Warning: Unusual sender <rogernell@bellsouth.net>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

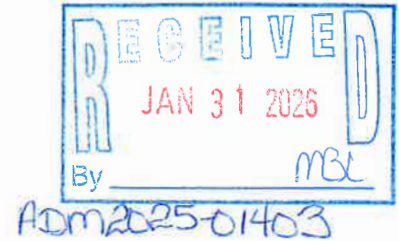
Mr. Hivner,

Attached, please find my comments in the referenced matter .

Roger Nell

MaryBeth Lindsey

From: Miller Leonard <millermleonard@gmail.com>
Sent: Saturday, January 31, 2026 7:22 PM
To: appellatecourtclerk
Subject: Regulatory Reform



Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

We desperately need competition in the legal education space. I have practiced for just shy of 30 years. Law school was relatively inexpensive when I graduated from law school in 1998. No longer.

We need to allow law schools to offer a two year LLB that cuts the last year from the JD. If folks want to go get a JD, they can do a third year.

Law schools have become a hoop. The sooner one is out of law school the better. They are incapable of teaching the practice of law. They skew to the left and are progressive, which is not why I went to law school. And, most of the doctrinal teachers never practiced.

Let's allow innovation. 2 years of law school with a focus on passing the bar, not the Langdellian nonsense.

Law school has become cost prohibitive and detached from the practice of law. We have allowed this to happen as a profession. It's time to take our profession back from the academics and the ABA. In 50 years, the ABA and their academic companions have made law school insanely expensive without offering any better educational outcomes.

Yours,

Miller Leonard

(303) 907-9516 Phone

Miller Leonard, PC is no longer in business. If you are a former client, please indicate so in the heading of your email. If you are seeking legal services, Miller Leonard, PC is no longer accepting new clients.

NOTICE: Email is not a secure means of communication.

This electronic mail message and any attachments may contain attorney-client privileged or otherwise confidential information. Recipients should ensure that proper security measures are taken to maintain any privileged or confidential information. If you are not an intended recipient of this electronic mail message as listed above, please notify Miller Leonard, PC immediately and delete or destroy the

electronic message and all printed copies. The unauthorized disclosure of privileged or otherwise confidential information is strictly prohibited. All recipients are hereby notified that (1) electronic mail is not secure, (2) any electronic mail sent to or received by you may be exposed to multiple computers and/or users in transit, and (3) interception during transit by improper access may occur."

MaryBeth Lindsey

From: appellatecourtclerk
Sent: Monday, February 2, 2026 3:22 PM
To: MaryBeth Lindsey; Kim Meador
Subject: FW: Regulatory Reform
Attachments: Regulatory Reform

Please process the attached comment.

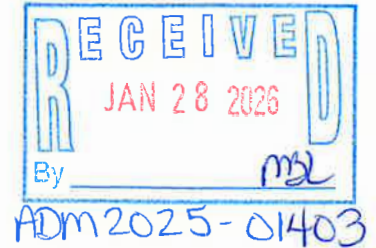
Jim



James M. Hivner
Clerk of the TN Appellate Courts
Phone: (615) 741-1314
Email: jim.hivner@tncourts.gov
Address: 401 7th Ave. N., Nashville, TN 37219

MaryBeth Lindsey

From: Dennis D. Brooks <ddb Brooks@tndagc.org>
Sent: Wednesday, January 28, 2026 10:46 AM
To: appellatecourtclerk
Subject: comments re ADM2025-01403



Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

I appreciate the Court allowing me to comment on this topic of expanding legal services. I am a career prosecutor in the First Judicial District, so my input only concerns matters central to criminal practice. We have one particular county - Johnson - where there are very few lawyers and even fewer adept criminal lawyers. Our judges struggle to appoint anyone there as it borders two other states and the terrain makes it hard for lawyers in the region to serve there. So I know the problem, and it impacts us as a District.

Still, I have concerns about casting a wider net to make more people qualified in criminal defense. As a District, we have many lawyers in private practice, but the pool of people adept at criminal defense at a high level is limited. Nevertheless, I think some innovation could take place to allow more people to be admitted to some extent. For instance, there are many people in law enforcement who are bright enough to serve as legal counsel, and perhaps they could transition to that upon retirement. The only things they truly need are learning evidence rules and procedure; they've already been exposed to constitutional issues as well as some understanding of statutory construction. I'd imagine one could create a TCAT-type certification program that delves into evidence and procedure, and then previously POST-certified officers could be certified to provide criminal defense services. Such a thing could really boost the number of people able to represent defendants.

And even in areas where there are many lawyers, a person making a bond being denied appointed counsel have a very difficult time retaining private counsel. So these certified former officers could offer a lower cost solution for such people.

Thank you,
Dennis Brooks
Assistant District Attorney General
First Judicial District of Tennessee
BPR 018561

LEGAL CONFIDENTIAL: The information in this e-mail and in any attachment may contain information that is privileged either legally or otherwise. It is intended only for the attention and use of the named recipient. If you are not the intended recipient, you are not authorized to retain, disclose, copy or distribute the message and/or any of its attachments. If you received this e-mail in error, please notify me and delete this message.

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or

taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

MaryBeth Lindsey

From: appellatecourtclerk
Sent: Thursday, January 29, 2026 10:35 AM
To: MaryBeth Lindsey; Kim Meador
Subject: FW: comments re ADM2025-01403
Attachments: comments re ADM2025-01403

Please process the attached comment.

Jim



James M. Hivner

Clerk of the TN Appellate Courts

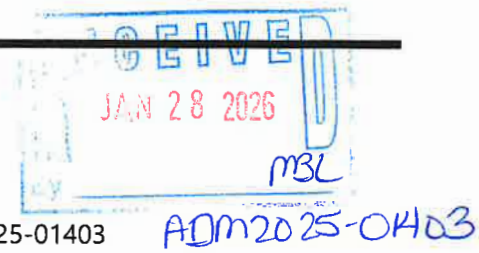
Phone: (615) 741-1314

Email: jim.hivner@tncourts.gov

Address: 401 7th Ave. N., Nashville, TN 37219

MaryBeth Lindsey

From: Rob Hendrix <robhendrix@gmail.com>
Sent: Wednesday, January 28, 2026 11:30 AM
To: appellatecourtclerk
Cc: townhall@tnbar.org
Subject: Regulatory Reform Comments Re: Docket No. ADM2025-01403



Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Mr. Hivner,

I am writing to comment on the topics raised by the Supreme Court's September 16 Order, Docket No. ADM2025-01403.

- 1) I do not think Tennessee's reliance on ABA accreditation should change at all. The only issue I'm aware of is a political one Republicans in our state have taken up. It will fade with time. Reducing or removing the ABA accreditation standards would at best be a performative protest and at worst make Tennessee a legal backwater.
- 2) No alternatives to the ABA needed.
- 3) I think alternate pathways to bar admission, other than the bar exam, should be explored. Automatic admission upon graduating from a Tennessee public law school could be one of them.
- 4) I do not see any need to alter the current reciprocity rules, other than seeking more reciprocal relationships with other states.
- 5) Regulations of nonlawyer ownership or law firms or fee sharing should stay in place, or be strengthened. The only parties with financial interests should be lawyers and clients, or as close as is practicable.

Thank you for your consideration.

Cordially,

Robert S. Hendrix
Associate General Counsel, UnitedHealthcare
BPR 027296

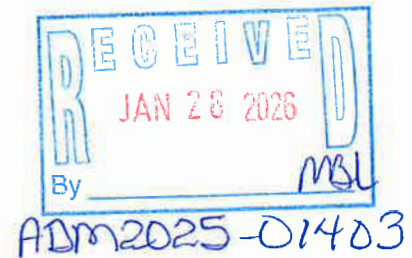
To: Tennessee Supreme Court c/o James Hivner, Clerk Re: Regulatory Reform

100 Supreme Court Building

401 7th Avenue North

Nashville, TN 37219-1307

appellatecourtclerk@tncourts.gov



IN RE: PUBLIC COMMENTS ON POTENTIAL REGULATORY REFORMS TO INCREASE
ACCESS TO QUALITY LEGAL REPRESENTATION

No. ADM2025-01403

Dear Justices of the Tennessee Supreme Court:

I am a retired lawyer who is admitted to practice in the states of California and Texas, now living ([since 2019](#)) in Tennessee. Before I retired at the end of 2010, I practiced law for 30 years with the global law firm Latham & Watkins, mainly in its San Diego office. I graduated from the University of Texas School of Law in 1980. (I was fortunate to attend law school at a time when tuition was affordable; at UT from 1977-80, tuition and fees combined were less than \$1,000/year.) In my retirement, I became a freelance writer who is a contributing editor at *Law & Liberty* and a blogger at [Misrule of Law](#). I write frequently on legal topics, especially legal education. Here is a sample of my articles on this topic:

<https://lawliberty.org/book-review/how-did-the-law-schools-become-lawless/>

<https://www.city-journal.org/article/reimagining-legal-education>

<https://www.city-journal.org/article/reimagining-legal-education-part-2>

<https://lawliberty.org/ideological-balance-is-essential-to-sound-pedagogy-in-legal-academia/>

<https://jamesgmartin.center/2024/10/the-aba-retreats-from-its-diversity-mandate-or-does-it/>

<https://amgreatness.com/2017/05/07/plain-talk-law-school-rot/>

<https://misruleoflaw.com/2018/02/10/looking-back-at-law-school-a-lawyer-ruminates-on-legal-education/>

<https://jamesgmartin.center/2024/01/the-american-bar-associations-coming-free-speech-intervention/>

<https://lawliberty.org/the-abas-long-march-continues/>

<https://www.city-journal.org/article/bar-wars>

<https://lawliberty.org/who-runs-the-legal-academy/>

<https://lawliberty.org/law-schools-need-a-new-governance-model/>

<https://misruleoflaw.com/2018/04/16/the-mask-slips-at-cuny/>

<https://misruleoflaw.com/2018/02/05/paging-professor-kingsfield/>

<https://lawliberty.org/american-legal-thought-in-a-nutshell/>

<https://lawliberty.org/beyond-janus-revisiting-the-unified-bar/>

In addition to my interest in legal education (especially the role of the American Bar Association [“ABA”] in its role as “accreditor”), I am also a critic of the organized bar insofar as members in many states are required to support the bar’s political activities through the payment of dues. In this regard, I was one of the plaintiffs in a lawsuit against the State Bar of Texas, *McDonald v. Longley*, alleging that using mandatory dues for such purposes violates the First Amendment. See:

https://www.americanbar.org/groups/bar-leadership/publications/bar_leader/2021_22/july-august/the-post-janus-world-a-look-at-recent-court-challenges-to-mandatory-bars/

https://www.abajournal.com/news/article/mandatory-bar-in-texas-violates-lawyers-first-amendment-rights-5th-circuit-rules#google_vignette

<https://texasscorecard.com/commentary/texas-lawyers-fight-against-compelled-speech/>

We obtained a partial victory in the Fifth Circuit. Texas has a “unified” bar, unlike Tennessee, where mandatory participation is limited to bar admission and enforcement of ethical rules. The rest of the bar’s activities are voluntary. This is just one of the many features of the Volunteer State that I find congenial.

Even though I am not a practicing lawyer in Tennessee, I was prompted to submit public comments in response to the Court’s [invitation](#) (No. ADM2025-01403) by two things:

First, the fact that the Texas Supreme Court has recently eliminated the monopoly role of the ABA in law school accreditation, which is the gateway to eligibility to take the bar exam in the Lone Star State (*e.g.*:

<https://www.tba.org/?pg=LawBlog&blAction=showEntry&blogEntry=136615>

<https://www.txcourts.gov/media/1461882/269002.pdf>); and

Second, the continuing—and escalating—political agenda of the ABA, which is both out of the mainstream of the American public and increasingly detrimental to the purpose of legal education, which to train competent lawyers in a cost-effective manner to perform useful legal services in an ethical manner. *E.g.*,

<https://washingtonreporter.news/op-ed-eric-wessan-it-is-time-to-end-the-american-bar-association-monopoly/>

I wholeheartedly support the recent action of the Texas Supreme Court and urge the Tennessee Supreme Court to follow suit. The ABA has moved far beyond setting minimum standards of “quality control” for law schools (such as ensuring adequate facilities, faculty quality, and sound curricula), and has in recent decades attempted to micromanage admissions to achieve racial quotas, require “social justice” in clinical programs, dictate DEI considerations in faculty hiring, restrict law school governance to give undue power to the faculty, impose speech codes, and *many* other things beyond any conceivable “quality control” purview.

In fact, the ABA’s overreaching “minimum requirements” have driven up the cost of legal education, hampered meritocratic admissions and faculty hiring, and hindered the cost-effective transmission of practical legal skills—which is, in my judgment, the principal purpose of legal education.

An [article](#) I wrote for *City Journal* in 2019 favorably reviewed the model of legal education being provided by Lincoln Memorial University’s Duncan School of Law in downtown Knoxville. What America needs, to ensure better access to affordable legal services, is *more* schools devoted to the mission of training lawyers to serve the public, and *fewer* social justice academies producing radical activists and fodder for the Big Law attrition mill. See, e.g., <https://misruleoflaw.com/2018/10/16/white-shoe-social-justice-warriors-the-pro-bono-racket/>

Before the ABA became “woke,” its accreditation standards focused on requiring schools to have an adequate library and other basic facilities, a sound core curriculum, a reasonable faculty-to-student ratio, and the like. Under this model, law schools could operate in a cost-effective manner, allowing lower-middle-class students like myself to obtain a quality legal education without incurring huge amounts of debt. I [reminisced](#) about my law school days in 2018:

As I look around UT in 2018, I see legal education being delivered that is substantially more expensive than it was 40 years ago. Does the bloated PC bureaucracy make students smarter? Does the emphasis on “inclusion” and “diversity” make them learn better? Has increased exposure to social justice improved educational outcomes? I think not.

Forty years ago, without all these things, students graduated from UT with equal (or better) legal training, passed the bar exam, obtained judicial clerkships, entered law firms or government service, and practiced law at a high level. The main difference between then and now is a massive wealth transfer from students to faculty (and administrators) in the form of tuition increases, and the creation of a platform for the propagation of liberal dogma. This is nothing for alumni and taxpayers to celebrate.

The judiciary is in charge of the legal profession. Delegating control of legal education to the ABA has proven to be a terrible mistake. Get rid of the ABA’s monopoly status, go back to

accreditation requirements that actually make sense—allowing law schools to teach without micromanagement or indoctrination—and don’t force all schools to emulate (overrated) Ivy League institutions. The ABA has little or no interest in what the Court [has described](#) as its goals: “lowering barriers to entry into the legal profession and ensuring the availability of affordable legal services to Tennesseans, while also ensuring the competency of Tennessee’s attorneys and safeguarding the public.”

The Tennessee Supreme Court has the opportunity to join Texas and other states in moving away from ABA’s centralized control of legal education, which has done nothing other than drive up costs, stifle intellectual diversity, and encourage pursuit of theoretical courses of little benefit to lawyers wishing to serve the public by providing the type of legal services ordinary people need.

I am primarily addressing issues numbered 1 and 2. I believe that law schools should be allowed to experiment with alternative formats; there is no magic to the current three-year arrangement (#3). I am not familiar enough with the state of the legal profession in Tennessee to comment on issues 5-7.

Thank you for the opportunity to comment. You are to be commended for undertaking this inquiry.

Sincerely,

Mark Pulliam

Franklin, TN

MaryBeth Lindsey

From: appellatecourtclerk
Sent: Thursday, January 29, 2026 10:32 AM
To: MaryBeth Lindsey; Kim Meador
Subject: FW: Comments re: No. ADM2025-01403
Attachments: Comments to Tennessee Supreme Court.docx

Please process the attached comment.

Jim



James M. Hivner
Clerk of the TN Appellate Courts
Phone: (615) 741-1314
Email: jim.hivner@tncourts.gov
Address: 401 7th Ave. N., Nashville, TN 37219

From: markspulliam@gmail.com <markspulliam@gmail.com>
Sent: Wednesday, January 28, 2026 1:39 PM
To: appellatecourtclerk <appellatecourtclerk@tncourts.gov>
Subject: Comments re: No. ADM2025-01403

Warning: Unusual sender <markspulliam@gmail.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

My comments are set forth in the attached document.

Thank you.

Mark Pulliam
701 Legends Crest Drive
Franklin, TN 37079

858-750-8171

MaryBeth Lindsey

From: appellatecourtclerk
Sent: Thursday, January 29, 2026 10:34 AM
To: MaryBeth Lindsey; Kim Meador
Subject: FW: Regulatory Reform Comments Re: Docket No. ADM2025-01403
Attachments: Regulatory Reform Comments Re: Docket No. ADM2025-01403

Please process the attached comment.

Jim



James M. Hivner

Clerk of the TN Appellate Courts

Phone: (615) 741-1314

Email: jim.hivner@tncourts.gov

Address: 401 7th Ave. N., Nashville, TN 37219



January 27, 2026

VIA EMAIL

Mr. James Hivner
Clerk of the Supreme Court
600 Dr. Martin Luther King Jr. Blvd.
Nashville, TN 37243

RE: PUBLIC COMMENT ON POTENTIAL REGULATORY REFORMS TO INCREASE ACCESS TO QUALITY LEGAL REPRESENTATION (DOCKET NO. ADM2025-01403); COMMENT IN SUPPORT OF ALTERNATIVE BUSINESS STRUCTURES (ABS) AND MODIFICATION OF RPC 5.4

Dear Clerk Hivner and the Honorable Justices of the Tennessee Supreme Court:

Reliant Law Group PLLC ("RLG") submits this comment in strong support of regulatory reform in Tennessee, specifically endorsing the adoption of a framework for Alternative Business Structures ("ABS") like the model successfully implemented in Arizona. We believe such a change is essential to address unmet legal needs, foster innovation, and stimulate economic growth within the legal profession.

RLG is a direct example of the positive outcomes enabled by the ABS model. Our firm was formed following review and approval by the Arizona Supreme Court in 2023, operating under an ownership structure that intentionally incorporates both legal and executive expertise: two licensed attorneys (one of whom serves as our dedicated Compliance Officer) and two experienced business executives.

This hybrid structure enables us to achieve operational excellence and expansive consumer reach that would be impossible under the traditional Rule of Professional Conduct ("RPC") 5.4 framework.

I. Proof of Concept: The Reliant Law Group ABS Model

Since adopting the ABS structure, RLG realized significant benefits that directly serve the public interest and the economy:

1. **Enhanced Access and Competitive Pricing:** By integrating business expertise at the ownership level, we successfully applied innovative business practices and systems to our service delivery. This efficiency allows us to offer competitive pricing and meet an underserved need in the market with demonstrably efficient performance.



www.Reliant-gh.com
602.325.8447

2. **Accelerated Growth and Consumer Reach:** As quantifiable proof of our success in meeting consumer demand, RLG added **960 new clients in 2024**, and we are currently on track to acquire **more than 1,000 new clients in 2025**. This growth clearly demonstrates that the ABS structure can substantially increase the supply and accessibility of legal services.
3. **Investment in Technology and Productivity:** Our ownership structure facilitated necessary capital investment into technology. We developed and deployed proprietary systems that allow for greater speed and accuracy in the development of critical legal documents, streamlining the process for both our attorneys and clients.
4. **Significant Economic Stimulus:** Beyond client acquisition, our growth is driving economic benefit. We are continually creating high-paying, professional jobs and expanding our footprint through satellite offices. Our commitment to attracting and retaining top talent is evidenced by our average employee compensation, which is **38% higher than the reported average employee pay in Arizona**.

II. Conclusion and Interest in Tennessee

RLG's experience in Arizona demonstrates that Alternative Business Structures can successfully make legal services more accessible for consumers while simultaneously stimulating the economy through above-average wages and job creation—all while maintaining the integrity and compliance standards required by the State Bar.

We believe Tennessee's stated goals of ensuring access to affordable, quality legal services are achievable through the adoption of the ABS framework. We are actively interested in expanding our operations to Tennessee, given that one of our owners is a proud Vanderbilt University graduate with established professional relationships within the state.

We urge the Tennessee Supreme Court to proceed with the necessary modifications to RPC 5.4 to allow for the licensing of Alternative Business Structures, thereby replicating the proven success seen in jurisdictions like Arizona.

Sincerely,

/s/ Scott C. Ryan

Scott C. Ryan, Esq.
Partner and Compliance Officer

MaryBeth Lindsey

From: appellatecourtclerk
Sent: Thursday, January 29, 2026 10:32 AM
To: MaryBeth Lindsey; Kim Meador
Subject: FW: Public Comment for Alternative Business Structure Consideration
Attachments: 2026.01.27 Ltr to TN S Ct RE ABS Consideration.pdf

Please process the attached comment.

Jim



James M. Hivner
Clerk of the TN Appellate Courts
Phone: (615) 741-1314
Email: jim.hivner@tncourts.gov
Address: 401 7th Ave. N., Nashville, TN 37219

From: Janie Wills <jwills@reliant-gh.com>
Sent: Wednesday, January 28, 2026 11:39 AM
To: appellatecourtclerk <appellatecourtclerk@tncourts.gov>
Subject: Public Comment for Alternative Business Structure Consideration

Warning: Unusual sender <jwills@reliant-gh.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Hello,

We are writing to submit a public comment for consideration regarding potential regulatory reforms aimed at increasing access to high-quality legal representation in Tennessee.

Attached to this email is a letter providing formal public comment in support of alternative business structures for the delivery of legal services.

Thank you for your time and attention.

Gratefully,

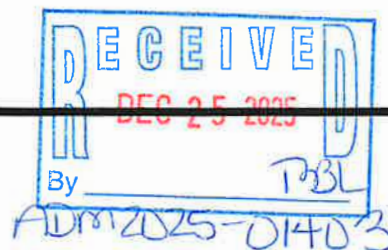
Janie Wills
Reliant Law Group, PLLC
Chief Operating Officer
Direct: (602) 325-8508
Office: (602) 325-8447



This electronic mail message contains information that may be confidential or privileged. Such information is solely for the intended recipient, and use by any other party is not authorized. If you are not the intended recipient, be aware that any review, disclosure, copying, distribution or use of this message, its contents, or any attachments is strictly prohibited. Any wrongful interception of this message is punishable as a Federal Crime. If you have received this message in error, please notify the sender immediately and destroy all copies of the original message. Unless otherwise indicated in the body of this message, nothing in this communication is intended to operate as an electronic signature under applicable law.

MaryBeth Lindsey

From: Ruben Leal <lealruben14@gmail.com>
Sent: Thursday, December 25, 2025 12:00 PM
To: appellatecourtclerk
Subject: Re: ADM2025-01403 – Comments on Alternative Pathways to Bar Admission



Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Dear Mr. Hivner,

I respectfully submit the following comments regarding potential alternative pathways for admission to the Tennessee Bar, in response to ADM2025-01403.

In considering reforms, I urge the Court to weigh options that both **lower barriers to entry into the legal profession** and **ensure access to affordable legal services for Tennesseans**, while maintaining the **competency of Tennessee attorneys** and safeguarding the public.

Proposal:

The Court could explore structured pathways that allow applicants through **supervised apprenticeships**, similar to the **Supervised Practice Portfolios for Examination (SPPE) program in Oregon**, which allows candidates to gain practical experience under supervision as part of the bar admission process.

Potential Benefits:

1. **Expanding Access to the Profession:** Alternative pathways could provide opportunities for capable, nontraditional candidates who demonstrate legal aptitude through practical experience rather than solely through formal education.
2. **Strengthening Public Service:** Requiring service with legal aid organizations can help address gaps in legal representation for underserved communities, advancing the Court's goal of ensuring access to affordable legal services.
3. **Enhancing Practical Competence:** Hands-on experience under the supervision of licensed attorneys equips candidates with essential skills in client advocacy, case management, and professional responsibility.

Safeguards:

To protect public confidence and ensure attorney competency, any alternative pathway should include:

- **Structured supervision** by experienced attorneys;
- **Clear evaluation criteria** to assess proficiency and ethical standards; and
- **Documentation and verification requirements** to ensure accountability.

By carefully designing alternative pathways, modeled on programs such as Oregon's SPPE, the Court can promote public-interest legal service and maintain the high standards expected of Tennessee attorneys.

Thank you for considering these comments.

Respectfully submitted,

Ruben Leal

MaryBeth Lindsey

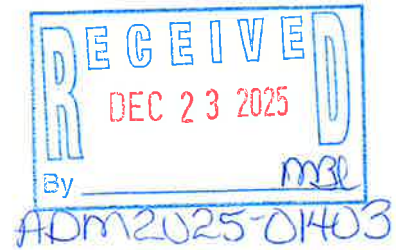
From: appellatecourtclerk
Sent: Friday, December 26, 2025 8:25 PM
To: MaryBeth Lindsey; Kim Meador
Subject: FW: ADM2025-01403 – Comments on Alternative Pathways to Bar Admission
Attachments: Re: ADM2025-01403 – Comments on Alternative Pathways to Bar Admission

Please process the attached comment.

Jim



James M. Hivner
Clerk of the TN Appellate Courts
Phone: (615) 741-1314
Email: jim.hivner@tncourts.gov
Address: 401 7th Ave. N., Nashville, TN 37219



VIA EMAIL: appellatecourtclerk@tncourts.gov

Re: *In re: Public Comments on Potential Regulatory Reforms to Increase Access to Quality Legal Representation*, No. ADM2025-01403 (the “Order”)

December 23, 2025

To the Honorable Justices of the Tennessee Supreme Court:

I. Introduction

On behalf of Purdue Global Law School (“PG Law”), the nation’s first fully online law school, I hereby submit this public comment for the Court’s consideration. This comment relates most specifically to Items 1, 2, 3, and 5 on pages 4 and 5 of the Court’s Order.

I would urge the Court to amend Tennessee Supreme Court Rule 7 so that graduates of a law school approved *either* by the American Bar Association (ABA), Tennessee, *or another national or state-level law school approving or accrediting body* would be eligible to sit for the Tennessee bar exam upon graduation, without requiring further review or approval by the Board of Law Examiners (“Board”), and even if that law school is not “based on in-person attendance,” i.e., is online. In parallel, the Court could adopt a rule, similar to that adopted by the Indiana Supreme Court, that expressly reserves for the Court and/or Board the right to disapprove a law school for purposes of bar admission, notwithstanding the accreditation or approval it may otherwise enjoy. (See Appendix 1 for specific proposed amendments.)

Adopting these provisions would strike the optimal balance between (a) expanding access to legal services, particularly in critically underserved rural areas; (b) maintaining the high quality of legal education required to practice law in Tennessee; (c) facilitating affordable legal education and thus affordable legal services; and (d) minimizing the administrative burden on the Court and the Board to oversee law school accreditation.

The ABA Standards for Approval of Law Schools (“ABA Standards”), while well-intentioned, include provisions that create barriers to innovation and increase tuition. These costs get passed on both to law students and the graduates they would come to serve. A state accreditation model, such as that utilized in California, involves substantially similar quality assurance and consumer protection measures as those employed by the ABA. But notably, California will accredit fully online law schools, whereas the ABA currently does not. And California does not require that faculty be provided with tenure or that they devote a significant portion of their time and energies to scholarship.

As a result of this—and of advances in distance-learning technology—a state-accredited, fully online law school like PG Law can deliver an accessible, high-quality legal education for about one-third the cost of the average ABA-approved law school. Its faculty, curriculum, experiential offerings, and student outcomes compare favorably with many ABA-approved law schools. It no longer makes sense treat the mode of delivery of legal education as a proxy for quality.

Notably, an online law school’s graduates are significantly more likely to practice in rural areas than traditional law school graduates. This should not be surprising: one of the best ways to get

more lawyers practicing in underserved areas is to make it easier for people already living in those areas to remain there while attending law school, by attending online. Non-traditional students with work or dependent-care responsibilities are far more likely than traditional students to seek a legal education online. They are also more likely to be receptive to taking employment outside the major urban markets. And with less law school debt, online law school graduates can better afford to take lower-paying government or public interest jobs, or open a solo practice or small law firm and help those in their communities.

Graduates of ABA-approved and non-ABA state-approved law schools alike, whether their education was in-person, online, or hybrid, should be given the same opportunity to *sit* for Tennessee's bar exam upon graduation. If they can pass that exam, as well as Tennessee's moral character screening process, they should be permitted to practice. And by expressly reserving for itself (or the Board) the right to block admission of graduates of any particular ABA or non-ABA law school, the Court would not be abdicating its oversight role. But allowing non-ABA state- or nationally-accredited law school graduates to pursue licensure upon graduation by default could make a meaningful difference in addressing the state's access to justice crisis.

By adopting these recommendations, Tennessee would not be alone in broadening access to the legal profession. Within the last year or so, half a dozen states have modified or are considering adjusting their bar admission rules so as to expand licensure opportunities for those who didn't attend an ABA-approved or campus-based law school. Now is the time for Tennessee to act.

II. Current Limits on Access to Bar Admission in Tennessee

To be eligible to sit for the Tennessee Bar Examination, an applicant must have “graduated with a J.D. Degree from a law school accredited by the ABA at the time of applicant’s graduation, or a Tennessee law school approved by the Board.” Supreme Court Rule 7, Section 2.02(a).

An attorney “who received a legal education in the United States or a U.S. Territory but is ineligible for admission because the law school attended does not meet” the requirement of either ABA or Tennessee approval, but who has “engaged in the active practice of law” for three of the last five years, can pursue admission by examination or transferred UBE score. Rule 7, Section 2.02(d) & (d)(3). Such an applicant must show that their law school was “approved by an authority similar to the Tennessee Board of Law Examiners in the jurisdiction where the law school exists and which requires the equivalent of a three-year course of study that is the substantial equivalent of the legal education provided by approved law schools located in Tennessee.” Rule 7, Section 2.02(d)(1). However, even if they can make this showing, they are not eligible for licensure unless their legal education was “based on in-person attendance.” *Id.*

The bar against online learning is not absolute, however. “Distance, on-line, or other instruction that is not in person will be accepted as part of the curriculum at an ABA-accredited or Tennessee-approved law school only to the extent permitted by the ABA for accredited law schools without approval of a substantive change, or up to 100% of the curriculum for law schools approved by the ABA to offer distance-learning programs.” Rule 7, Section 2.02(e).

Thus, graduates of all 197 ABA-approved law schools in the country can sit for Tennessee's bar examination immediately upon graduation, regardless of whether their education was in-person, hybrid, or online. Graduates of *brick-and-mortar* state-accredited law schools outside Tennessee

may pursue licensure if they have been licensed elsewhere and practiced for several years. But graduates of *online* state-accredited law schools will *never* become eligible for licensure in Tennessee, no matter how rigorous their education was or how many years or even decades they may have practiced ethically and competently.

III. The Limits of Tennessee’s Current Legal Education Infrastructure in Addressing the State’s Access to Justice Crisis

The Court is well aware of the challenges low-income individuals face in obtaining needed legal services, particularly in rural areas, as reflected in the Order itself. The state’s law schools face challenges in addressing the geographical disparities in access to legal representation.

All six of the state’s law schools—including its only non-ABA law school—are located in the state’s largest population centers of Nashville, Memphis, and Knoxville. Tennesseans in the northwest or southeast corners of the state may live over 100 miles, or a two-plus hour drive (not counting winter conditions) from the nearest law school. Moreover, not all of these law schools offer a flexible part-time program, and only one of them—Lincoln Memorial University Duncan School of Law in Knoxville—offers a hybrid program, which is still one-third in-person.¹

For nontraditional students who are already working full-time or have kids in school, giving up their jobs and uprooting their families to attend law school is not a realistic option. And this is particularly problematic for addressing the justice gap, because nontraditional law students are more likely to provide legal services outside the major markets.

V. Online Law School Can Help Address the Access to Justice Crisis

Tennessee needs a way for more prospective law students to remain in their communities while attending law school, so that they can stay in their communities after graduation and provide legal representation there.² In short, Tennessee needs more opportunities for prospective law students to attend law school online.

Online law school doesn’t just make it easier for people living in rural or remote areas to become lawyers; it makes it easier for them to afford to do so. Because the cost of operating a law school fully online is lower, tuition is lower. And because students do not need to move and can work while attending law school, they do not need to take out loans to cover living expenses. This means they can graduate with less debt, and can better afford to take lower-paying positions in rural areas or in fields of societal need.³ Indeed, a number of PG Law online graduates have won awards for their commitment to access to justice.

¹ See <https://www.lmunet.edu/duncan-school-of-law/part-time-hybrid-program/> (visited December 22, 2025).

² If students do relocate from a rural area to a population center to attend law school, they may not return once they or their spouses find employment in their new location—which obviously does little to address the rural access problem.

³ As a report from SMU Dedman School of Law found, “In 2020, law graduates with student debt owed an average of \$160,000. In Texas, rural lawyers make approximately \$20,000 less per year than urban lawyers. And if lower salaries cause rural attorneys to repay their debt more slowly, those attorneys will accrue more interest than their urban peers, effectively widening the rural income gap.” See <https://scholar.smu.edu/cgi/viewcontent.cgi?article=1009&context=deasoncenter> at 10 (visited December 23, 2025).

Data from PG Law itself supports the notion that the online format can help put more lawyers in rural areas. Only 3% of California’s population lives in rural areas, but an even smaller portion of its lawyers live in such areas—just 1.5%. However, among PG Law’s California-based graduates, 4.5% live in rural areas. In other words, whereas lawyers in general are *underrepresented* in rural areas in the state, PG Law graduates are *overrepresented* there. (This internal analysis was conducted prior to the launch of our Rural Law Practice elective in 2023.)

There is similar data from neighboring Indiana, which began allowing PG Law’s graduates to sit for its bar exam in July 2024. Whereas 30% of Indiana’s population lives in rural areas, 37% of PG Law’s Indiana students are in such areas. PG Law also analyzed enrollments in “legal deserts,” i.e., counties that have less than one attorney per 1,000 residents. (The national average is four per 1,000). Whereas 22% of Indiana’s population lives in a legal desert county, only 8% of the state’s attorneys live in such counties. By contrast, 17% of PGLS’ Indiana-based students are in legal desert counties.

An online law school could have an even greater impact in a state like Tennessee, where nearly 35% of the population is rural.⁴

VI. ABA Restrictions on Online Learning Restrict Access and Increase Costs

The ABA Standards for Approval of Law Schools limit law schools to offering no more than 50% of their program of legal education via distance learning.⁵ Although an ABA-approved law school can seek ABA Council “acquiescence” to go beyond those limits,⁶ the school must be a campus-based institution to seek and obtain ABA approval in the first place.

These limitations have a direct effect on law school tuition—which impacts both law school graduates (who must service their educational debt) and the clients they will serve (who pay higher rates as a result). There are now a number of ABA-approved law schools that offer hybrid online JD programs that exceed the 50% threshold; within the last few years, a handful have even received ABA acquiescence to offer fully online programs. However, these hybrid or online programs invariably cost about as much—or, in some instances, *more*—than their campus-based counterparts.

The total program tuition for PG Law’s fully online JD program is \$52,900.⁷ By comparison, the average ABA total tuition cost of a JD program is \$148,124, nearly three times as much.⁸ The average program tuition for the ABA-approved hybrid or online programs is even higher, at

⁴ See <https://worldpopulationreview.com/state-rankings/most-rural-states> (visited December 22, 2025).

⁵ See ABA Standards, Standard 306(d), available at https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/standards/2024-2025/2024-2025-standards-and-rules-for-approval-of-law-schools.pdf (visited December 23, 2025).

⁶ See *id.*, Standard 306(d), Standard 105(a)(12)(ii), and Interpretation 105-1.

⁷ See <https://www.purduegloballawschool.edu/tuition> (visited December 22, 2025).

⁸ See ABA Required Disclosures, <https://www.abarequireddisclosures.org/requiredDisclosure> (visited November 21, 2025). This figure excludes the three ABA law schools in Puerto Rico.

\$151,776, and is only slightly less than the average of those schools' campus-based programs, at \$153,439. (See Appendix 2.)

The requirement that a law school have a physical campus before it can offer a fully online program prevents ABA law schools from offering *affordable* online legal education. Campus-based law schools won't want to (or can't afford to) cannibalize their campus-based programs, so they aren't incentivized to charge less for their online programs, even though those programs are far less costly to administer.

The ABA Council announced in late 2023 that it was considering amending the ABA Standards to permit fully online law schools to pursue ABA approval.⁹ But there has been vociferous opposition from ABA deans,¹⁰ and no further action has been taken on this proposal since it was first announced over two years ago. Yet states need not sit back and wait for the ABA to act.

VII. Other States Have Adopted or Are Considering Alternatives to ABA Approval

In the last year or so, half a dozen other states have allowed or have begun to consider allowing bar licensure for people who did not graduate from an ABA-approved law school, even if their law school was fully online.

First, as a result of PG Law's advocacy, in July 2024, the Indiana Supreme Court amended its bar admissions rules to open a path for graduates of non-ABA law schools who were eligible to sit for the bar exam in another state to sit for Indiana's bar exam upon graduation, by applying to the Indiana Board of Law Examiners ("IBLE") for a waiver of the ABA-education requirement.¹¹ Both the Indiana Supreme Court and the working group it established¹² carefully reviewed PG Law's curriculum, faculty, and outcomes before making this change. So far, all but one such PG Law petition that the IBLE has considered has been approved. In February 2025, five PG Law alumni sat for Indiana's bar exam for the first time, and 100% of them passed.¹³ PG Law's overall pass rate on the Indiana bar exam currently stands at 73%, which is higher than the statewide average during the same period of 65%.

Second, Connecticut recently opened up licensure opportunities for PG Law graduates. Connecticut is one of a handful of states whose board of bar examiners is authorized to approve a non-ABA law school to sit for its bar exam. In October 2024, the Connecticut Bar Examining Committee ("CBEC") approved PG Law graduates who graduated in 2024 or later to sit for its bar exam.¹⁴ This was the second time in Connecticut's history that it granted such approval (the first

⁹ See https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/council_reports_and_resolutions/comments/2024/24-Mar.-notice-comment-memo-outcomes-complaints.pdf.)

¹⁰ See Karen Sloan, "Law deans oppose proposal to accredit online law schools," Reuters (Apr. 2, 2024), <https://www.reuters.com/legal/transactional/law-deans-oppose-proposal-accredit-online-law-schools-2024-04-02/>.

¹¹ See <https://www.law.com/2024/02/16/students-from-non-aba-accredited-law-schools-can-sit-for-indiana-bar-state-supreme-court-rules/?slreturn=20241119153205>.

¹² See <https://www.in.gov/courts/files/rules-proposed-2023-Mar.-working-group-report.pdf>.

¹³ See <https://www.in.gov/courts/ace/admissions/results/> (visited December 22, 2025).

¹⁴ See https://www.abajournal.com/web/article/connecticut-allows-purdue-global-fully-online-law-school-grads-to-sit-the-bar-exam#google_vignette.

being for Massachusetts School of Law), and the first time that it granted such approval to a fully online school. The CBEC had formed a subcommittee to study PG Law's petition, and unanimously adopted the subcommittee's favorable recommendation of PG Law. PG Law graduates' pass rate on the Connecticut bar exam has been 48%, compared to the statewide average during the same period of 55%.

Third, in *Labrum v. Utah State Bar*, 554 P.3d 943 (Utah 2024), the Supreme Court of Utah granted PG Law alumna Linzi Labrum's petition for a waiver to sit for Utah's bar exam, notwithstanding the fact that Labrum's three years of practice fell well short of the state's ten-year-minimum requirement for graduates of non-ABA-approved law schools, and despite the state's categorical ban on admitting graduates of fully online law schools. She sat for Utah's bar exam in February 2025 and passed. In May 2025, the Court amended its rules to (1) eliminate the ban on graduates of non-ABA online law schools, and (2) reduced the years-of-practice requirement from ten years to five years.

Fourth, in March 2025, the Supreme Court of Florida established a working group to study whether it should allow non-ABA law school graduates to sit for Florida's bar examination upon graduation."¹⁵ The resulting working group issued its final report on October 27, 2025.¹⁶ The report did not recommend a particular course of action, but discussed the pros and cons of maintaining the status quo with the ABA (with the cons greatly outnumbering the pros), and laid out a dozen possible alternatives Florida might pursue, either alone or in combination.

Fifth, in April 2025, the Texas Supreme Court, similar to Florida, issued an order soliciting public comments on the question of "whether to reduce or end the Rules' reliance on the ABA, and on alternatives the Court should consider. On September 26, 2025, the Texas Supreme Court issued an order tentatively approving an amendment to the state's bar admission rules so that eligibility to sit for the Texas bar exam would be based on attendance at a Texas-approved law school, not an ABA-approved law school.¹⁷ It also indicated its intention to create a pathway for non-ABA law schools (with no distinction made between campus-based and online schools) to apply for Texas approval.

Sixth, in July 2025, the Ohio Supreme Court established its own working group to consider moving beyond ABA approval as the sole educational criteria for bar exam eligibility.¹⁸

In all, at least 35 jurisdictions provide an avenue for graduates of non-ABA law schools to become licensed, including some that allow it immediately upon graduation. To my knowledge, aside from Tennessee, only Kentucky, West Virginia, and (for now) Texas still distinguish between online and campus-based program delivery in their treatment of domestic non-ABA law schools.

¹⁵ Supreme Court of Florida Administrative Order, Mar. 24, 2025, <https://supremecourt.flcourts.gov/content/download/2448909/file/AOSC25-15.pdf>.

¹⁶ <https://www.floridabar.org/the-florida-bar-news/final-report-of-the-workgroup-on-the-role-of-the-aba-in-bar-admission-requirements/>.

¹⁷ See <https://www.txcourts.gov/media/1461357/259070.pdf>.

¹⁸ https://courtnewsoriohio.gov/happening/2025/LawSchoolAccreditation_071725.asp (visited December 22, 2025).

Thus, Tennessee would not be out of step in considering expanding pathways for licensure for those who did not attend ABA-approved or campus-based law schools.

VIII. State Accreditation Provides Adequate Quality Assurance and Consumer Protection

For nearly 90 years, the Committee of Bar Examiners of the State Bar of California has accredited law schools independently of the ABA. Since 2019, fully online law schools have been eligible to apply for California accreditation. (Prior to then, they were in California’s “unaccredited registered” category by default, but their graduates were still eligible to sit for California’s bar exam upon graduation.)

To date, at least three online law schools, including PG Law in 2020, have earned California accreditation. To be clear, these are not institutions that suddenly shifted to online learning as a result of the COVID-19 pandemic. Purdue Global Law School was founded 27 years ago, and has been fully online by design the entire time. One in nine ABA-approved law schools wasn’t even in existence when PG Law opened its virtual doors in 1998.

The State Bar of California accreditation standards are substantially similar to the ABA Standards.¹⁹ They include provisions designed to ensure consumer protection and transparency, financial and organizational soundness, appropriate admissions policies, faculty qualifications, minimum quantitative and qualitative curricular features, processes for continuous assessment and improvement, and minimum bar pass thresholds. California-accredited law schools submit annual reports, annually publish prescribed entering profile and outcomes data, and are inspected every five to seven years to ensure compliance with the state’s accreditation rules.

At the same time, the California accreditation rules are notable for what they do *not* require—among other things, an expensive physical campus, as well as guaranteed job security for full-time faculty or a mandate that faculty spend a significant amount of their time on legal scholarship or committee work. This is why California-accredited law schools are able to offer high-quality programs of legal education while charging far less than ABA law schools.

PG Law, at least, provides a legal education that is comparable—if not superior—to what one can get at many ABA-approved law schools. PG Law requires more total hours of study than at most ABA schools (92 vs. 88). Its curriculum includes doctrinal, skills, and experiential courses and other electives; but it also includes things not featured at many traditional schools, such as required Family Law Practicum and Modern Law Practice courses. It utilizes a selective admissions process. Its faculty grade students on their absolute merits, not on a curve. The faculty have comparable qualifications and engage in more robust periodic evaluations than at most ABA schools, where the norm is to have limited, if any, review of teaching for senior faculty. Even with a non-traditional student body composed of part-time students, its bar pass rates are competitive with a number of ABA schools. Indeed, on two of the last three February administrations of the

¹⁹ https://www.calbar.ca.gov/Portals/0/documents/rules/Rules_Title4_Div2-Acc-Law-Sch.pdf, Rules 4.160-4.163.

California Bar Exam, PG Law's first-time pass rate tied or exceeded the average first-time pass rate of *all* ABA-approved law school graduates.²⁰

PG Law has been recognized by third parties for its innovation and commitment to access to justice. It has been included in *The Princeton Review*'s list of Best Online JD Programs each year since that list began in 2021; it is one of two non-ABA schools on the list (the other school, another California-accredited school, is a hybrid-online program). In 2018, a PG Law-led team won Wolters Kluwer's inaugural Leading Edge Prize for Innovation in Legal Education. And in 2019, PG Law won the ABA Brown Select Award for Legal Access for being the first online law school to participate (remotely) in a legal incubator. (Legal incubators are programs designed to help law school graduates launch and grow solo practices, with an emphasis on providing pro bono or at least "low bono" services to modest means clients). PG Law has had incubator participants from as far east as rural Ohio and as far west as Thailand.

In national survey data, PG Law graduates rate their education more highly than the average of all respondents (almost all of whom attended ABA-approved law schools) on a variety of metrics on which one would not expect an online school to outperform traditional schools. These metrics include training in critical thinking, legal research, and writing; in-class participation and training in oral presentation; preparation for ethical practice; quality of relationships with professors; quality of academic advising; and overall satisfaction.

Speaking of ethical practice, some might assume that even if graduates of non-ABA online law schools could pass the bar exam, they would commit ethical violations at a higher rate, and so pose a consumer protection risk. The data regarding PG Law, at least, does not bear out that assumption. According to the Annual Discipline Reports published by the State Bar of California for 2003-2020, the disbarment rate for California attorneys was 1.13%, and the overall discipline rate was 3.30%. PG Law graduates' disbarment rate was eight times lower than the state average—just 0.16%. Although their overall discipline rate of 3.99% was slightly higher than the statewide average, all but two of the PGLS graduates' suspensions constituted administrative discipline resulting from nonpayment of fees or MCLE noncompliance. And in the bulk of such cases, the graduates were already living out of state and had gone inactive years earlier, but merely hadn't taken the step of resigning their bar membership.

Opening up licensure to state-approved law schools does not just mean opening up Tennessee's bar to California-accredited schools. Connecticut,²¹ Michigan²² and Virginia²³ authorize their boards of bar examiners to approve a non-ABA-approved law school for their bar exams. (As noted above, Connecticut has already done so for PG Law.) Alabama²⁴ and Massachusetts²⁵ also

²⁰ See <https://www.calbar.ca.gov/admissions/applicant-resources/exam-statistics>. Prior to November 8, 2023, Purdue Global Law School was known as Concord Law School at Purdue University Global. Note also that the State Bar of California does not publish information for cohorts smaller than 11 people.

²¹ See Regulations of the Connecticut Bar Examining Committee, Article II-1(B).

²² See Michigan Rules for the Board of Law Examiners, Rule 2(B).

²³ See Va. Code § 54.1-3926(1).

²⁴ See Rules Governing Admission to the Alabama State Bar, Rule IV.B.2(b).

²⁵ See Mass. Supreme Judicial Court Rule 3:01, § 3.13.

have rules or statutes that provide for state approval of non-ABA law schools. PG Law is not aware that any of them distinguish between state-accredited brick-and-mortar versus online law schools or categorically prohibit state-accredited online law schools from pursuing licensure. And as noted above, the Texas Supreme Court has indicated that it intends to create a path whereby non-ABA schools can apply for state approval.

Moreover, as a practical matter, if graduates of non-Tennessee state-approved law schools can pursue licensure in Tennessee, and there is no longer a categorical bar on state-approved online law schools, the increase in applicants is far more likely to come from Tennessee residents attending an “out-of-state” online law school than Californians or residents of other states looking to move to Tennessee.

IX. Online Study Can Be Far More Interactive Than “Correspondence” Study

Those who (like me) attended law school in a traditional, entirely in-person format may initially be skeptical that a fully online legal education can succeed not only in imparting knowledge of legal rules but also in providing effective training in legal skills and inculcating students in the norms and values of the legal profession. But in fact, modern distance learning technology, when coupled with a dedicated faculty and an innovative curriculum, can offer a highly impactful and effective legal education experience.

Because I am most familiar with PG Law, I can only offer it as an example. Most PG Law courses have one hour of live class per week. The typical student will have had approximately 430 hours of live class time over the course of their JD program. PG Law grades students not only on their class attendance but also on their participation during class. Attendance rates are typically 80% to 90% or higher.

The live classes on Zoom accommodate not just classic Socratic dialogue, but also solving problems assigned before or in class, breakout rooms for small group discussion or analysis, simulated oral arguments, and student presentations. Section sizes are capped at 50 for required doctrinal courses and 25 for most skills and electives courses. Certain experiential courses, like Trial Advocacy or ADR & Technology, have even lower caps.

Professors make themselves available to students outside of class as well. In addition to fixed or drop-in office hours, professors will schedule one-on-one video or phone calls with students upon request. A series of academic support workshops is offered to 1L students, and students in all years can schedule one-on-one meetings with a Professor of Academic Support. Upper-division students also provide mentoring to first-year students through the Student Bar Association. And bar takers meet individually and in groups with the Director of Bar Support.

Students can choose from a variety of electives, including not only Trial Advocacy and ADR & Technology but also other experiential offerings like Virtual Law Practice and Administrative Advocacy. They can earn academic credit for participating in in-person or virtual externships at law firms or other professional settings. They can earn a spot on PG Law’s competitive moot court program, which participates in and has won awards at competitions against students from traditional brick-and-mortar law schools. And they can participate in the Criminal Law Clinic, which is supervised by a PG Law full-time faculty member who is admitted in state and federal courts in several jurisdictions. (A second clinic is in the planning stages.)

The curriculum is interactive in other ways as well. Every course includes one or more formative assessments on which professors give individualized feedback, sometimes in video form. Standard feedback time is generally five days. Professors record video lessons that students watch prior to the live classes, saving live class time for more dynamic activities. Each video is followed by an interactive learning activity so students can apply and reinforce what they just learned. These learning activities are ungraded, but students must earn at least 75% percent on them before the online learning management system will allow them to move forward to the next course component. The faculty have coordinated with each other to ensure that best practices such as spaced repetition, scaffolding, and active learning suffuse the entire curriculum, and they collaborate with curriculum specialists and technologists in the design or revision of each course.

PG Law also endeavors to create a robust academic environment through several live webinar series. The dean holds a quarterly Coffee with the Dean webinar for students and alumni, as well as a thrice yearly Distinguished Speaker Webinar that has featured faculty from Harvard, Stanford, UCLA, USC, and Northwestern, among other law schools. The school hosts a bi-monthly Continuing Legal Education webinar to which both current students and alumni are invited. The Dean of Students and the Director of Employment and Community Outreach hold seminars on career opportunities and other subjects of interest to students.

PG Law facilitates social and academic interaction among students. The “Fundamentals” orientation program includes a live webinar that gives students an opportunity to meet each other even before classes begin. 1L students are encouraged to, and often do, form study groups, much like at traditional law schools. Students can participate in the Student Bar Association, which itself holds virtual and live events; PG Law’s chapter of the Phi Alpha Delta co-ed law fraternity; and a faculty-led book club. Full-time faculty also hold monthly “brown bag” lunches with small groups of students on a monthly basis.

PG Law facilitates in-person interaction as well. In addition to two live graduation ceremonies per year, the school hosts dozens of in-person mixers in cities across the country, which are open to any and all current students, alumni, faculty, and staff who happen to live in the area.

While the online experience is not identical to a campus-based legal education, it is far more interactive than what one might get at a “correspondence” law school of old. In this post-COVID era, categorically excluding (non-ABA) online law school graduates from ever practicing law in Tennessee impedes closing the justice gap with little corresponding consumer protection benefit.

X. The Court Should No Longer Require Non-ABA Law School Graduates to Practice Law in Another Jurisdiction For Years Before Sitting for Tennessee’s Bar Exam

As noted above, a graduate of a (campus-based) non-ABA- or Tennessee-approved law school must be “authorized to practice law in another State” and practice full-time for at least three of the last five years before they can sit for the Tennessee bar exam. This requirement is of questionable benefit generally, and could be particularly problematic if the Court allows graduates of online non-Tennessee-approved law schools to pursue licensure.

A major benefit of opening a path to bar licensure for graduates of online, non-Tennessee, state-approved law school graduates is that people *already living in Tennessee*—particularly in underrepresented areas—can *remain* there and start representing people there. The years-of-

practice requirement could force these people to either *leave* Tennessee to garner the requisite years of practice or represent people from other states remotely. Texans who emigrate may not return, and even those who don't leave the state will be delayed in fulfilling their primary goal of representing other Texans.

Moreover, empirical evidence does not support the notion that the years-of-practice requirement promotes consumer protection. One study found that “[t]here is virtually no discipline in the first ten years of practice, then the rate of discipline increases in a roughly linear fashion.”²⁶ It may well be that the only thing the years-of-practice requirement for non-ABA or non-Tennessee law school graduates accomplishes is that it impedes lawyers from providing legal services to Tennesseans sooner.

XI. The Court Could Defer to the Judgment of National or State-Level Law School Accreditors While Reserving The Right to Disapprove An Accredited Law School

As noted above, at least half a dozen other states already have mechanisms in place to review and approve law schools regardless of ABA approval. Since the Court already permits admission on motion without examination for lawyers who have practiced for at least five years in other states (*see* Rule 7, Section 5.01), it is not that much of a stretch to grant “reciprocity” to other states regarding their decision to approve a law school’s graduates to sit for their bar exam.

Like the ABA, state boards of bar examiners have every incentive to ensure that only graduates of high-quality law schools are eligible to sit for their state’s bar exam. If anything, they arguably have a stronger incentive than the ABA, as they will be the ones to field ethics complaints from consumers in their state if law school graduates fail to practice law competently.

Deferring to the judgment of law school accrediting bodies in other states could be the default, but it need not be a *fait accompli*. The Court could expressly reserve for itself—or, if it wished, the Board—the right to disapprove any law school (whether ABA-approved or not) for admission to its bar exam. That way, the Court would have a “veto” and retain the final say as to who could apply for bar admission in Tennessee.

Here, too, the Court need not start from scratch. Purdue’s home state of Indiana provides a useful example. That state’s rules provide that, absent a waiver by the Indiana Board of Law Examiners of the ABA education requirement, an applicant for Indiana’s bar exam must show that he or she

[h]as obtained a JD degree (or its equivalent) from a law school located in the United States that at the time of the applicant’s graduation was on the approved list of the Council of Legal Education and Admission to the Bar of the American Bar Association. (*The Indiana Supreme Court reserves the right to disapprove any school regardless of ABA approval.*)

Indiana Rules for Admission to the Bar and the Discipline of Attorneys, Rule 13 § 1(a) (emphasis added). Thus, the Indiana Supreme Court has made clear that it need not irrevocably defer to the judgment of the ABA itself as to which law schools’ graduates may sit for the bar exam. There is

²⁶ Robert Anderson IV & Derek T. Muller, *The High Cost of Lowering the Bar*, 32 Geo. J. Legal Ethics 307, 312 (2019).

no reason this Court could not do the same, and expressly reserve the final say for itself regardless of whether accreditation is granted to a law school by the ABA or by another national or state law school approving body.

Deferring to the judgment of other states by default, while still retaining ultimate authority with the Court (or Board), strikes the appropriate balance between expanding licensure opportunities for non-traditional law school graduates who can help ameliorate the state's justice gap and ensuring appropriate oversight of the legal profession.

XII. Conclusion

By removing the categorical bar on non-ABA online law schools, Tennessee would enable its residents to pursue an affordable legal education entirely online. At the same time, the requirement of approval from a state or national accreditor focused on *law schools* (and not merely educational *institutions*) would ensure that bar applicants will have obtained an adequately rigorous legal education.

Of course, these state-approved law school graduates would still have to pass the bar exam itself, as well as Tennessee's character and fitness determination, before they could become licensed attorneys. Thus, there is little risk that unqualified or unscrupulous bar applicants would become licensed. At the same time, this change could make a material difference in addressing the state's access to justice crisis. And a reservation of rights to disallow any law school, regardless of accreditation or approval, maintains important oversight by the Court over entry into the legal profession.

PG Law is far from the only one advocating a shift away from a strict requirement of ABA accreditation to gain access to the legal profession. In connection with a bill proposed nearly two decades ago, Senators Jon Kyl and Orrin Hatch endorsed the remarks of Emory Law School professor George Shepard, who explained why requiring ABA accreditation became the norm, and how that both increases costs and limits access:

During the Depression, state bar associations attempted to eliminate so-called "overcrowding" in the legal profession; they felt that too many new lawyers were competing with the existing ones for the dwindling amount of legal business. They attempted to reduce the number of new lawyers in two ways. First, they decreased bar pass rates. Second, they convinced courts and state legislatures to require that all lawyers graduate from ABA-accredited law schools. . . .

The ABA's accreditation requirements increase the cost of becoming a lawyer. . . . [T]hey effectively raise faculty salaries; limit faculty teaching loads; require high numbers of full-time faculty rather than cheaper part-time adjuncts; and require expensive physical facilities and library collections. The requirements probably cause law schools' costs to more than double. . . .

[T]he states themselves could liberalize their law-school accreditation requirements. This would directly reduce the cost of becoming a lawyer in all cases. . . . For example, law schools might be permitted to experiment with smaller libraries, cheaper practitioner faculty, and even shorter programs of two years rather than three, like

business school. Or the requirements might be eliminated completely; students without a degree from an accredited law school would be able to practice law.²⁷

I appreciate the Court's consideration of this rather detailed comment. I am passionate about helping to solve our nation's access to justice crisis. To that end, I would be happy to provide the Court with more information about PG Law and/or our state accreditation regime. As a graduate of Harvard Law School who spent twelve years on the tenure-track and tenured faculty at a brick-and-mortar ABA-approved law school before becoming the dean of PG Law in 2016, I may be able to provide a useful comparative perspective on both ABA versus non-ABA and campus-based versus online law schools. I can be reached at martin.pritikin@purdueglobal.edu.

Respectfully submitted,



Martin Pritikin
Dean and Vice President
Purdue Global Law School

²⁷ See Senate Report 110-51, Providing for Loan Repayment for Prosecutors and Public Defenders, at 13-17 (Views of Senators Kyl and Hatch), <https://www.congress.gov/110/crpt/srpt51/CRPT-110srpt51.pdf> (visited Dec. 23, 2025).

Appendix 1
Text of Proposed Amendments to Tennessee Supreme Court Rule 7
(proposed deletions in ~~strike through~~; additions in underlined italics)

Sec. 2.02. Legal Education Degree Requirements.

(a) Any applicant seeking admission must have completed a course of instruction in and graduated with a J.D. Degree from a law school that, at the time of the applicant's graduation, was:

(1) accredited by the ABA;

(2) at the time of applicant's graduation, or a Tennessee law school approved by the Board pursuant to section 17.01 of this Rule at the time of the applicant's graduation; or

(3) accredited or approved by another U.S. national or state-level law school accrediting or approving body and approved for its graduates to take the bar examination upon graduation in another state; provided, however, that the Supreme Court [and/or the Tennessee Board of Law Examiners] reserve[s] the right to disallow any law school from eligibility for admission to the Tennessee bar regardless of whether the school would otherwise satisfy this subsection (a).

(b) To be eligible to take the examination, an applicant must cause to be filed as part of the application a certificate from the dean or supervising authority of the school of law in which the applicant is enrolled or from which the applicant graduated, certifying that either the school is accredited by the ABA or the school is a Tennessee law school that has been approved by the Board under section 17.01 meets one of the subparts of Section 2.02(a) of this Rule and that:

(1) the applicant has completed all the requirements for graduation, or

(2) the applicant will have the number of credit hours required for graduation by the date of the bar examination.

(c) Any applicant seeking admission by transferred UBE score under section 3.05, without examination under section 5.01, or as the spouse of a military servicemember under section 10.06 shall provide evidence of the J.D. Degree in the form required by the Board.

(d) ~~An attorney who received a legal education in the United States or a U.S. Territory but is ineligible for admission because the law school attended does not meet the requirements of paragraph (a) above may be considered for admission by examination or transferred UBE score provided the attorney satisfies the following educational, licensing, and practice requirements:~~

(1) The attorney holds a J.D. Degree, which is based on in-person attendance, from a law school approved by an authority similar to the Tennessee Board of Law Examiners in the jurisdiction where the law school exists and which requires the equivalent of a three-year course of study that is the substantial equivalent of the legal education provided by approved law schools located in Tennessee.

~~(A) The applicant shall bear the cost of the evaluation of his or her legal education, as determined and as required by the Board, and the applicant shall not be eligible to sit for the bar examination until the applicant's legal education is approved by the Board.~~

~~(B) In evaluating the education received the Board shall consider, but not be limited to, such factors as the similarity of the curriculum taken to that offered in law schools approved by the ABA and that the school at which the applicant's legal education was received has been examined and approved by other state bar associations examining the legal qualification of non-ABA law school graduates; and~~

~~(2) The attorney has passed a bar examination equivalent to that required by Tennessee in the state in which the law school exists; and~~

~~(3) The attorney has been primarily engaged in the active practice of law, as defined in section 5.01(e) of this Rule, in one or more states or territories of the United States, or the District of Columbia, for three of the five years immediately preceding the date upon which the application is filed; and~~

~~(4) The attorney meets all other requirements contained in the Rules of the Supreme Court of Tennessee pertaining to Admission of Persons to Practice Law.~~

~~(e) No correspondence course will be accepted by the Board as any part of an applicant's legal education to meet the requirements of this Rule. Distance, on-line, or other instruction that is not in person will be accepted as part of the curriculum at an ABA-accredited or Tennessee-approved law school only to the extent permitted by the ABA for accredited law schools without approval of a substantive change, or up to 100% of the curriculum for law schools approved by the ABA to offer distance learning programs. The ABA permits distance learning without approval of a substantive change as provided in Definitions 7 and 8 and Standards 306, 311, and 511 of the Standards and Rules of Procedure for Approval of Law Schools.~~

Appendix 2 – ABA-Approved Distance Learning JD Program Tuition (Comparative)²⁸

Law School	Credits	In-Person Credit	Online Credit	In-Person Tuition	Online Tuition
Albany ²⁹	87	\$2,206	\$1,986	\$191,982	\$172,787
Arizona State ³⁰	88	\$1,751	\$1,751	\$154,077	\$154,077
Case Western Reserve ³¹	88	\$2,613	\$2,613	\$188,100	\$188,100
Cleveland State ³²	90	\$1,179	\$1,179	\$106,110	\$106,110
Dayton ³³	90	\$1,380	\$1,500	\$124,200	\$135,000
Detroit ³⁴	90	\$1,616	\$1,616	\$145,440	\$145,440
Duquesne ³⁵	87	\$1,015	\$1,040	\$88,347	\$90,528
Hawaii ³⁶	89	\$1,560	\$1,571	\$138,816	\$139,824
Lincoln Memorial ³⁷	90	\$1,460	\$1,460	\$131,400	\$131,400
Mitchell Hamline ³⁸	86	\$1,929	\$1,857	\$165,900	\$159,720
New Hampshire ³⁹	85	\$1,729	\$1,600	\$147,000	\$136,000
Northeastern ⁴⁰	83	\$2,271	\$2,270	\$188,478	\$188,448
Ohio Northern ⁴¹	90	\$1,437	\$1,475	\$129,300	\$132,750
St. Mary's ⁴²	90	\$1,497	\$1,327	\$130,806	\$119,448
Seattle ⁴³	90	\$2,061	\$2,061	\$185,490	\$185,490
South Texas ⁴⁴	90	\$1,499	\$1,362	\$134,880	\$122,560
Southwestern ⁴⁵	87	\$2,178	\$2,178	\$189,480	\$189,480
Suffolk ⁴⁶	84	\$2,236	\$2,236	\$187,830	\$187,832
Syracuse ⁴⁷	87	\$2,146	\$2,234	\$186,660	\$194,358
Vermont ⁴⁸	87	\$1,854	\$1,854	\$161,304	\$161,300
Western New England ⁴⁹	88	\$1,666	\$1,666	\$146,610	\$146,640
AVERAGE	87.9	\$1,775	\$1,754	\$153,439	\$151,776
Purdue Global	92	N/A	\$575	N/A	\$52,900

²⁸ See https://www.americanbar.org/groups/legal_education/resources/distance_education/approved-distance-ed-jd_programs/. Includes hybrid and online programs. Part-time, non-resident campus tuition used where available. Program tuition usually equals 6 full-time or 8 part-time semesters. Where per-credit tuition was not listed, total program tuition divided by total credits was used as an estimate. All sites visited Apr. 18, 2025.

²⁹ <https://www.albanylaw.edu/applications-admissions/cost-attendance>.

³⁰ <https://law.asu.edu/admission/tuition-fees>.

³¹ <https://case.edu/law/admissions/jd-admissions/tuition-aid-scholarships>.

³² <https://www.law.csuohio.edu/admissions/financing/tuition>; <https://onlinelearning.csuohio.edu/programs/online-jd-program>.

³³ https://udayton.edu/law/admissions/financial_aid/jd_costs.php.

³⁴ <https://law.udmercy.edu/admissions/financial-aid/cost-of-attendance.php>.

³⁵ <https://www.duq.edu/admission-and-aid/tuition-and-fees/graduate-tuition/law-grad-tuition.php>.

³⁶ <https://law.hawaii.edu/admissions/tuition/>.

³⁷ <https://www.lmunet.edu/duncan-school-of-law/admissions/tuition-cost-of-attendance>.

³⁸ <https://mitchellhamline.edu/admission/tuition-and-financing/>.

³⁹ <https://www.unh.edu/business-services/tuition-fees/unh-franklin-pierce-school-law-tuition-fees>.

⁴⁰ <https://law.northeastern.edu/admissions/jd/tuition-and-budgeting/>; <https://law.northeastern.edu/admissions/flexjd/tuition-and-budgeting/>.

⁴¹ <https://www.onu.edu/admissions-aid/financial-aid/tuition-and-fees>.

⁴² <https://law.stmarytx.edu/admission/financial-aid/tuition/2025-2026/>.

⁴³ <https://law.seattleu.edu/student-life/student-services/student-financial-services/tuition-and-fees/>.

⁴⁴ <https://www.stcl.edu/admissions/tuition-and-fees/>.

⁴⁵ <https://www.swlaw.edu/admissions-financial-aid/tuition-fees>.

⁴⁶ <https://www.suffolk.edu/law/admission/tuition-aid/tuition-costs-student-budgets>.

⁴⁷ <https://law.syracuse.edu/financial-aid/cost-of-attendance/>; <https://law.syracuse.edu/financial-aid/cost-of-attendance-jdinteractive/>.

⁴⁸ <https://www.vermontlaw.edu/admissions/tuition-and-financial-aid/tuition-fees>. (hybrid online is 10 semesters at \$16,130 per semester).

⁴⁹ <https://wnc.edu/law/cost-and-aid/juris-doctor>.

MaryBeth Lindsey

From: Martin Pritikin <martin.pritikin@purdueglobal.edu>
Sent: Tuesday, December 23, 2025 4:48 PM
To: appellatecourtclerk
Subject: Public Comment on Potential Regulatory Reforms to Increase Access...(No. ADM2025-01403)
Attachments: Tennessee Supreme Court Public Comment.pdf

Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

To the Clerk of the Tennessee Supreme Court:

Please see the attached public comments for the Court's consideration. Thank you.

Sincerely,

Martin Pritikin

Dean and Vice President
Purdue Global Law School
2029 Century Park East, Suite 400
Los Angeles, CA 90067

Email: martin.pritikin@purdueglobal.edu

www.purduegloballawschool.edu

MaryBeth Lindsey

From: appellatecourtclerk
Sent: Friday, December 26, 2025 8:33 PM
Cc: MaryBeth Lindsey; Kim Meador
Subject: FW: Public Comment on Potential Regulatory Reforms to Increase Access...(No. ADM2025-01403)
Attachments: Public Comment on Potential Regulatory Reforms to Increase Access...(No. ADM2025-01403)

Please process the attached comment.

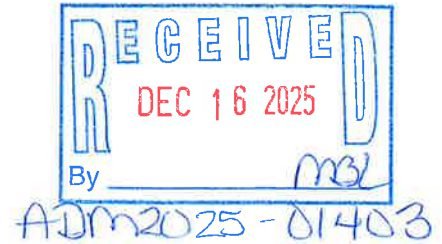
Jim



James M. Hivner
Clerk of the TN Appellate Courts
Phone: (615) 741-1314
Email: jim.hivner@tncourts.gov
Address: 401 7th Ave. N., Nashville, TN 37219

MaryBeth Lindsey

From: Roland Baggott <roland@baggottlaw.com>
Sent: Tuesday, December 16, 2025 3:24 PM
To: appellatecourtclerk
Subject: Comment on ADM2025-01403



Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

To the Justices of the Supreme Court of Tennessee:

Our legal profession has many challenges. Debasing the requirements to join the legal profession is not the answer to any of those challenges. The bar exam sets a base-line for competency. It is a minimum. Unfortunately, there are many lawyers who have met the minimum requirement for admission but nonetheless are not good at their jobs and lack core competencies to provide legal services. We do not need more dumb, under-educated lawyers. We do not need more stupid or lazy lawyers. Before you lower the standard, I think you should look at realtors. The barrier to entry for realtors is absurdly low. Once in, they all use the forms that are promulgated by Tennessee Realtors (f/k/a Tennessee Association of Realtors), but overwhelmingly do not know the content of those forms, how they work, or why certain provisions are present. The disparity between the individuals at the top of the real estate brokerage profession and the bottom is huge. Tennessee lawyers do not need more room at the top caused by adding a whole new, lower bottom. We do not need to be like realtors. We need to be better.

Technology has broken down barriers to geographic access. So, the "legal desert," although real from a physical standpoint, is readily crossed through innovative technologies such as the telephone, fax, email, SMS/text messages, and Zoom/Google Meet/Microsoft Teams. Mostly gone are the days when a face-to-face meeting is so necessary that it prevents potential engagement by a client. With limited, but notable exceptions, such as the execution of a will in front of two witnesses, many of the client-facing services that lawyers provide can be performed (and are performed) without being in the same room with the client. This "concern" about access is not a legitimate issue. More likely, the legitimate barrier is finding a lawyer who can serve rural areas that is competent to handle the legal issues that rural residents face. The number of attorneys who are well versed in Agricultural Law, such as farm subsidies, crop insurance, food supply regulations, and intellectual property (e.g. John Deere software that prevents farmers from repairing their own equipment), is small compared to the lawyers who are well versed in domestic relations. Finding the right lawyer—the one with core competencies in the subject matter—may be a challenge for rural residents. Regardless, lowering the minimum standards to become a lawyer is not a solution.

Law school is expensive. The universities treat their law schools as annuities. They do not provide sufficient funding through grants and scholarships. Many students graduate from law school with too much debt. The servicing of that debt is difficult, if not impossible, if the new graduate wants to go into a public service position right out of law school. This problem is not new. The solution to the problem, however, is not to eliminate legal education requirements to make it easier for someone to become a lawyer. Let the experiments being conducted in Washinton, Oregon, California and Vermont mature to

the point where there is real data that will show whether those experiments have succeeded or failed. Then, look at the data. I predict that the data will be mixed, at best.

Of the seven topics for comment, the only one that potentially has merit is No. 5: "Whether the Court should consider modifying requirements for admission to the Tennessee Bar for those licensed in other States to promote interstate practice and mobility." This topic, however, lacks completeness. It also needs to include consideration of modification of Tennessee's Unauthorized Practice of Law statutes, TCA 23-3-101 *et seq.* and RPC 5.5 to allow for easier multijurisdictional practice of law. Being able to access attorneys in other states who have the skillset and knowledgebase that may otherwise be rare (or just less available) within Tennessee, without automatically subjecting the out-of-state lawyer to possible discipline and criminal and civil penalties is worth exploring. For litigation, we already have the *Pro Hac Vice* process and rules that allow non-Tennessee lawyers to practice law in Tennessee subject to compliance with those rules. Tennessee could relax the licensure requirement as it relates to lawyers from other jurisdictions who have already met their own state's minimum competency requirement by passing that state's bar examination. The comity admission procedure that currently exists would then be reserved for attorneys who relocate to and have a physical location within Tennessee.

Do not lower the bar. Instead, find a way to raise the bar.

Roland W. Baggott III
Baggott Law, PLLC
4525 Harding Pike, Suite 105
Nashville, TN 37205
(615) 620-4580
(615) 620-4581 (fax)
roland@baggottlaw.com

The preceding e-mail message (including any attachments) contains information that may be confidential, protected by the attorney-client or other applicable privileges or that may constitute non-public information. It is intended to be conveyed only to the designated recipient. If you are not an intended recipient of this message, please notify the sender by replying to this message and then delete it from your system. Use, dissemination, distribution, or reproduction of this message by unintended recipients is not authorized and may be unlawful.

MaryBeth Lindsey

From: appellatecourtclerk
Sent: Friday, December 26, 2025 9:19 PM
To: MaryBeth Lindsey; Kim Meador
Subject: FW: Comment on ADM2025-01403
Attachments: Comment on ADM2025-01403

Please process the attached comment.

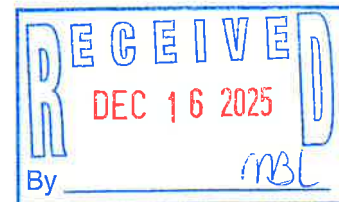
Jim



James M. Hivner
Clerk of the TN Appellate Courts
Phone: (615) 741-1314
Email: jim.hivner@tncourts.gov
Address: 401 7th Ave. N., Nashville, TN 37219

MaryBeth Lindsey

From: Bissinger, Fred <fbissinger@lawsonelectric.com>
Sent: Tuesday, December 16, 2025 8:37 AM
To: appellatecourtclerk
Subject: TN Supreme Court Order No. ADM2025-01403



ADM2025-01403

Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

To Whom It May Concern:

I am submitting the following comments in response to TN Supreme Court Order No. ADM2025-01403. By way of background, I have been practicing law since 1993, so I have substantial experience as an employment law defense attorney (private practice) and more recently as in-house counsel.

Reliance on the ABA: I am not an ABA member. To the limited extent I follow their publications, my impression is that they are primarily concerned with liberal political advocacy, which is not relevant to governing the practice of law. My observation is that the TN Supreme Court and TN Bar are sufficiently equipped to guide and manage the practice of law in TN without relying on the ABA.

Consider alternatives to ABA accreditation: I am not fully versed on the ABA accreditation process. However, as per above, I believe the TN Supreme Court and TN Bar are fully competent to determine the applicable accreditation standards for TN and which TN law schools deserve to be accredited.

Alternative pathways to the bar: As much as I disliked the bar exam process, after 33 years of practice I have come to appreciate its value in weeding out candidates who simply don't have the ability to meet the applicable standards. And while I understand that not everyone tests well, practicing law is a difficult, stressful, and complicated profession in which professional standards absolutely matter. Our professional credibility is based on our ability to perform and behave in accordance with the applicable standards. While there might be some reasonable alternative pathway to enter the practice of law (other than completing law school and passing the bar exam), I have no direct experience with such a process, and therefore, cannot comment on the viability of same. However, if TN adopts such an alternative pathway, it must contemplate appropriately rigorous standards. More importantly, regardless of the process, once standards are set, they should not be lowered or applied in an inconsistent manner. The abdication, lowering, or inconsistent application of standards will inevitably lead to bad outcomes (for those admitted to the practice of law who should not have been, for their clients, and the profession as a whole).

Consider modifying requirements for admission for those licensed in other states: I obtained my TN license in 1998 based on reciprocity with my PA license. It was (at the time) a relatively easy process. The requirement to have 5 years of practice and be in good standing with my PA license (and maybe my NJ license) was not rigorous. Assuming the end goal is to bring more qualified attorneys to TN, decreasing the 5-year practice requirement to 3-years might facilitate the process for out-of-state attorneys seeking admission in TN (without lowering applicable standards). Given the business and population growth in TN such a modification may make sense.

Non-lawyer ownership: My short answer is that permitting non-lawyer business interests to have an ownership stake in law firms is a very bad idea. Once law firms become a business opportunity for financial firms, especially PE firms, their singular focus on profitability will inevitably drive bad behavior and ethically challenged decision-making that does not align with our ethics rules. The result will be negative for the profession and our state.

I hope my input is helpful. Let me know if you have any questions.

Thank you.

Fred Bissinger

VP of Legal & Operations

Lawson Electric Co.

423.509.0743 – Direct

615 417 8828 – Cell

fbissinger@lawsonelectric.com



MaryBeth Lindsey

From: appellatecourtclerk
Sent: Friday, December 26, 2025 9:27 PM
To: MaryBeth Lindsey; Kim Meador
Subject: FW: TN Supreme Court Order No. ADM2025-01403
Attachments: TN Supreme Court Order No. ADM2025-01403

Please process the attached comment.

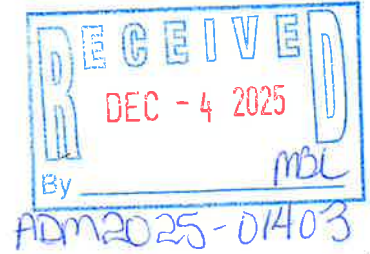
Jim



James M. Hivner
Clerk of the TN Appellate Courts
Phone: (615) 741-1314
Email: jim.hivner@tncourts.gov
Address: 401 7th Ave. N., Nashville, TN 37219

MaryBeth Lindsey

From: McCarty, Chris W. <CMcCarty@LewisThomason.com>
Sent: Thursday, December 4, 2025 9:26 AM
To: appellatecourtclerk
Subject: Comments RE: Docket No. ADM2025-01403 / Issue No. 7



Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Good morning,

I want to thank the Court in advance for the opportunity to provide my written comments/thoughts on this important issue. I also want to confirm that my written comments/thoughts are purely my own, as I certainly do not speak on behalf of my firm and/or my partners.

Specifically, I wanted to take a moment this morning to provide my perspective on Issue No. 7 as set forth within the Court's Order related to IN RE: PUBLIC COMMENTS ON POTENTIAL REGULATORY REFORMS TO INCREASE ACCESS TO QUALITY LEGAL REPRESENTATION:

- (7) Whether the Court should modify, reduce, or eliminate regulations prohibiting non-lawyer ownership of law firms or fee sharing with nonlawyers.

A great deal of my practice focuses on employment law, which means I regularly deal with issues arising from those employed by private equity owned/managed entities. One particular issue involving private equity and employees has started coming up more and more within my practice, and it is an issue which both troubles me morally and worries me greatly when considering the thought of allowing private equity into the legal industry. The issue centers on pressures applied on those within the medical field from private equity's relentless pursuit of revenue.

Over and over again, I come across variations of the same story:

- Private equity purchases and/or begins to manage a medical practice;
- Private equity initially makes promises of improving patient care and reducing unnecessary overhead;
- Soon, however, medical providers start to feel direct or indirect pressure to increase revenue at all costs;
- And before anyone realizes how it happened, private equity pushes providers to encourage and perform unnecessary procedures.

Put simply, as part of a never-ending and never relenting pursuit of revenue, non-providers push providers into taking medically unnecessary – and sometimes dangerous – steps with their patients. Providers who question and/or resist such pressure are threatened with decreased pay, limited scheduling, and even outright termination. But you do not have to believe only my anecdotal thoughts/experiences on private equity's dangerous influence within the medical profession. Here is a

particularly disturbing portion of a 2024 article on this very subject as found in The Journal of the Missouri State Medical Association:

As to dermatology, the aging American population makes dermatology practices an attractive target for private equity, and PE owns more than 10% of the dermatology market nationwide. But studies show that when PE takes over a dermatology practice, it subsequently generates a 5 to 17% increase in volume, while charging 3–5% more for routine appointments. PE also employs more physician assistants and nurse practitioners, rather than physicians.

“Get that money!!” screamed an August 2020 memo sent to employees in Michigan of Pinnacle Dermatology, a chain of 90 dermatology practices owned by private equity. “Don’t forget the August bonus incentive for all patients scheduled in August! That’s the easiest money you can make,” the hard-charging PE management insisted of dermatologists in those clinics. A physician who questioned management was terminated, and she then shared her concerns with NBC News, which included “overlooked diagnoses, lost patient biopsies, questionable quality control in the company-owned lab and overbooking of patients without sufficient support staff.”⁵

Andrew Schlafly, *Thwarting the Harm Caused by Private Equity in Surgical Practices ... and Even in the NFL: Part 2*, The Journal of the Missouri State Medical Association (Nov-Dec 2024) (<https://pmc.ncbi.nlm.nih.gov/articles/PMC11651258/>).

I spend a considerable amount of time each year talking my clients out of costly and unnecessary litigation. I often do so – like most lawyers – at my own expense. I cannot count the number of times I have said something to a client like, “Look, if you want to keep pushing this, the only one making any money at the end will be me.” When it is time to fight, I am happy to do so. When I know that fight is not really worth my client’s time, money, and/or stress though, I will always advise either walking away or resolving the matter. I do not see that path as in any way abnormal or admirable; I see it as simply part of my ethical obligation to clients, just like so many other lawyers who practice here in Tennessee and nationwide.

What happens when a private equity employed office manager receives an internal report about the resolution of a large case I was handling? What if private equity budgeted X amount of fees for the remainder of the year flowing from that very case? Would I be questioned for recommending resolution? More disturbingly, would I be threatened about encouraging similar settlements during future cases?

We all like to make money. I do not practice law for free. And, like all of us, I pay my bills and feed my kids by charging clients. At the end of the day though, I sleep just fine every night knowing I will never provide bad advice to a client simply because said advice would bring in more fees to me and my firm. That approach, I hope, continues to ensure that the *practice* of law will always outweigh the *business* of law.

Private equity threatens the practice of law. It threatens the very core of what we do and who we serve. I hope the Court will realize the same, and continue to enforce regulations prohibiting non-lawyer ownership of law firms or fee sharing with nonlawyers.

Thank you for your time,

Chris



LEWIS THOMASON

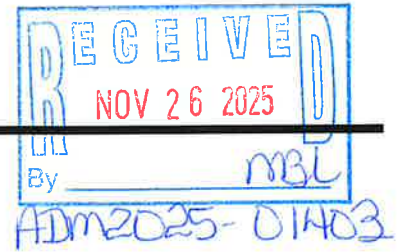
Chris W. McCarty Attorney at Law
Lewis Thomason, P.C.

900 S. Gay Street | Knoxville, TN 37901

Tel: 865-541-5256 | Fax: 865-523-6529

[Web Page](#) | [My Bio](#)

Rachel Adams



From: Thomas West <thwest60@gmail.com>
Sent: Wednesday, November 26, 2025 12:39 PM
To: appellatecourtclerk
Subject: Administrative Order ADM2025-01403 -- Comments

Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Dear Mr. Hivner, Appellate Court Clerk:

I am Thomas H. West, an attorney licensed in Tennessee whose license is currently inactive. I write to offer comment in the matter of the Supreme Court's administrative order ADM2025-01403.

This Court notes in its order that "As of 2020, Tennessee had twenty counties with fewer than ten lawyers each, while the five largest counties had thousands of attorneys." ¶ 8. One action the Court could do is issue an order encouraging trial courts to use technology, such as Zoom or Webex, to allow for remote hearings in cases, especially in civil cases. When I practiced in Davidson County, I would have been happy to handle a case in Claiborne County or Lake County if I could have handled a motion hearing by Zoom session. But I cannot do that if I must travel that long distance to appear in person. I practice family law. In my experience, most such cases settle through mediation or negotiated settlement with no need for trial. But motion hearings often are required. On several occasions, the recently retired Judge Phillip Robinson of Davidson County's Third Circuit allowed me to present a motion in paternity cases by phone from Overland Park, Kansas. But this was in Davidson County. Similar procedure would be helpful in rural counties, such as Grainger County or Dyer County. The Kansas Supreme Court recently entered an order encouraging the use of remote proceedings statewide. Kan. Sup. Ct. R. 103. In its press release in regard to its new order, the Kansas Supreme Court notes that, "Nearly 80% of Kansas attorneys live in five counties that contain about half of the state's population: Douglas, Johnson, Sedgwick, Shawnee and Wyandotte. The rest of the state is underrepresented, according to data from the American Bar Association." ¶ 7, <https://kansasreflector.com/briefs/kansas-supreme-court-adopts-virtual-proceeding-rules-to-promote-efficiency-accessibility/>. The Court went on to say that, "Judges would retain discretion to deny a party's request for a remote appearance under the rule, particularly if the request is untimely or if remote proceedings 'would undermine the integrity, fairness, or effectiveness of the proceeding, such as when highly sensitive, particularly dense, or exhibit-heavy testimony is expected,' the rule said. A court must not hold a remote proceeding if it could threaten or violate a person's rights under the Kansas and U.S. constitutions, privileged attorney-client communications are made difficult, public access is restricted, it interferes with a court's ability to produce an accurate record, or a party or the court cannot access technology needed." <https://kscourts.gov/KSCourts/media/KsCourts/Orders/2025-RL-131.pdf>.

This is one action that could alleviate the state's legal deserts, and it is an action the Kansas Supreme Court has taken to address the legal deserts that exist in that state.

Sincerely,

Thomas H. West

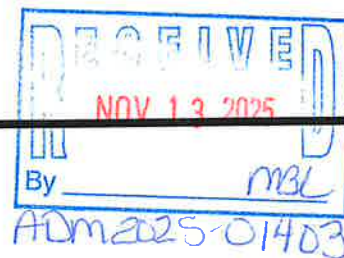
BPR #: 027612

thwest60@gmail.com

Overland Park, KS

MaryBeth Lindsey

From: Gary Massey <gmassey@masseyattorneys.com>
Sent: Thursday, November 13, 2025 8:56 AM
To: appellatecourtclerk
Subject: No. ADM2025-01403 - Comments on Regulating the Legal Profession



Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

COMMENT TO THE TENNESSEE BOARD OF PROFESSIONAL RESPONSIBILITY

RE: Question 5 - Non-Lawyer Ownership and Fee Sharing Regulations

FROM: Gary Massey, BPR 19490

DATE: November 13, 2025

I write to respectfully urge the Board to maintain and strengthen existing prohibitions against non-lawyer ownership of law firms and fee sharing with non-lawyers. Far from liberalizing these rules, the Board should vigilantly guard against current schemes designed to circumvent these essential protections.

I. THE PRACTICE OF LAW MUST REMAIN INDEPENDENT OF NON-LAWYER FINANCIAL INTERESTS

The prohibition against non-lawyer ownership exists to preserve the attorney's paramount duty of loyalty to the client. When non-lawyer investors hold ownership stakes in law firms, an inherent and irreconcilable conflict arises: attorneys owe fiduciary duties to both their clients and their investors. These duties inevitably clash when investor profits depend upon maximizing billable hours, settling cases prematurely to reduce costs, or declining to pursue meritorious but resource-intensive claims.

Unlike attorneys, non-lawyer investors bear no professional or ethical obligations to clients. They face no disciplinary consequences for placing profit above client interests. Permitting such ownership would fundamentally transform the practice of law from a profession serving justice into a commercial enterprise serving shareholders.

II. CLIENT CONFIDENTIALITY AND PRIVILEGE ARE JEOPARDIZED BY NON-LAWYER INVOLVEMENT

The attorney-client privilege and duty of confidentiality form the bedrock of effective legal representation. Non-lawyer owners would necessarily gain access to confidential client information in exercising their ownership prerogatives—reviewing financial performance, evaluating case strategies, and making management decisions. Yet these individuals lack the ethical training, professional obligations, and disciplinary oversight that govern attorneys' handling of confidential information.

Once privilege is shared with non-lawyer owners acting in their business capacity rather than as agents of the attorney, the privilege may be waived or compromised. This places clients' most sensitive information at risk and undermines the trust essential to the attorney-client relationship.

III. THE PROFESSIONAL JUDGMENT OF ATTORNEYS MUST NOT BE SUBORDINATED TO BUSINESS INTERESTS

An attorney's exercise of independent professional judgment is not merely preferable—it is mandatory under our Rules of Professional Conduct. Non-lawyer ownership creates a structural impediment to this independence. When business managers who lack legal training make decisions affecting case handling, resource allocation, or settlement recommendations based on profit margins rather than legal merit, the attorney's professional judgment becomes subordinate to commercial considerations.

This concern is not hypothetical. In jurisdictions that have experimented with alternative business structures, evidence suggests that investor-owned firms prioritize profitability metrics that may conflict with zealous client advocacy, including limiting time spent on cases, pressuring early settlements, and declining complex matters with uncertain outcomes.

IV. EXISTING PROHIBITIONS ARE ALREADY BEING CIRCUMVENTED THROUGH IMPROPER ARRANGEMENTS

The Board should be particularly concerned that sophisticated actors are already exploiting loopholes to achieve the economic equivalent of non-lawyer ownership while maintaining the fiction of compliance. Specifically, arrangements involving "managing agencies" or "administrative service organizations" purport to provide only clerical support and administrative services to law firms. However, these arrangements often result in the law firm paying substantially all of its profits to the managing agency in the form of inflated management fees.

This structure allows private equity investors and other non-lawyer entities to capture the economic value of law firm ownership while technically avoiding direct ownership or fee sharing. The managing agency, controlled by non-lawyers, effectively controls the law firm's finances and operations through its contractual leverage. These are not arms-length service relationships but rather ownership arrangements disguised as service contracts.

Rather than relaxing restrictions on non-lawyer involvement, the Board should clarify that such arrangements violate the spirit and purpose of existing rules and will be subject to disciplinary action. Management fees paid to non-lawyer entities must bear a reasonable relationship to the actual value of administrative services provided and cannot serve as a vehicle for profit-sharing prohibited by Rule 5.4.

V. ACCESS TO JUSTICE CONCERNS CUT AGAINST LIBERALIZATION

Proponents of non-lawyer ownership sometimes argue that outside capital could improve access to justice by providing resources to serve underserved populations. This argument fails on multiple grounds.

First, investor-backed firms seeking returns on capital will naturally gravitate toward profitable matters and clients, not toward serving those with limited means. Private equity investment in law firms will not produce pro bono services or expand access to justice—it will concentrate resources on high-value cases while abandoning modest matters and low-income clients.

Second, existing regulatory frameworks already permit lawyers to structure their practices to pursue capital and growth, including through large firm partnerships and professional corporations. Additional capital infusions from non-lawyers are unnecessary to serve clients effectively.

Finally, access to justice is better served by preserving public trust in the legal profession. Allowing profit-driven non-lawyer ownership risks undermining confidence in attorneys' independence and creating a perception that legal representation is a commodity rather than a professional service.

VI. THE MODEL RULES AND OVERWHELMING MAJORITY PRACTICE SUPPORT MAINTAINING PROHIBITIONS

Tennessee's prohibition on non-lawyer ownership and fee sharing aligns with ABA Model Rule 5.4 and the rules adopted in the vast majority of American jurisdictions. While a small number of states have permitted limited exceptions, these experiments remain largely untested, and their long-term implications for clients and the profession are unknown.

Tennessee should not abandon proven protections for speculative benefits. The prohibition on non-lawyer ownership has served the profession and the public well for generations. No compelling evidence suggests that change is necessary or beneficial.

CONCLUSION

I respectfully urge the Board to:

1. **Maintain** existing prohibitions against non-lawyer ownership of law firms;
2. **Maintain** existing prohibitions against fee sharing with non-lawyers;
3. **Clarify and strengthen** enforcement against arrangements that circumvent these prohibitions, including management service agreements that result in non-lawyer entities receiving substantially all law firm profits; and
4. **Issue guidance** establishing that management fees paid to non-lawyer-controlled entities must bear a reasonable relationship to the fair market value of actual administrative services provided.

The practice of law is a profession, not merely a business. Its regulation must prioritize the protection of clients and the administration of justice over the commercial interests of potential investors. I thank the Board for its consideration of these comments.

Respectfully submitted,

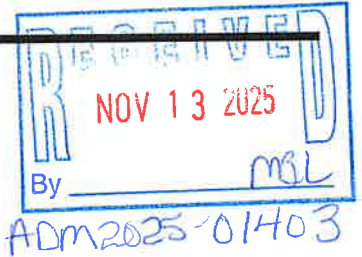
Gary Massey, Jr., 19490
423-697-4529

masseyattorneys.com



MaryBeth Lindsey

From: Michael Kuebler <mikek@kafirm.law>
Sent: Thursday, November 13, 2025 8:31 AM
To: appellatecourtclerk
Subject: Re: Regulatory Reform No. ADM2025-01403



Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

#1 and 2 – An enthusiastic YES

I graduated from Nashville School of Law which is not ABA accredited. I understand indirectly that to meet the ABA accreditation standards; the school would have to spend millions of dollars and that the issues were primarily centered around the size of the library. In my time at NSL, I went into the library one time because an assignment required me to do so. I think NSL has and continues to produce some very good attorneys despite falling below the antiquated and seemingly biased ABA standards.

Tennessee should establish their own accreditation standards and stop relying on the ABA. Going back to the “graduated from a regularly organized law school which has the approval of the Board of Law Examiners” language would be a major improvement.

#3 – Yes and No

While the J.D. programs could use some improvement designed to weed out unethical character, low critical thinking skilled individuals, and create better writers, I believe keeping the Juris Doctorate as the standard would be better.

This said, I have experience with internationally licensed attorneys who have graduated from their own countries law schools and even practiced for various times. The current rules create archaic and punitive hurdles to these individuals to even get a chance to sit for the bar. I would propose rules that allow a better pathway to transition to US law and an opportunity to sit for the exam. Eliminate the “equivalent of a three-year course of study” language and the subjective “substantial equivalent” language. The current rules require the Board to subjectively examine foreign schools and legal systems which has led to, I believe, bias driven decisions. The Board should be unburdened of this task.

A better solution for someone who has received a license to practice law in a foreign country may be to require them to work in a Tennessee law firm for one year and complete a one year online educational program with an established curriculum and testing standards.

#4 – Yes and No

First, an opinion on the UBE - I am NOT a fan. I have hired new attorneys who seem to know nothing about Tennessee law, and it significantly diminishes the service they can providing to clients. I must wonder if the UBE is part of a larger group think designed to steer the law to a uniform standard across all states as the end goal. Meanwhile, my observation is that the UBE is producing attorneys who are not equipped to practice law in this state.

As to admission in another state, I like Georgia's position (as I understand it). I believe they require all admissions to take the "state" portion of their bar exam. As much as I would like to get a Georgia license (I practice on their boarder), I personally do not want to take another exam at 57 years old. However, I know many who have. The hurdle is not that high.

Tennessee should adopt a similar program and alter the bar exam to the prior standards.

#5 – Yes, with limitations

I own in part, 11 businesses currently. Except, of course, for the law firm, I am moving the ownership of those businesses into a revokable trust which I cannot do for the law firm based on the current rules. This is true even though I would control the trust. So, some exceptions like for this situation would be beneficial.

Outside of this specific scenario, I believe having non-owners invest in and benefit from law firm ownership could be good and bad. For example, even if the attorney was required to be in control, I believe it would consolidate many firms into bigger unyielding firms which are purely profit centric rather than client centric. That would not be good. The benefit would be the ability of individuals to leave large firms by taking an investor to create a small or solo practice thus providing more affordable access. That would be good.

A final thought, my observation is that there seems to be a LOT of attorneys. I do not see or feel that there is a shortage of attorneys. The issue is affordability.

Thanks,
Michael T. Kuebler, Esq.
Kuebler and Associates, PLLC
6223 Airpark Drive, STE 105
Chattanooga, TN 37421
O: 423-285-6434
C: 423-595-1669
F: 423-206-9940
D: 423-206-9943
www.kafirm.law

The Law Office of Olivia Wann & Associates, PLLC

Olivia Wann
olivia@oliviawann.com

Andrea Craig
andrea@oliviawann.com

406 Church Street
Dover, TN 37058
P: (931) 232-4529
F: (931) 919-1314
www.oliviawann.com

October 20, 2025

The Honorable Justices
Administrative Office of the Courts
511 Union Street, Suite 600
Nashville, Tennessee 37219



Dear Honorable Justices of the Supreme Court of Tennessee,

I am writing to respectfully submit my public comment regarding the proposed alternative pathways to admission to the bar under the jurisdiction of the Tennessee Supreme Court. I appreciate the Court's efforts to explore innovative approaches to legal licensure; however, I must express my opposition to the implementation of these alternative pathways.

I have concerns about maintaining the integrity of the legal profession and ensuring consistent standards of competency. With that said, I believe indigent representation could be handled by non-licensed paraprofessionals in criminal matters with the exception of trial (i.e., bond hearings, plea, negotiations, etc.)

While I understand the intent behind these proposals, I believe that the current system of bar admission provides a rigorous and equitable process that ensures all admitted attorneys meet the high standards required to serve the public effectively.

I respectfully urge the Court to reconsider the adoption of these alternative pathways and to prioritize maintaining the integrity and uniformity of the bar admission process in Tennessee.

Thank you for considering my comments on this important matter. Please do not hesitate to contact me if further clarification or discussion is needed.

Sincerely,

Olivia Wann

Kim Meador

From: scott@scottdhallesq.com
Sent: Thursday, September 18, 2025 6:58 PM
To: appellatecourtclerk
Subject: Regulatory Reform No. ADM2025-01403



ADM2025-01403

Warning: Unusual sender <scott@scottdhallesq.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

1. Lowering barriers to entry into the profession results in lowering the standards for being a lawyer. Being a lawyer is difficult, event after 30+ years of practice and after attending a 3-year Law Curriculum at the finest law school in the Nation. Lowering barriers means lowering the quality of service.

Any lawyer should be embarrassed to suggestion such course of action. We have lost site of reality if we choose to lower our standards in Tennessee. Such would be a disservice to the community, including the legal community. Lowering the standards is rather despicable, especially considering the lofty ideals and standards the Supreme Court spews about the State when issuing its opinions on Disciplinary matters and at speaking engagements.

2. Ensuring availability of affordable legal services in the state while ensuring the competency of attorneys and safeguarding the public will be a complete failure when the Tennessee Supreme Court attempts "lower barriers to entry." Ease of entry into the "lawyer" profession means lowering the standards of service. If it means less to become a Tennessee attorney, then the Supreme Court will create less service, less professionalism, and less competency.

I'm honored to be an attorney, but the job is not for the faint of mind nor heart. It takes hard work to remain in private practice, and the challenges are faced daily for private practice attorneys. We cannot rely on a government check each week or every two (2) weeks. To maintain a functional law firm, attorneys must be the marketers, sales persons, psychologists, production workers, and then answer to the Supreme Court when the crazy client makes some unfounded disciplinary claim because the client didn't deserve any more than awarded at trial. Then the attorney goes without payment unless the attorney then assumes the role of collection agent (because the attorney is not on the government dole and has to earn money by serving clients).

Lowering barriers will result in more unsuspecting and unknowing clients losing their life, child, life savings, everything they had, etc., etc., etc., because the Supreme Court wanted to reduce attorney fees across Tennessee. Reduce fees and/or the

opportunity for the attorney to earn a living will reduce the number of qualified attorneys. Maybe it already too easy to be a Tennessee lawyer?

3. I'm not an ABA fan nor a "follow whatever the Northeast liberals decide to do" fellow, but there should be standards. Follow the ABA accreditation and/or create the Tennessee accreditation, but don't lower standards nor eliminate standards. "Standards" is what it means to be a lawyer.

Why not cause Tennessee to be the standard bearer. While Illinois and Massachusetts lower standards, Tennessee has the opportunity to maintain the legal tradition of a higher standard? How about higher "barriers"? I'm proud of my alma mater when I see that the LSAT scores and undergraduate GPA's surpass those of other law schools. Why would you want otherwise?

You get what you accept, and if you've been wearing a robe long enough to believe the high ground is lower standards, lower pragmatic barriers, and lower qualified attorneys in Tennessee, its about time to retire from the Supreme Court. As Jeff Foxworthy might say, "here's your sign."

4. "Alternative pathways for admission to the bar" equates to lower standards and lower quality legal representation. The Supreme Court should strive for a higher, more lofty ideals. What are you really looking for? Ask yourself that and be true to yourself.

5. "Admission for those licensed in other states" has been a given for years in Tennessee. The Supreme Court has failed to police and/or enforce this admission standard. Attorneys moving from States that require every licensee to take the Bar Exam are admitted freely in Tennessee under the guise of "reciprocity."

For many years, Florida has required the taking of the Florida Bar Exam by every attorney applying for licensing in Florida (i.e., no reciprocity), yet the Tennessee Supreme Court allows admission for applicants from Florida without taking the Tennessee Bar Exam. The Supreme Court has failed to honor their respective Oath by allowing "those licensed in other states" to receive a Tennessee license without more than a mere application. I worked hard (I believe) for my Tennessee law license and I'm extremely proud of my Tennessee Law License, but the Tennessee Supreme Court (or whomever polices this licensing method) has watered-down my Tennessee Law License for many years by ignoring the "reciprocity" standard.

6. If you really desire to destroy the legal profession, then allow non-lawyer ownership of law firms or fee sharing with non-lawyers. At this point I'm assuming that the Supreme Court sent this survey as a method for bolstering support for denying the suggestions made in the query.

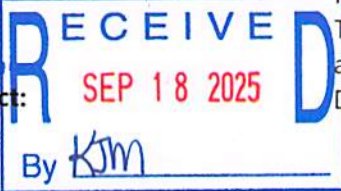
Bring on the Charlatans. Non-lawyer ownership of law firms sounds disgraceful.

7. Replace lawyers with paraprofessionals? Let's have one seat on the Supreme Court for a paraprofessional. Enough said.

Scott D. Hall (BPR # 014874)
374 Forks of the River Parkway
Sevierville, Tennessee 37862
(865) 428-9900
scott@scottdhallesq.com
www.scottdhallesq.com

Kim Meador

From: Morgan Valentine <morganvalentine@gmail.com>
Sent: Thursday, September 18, 2025 6:37 PM
To: appellatecourtclerk
Subject: Docket No. ADM2025-01403



Warning: Unusual sender <morganvalentine@gmail.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Re: Public Comment on Proposals to Permit Non-Lawyer Ownership of Law Practices and Lowering Bar Admission Standards (Docket No. ADM2025-01403)

Dear Honorable Justices,

I write to respectfully oppose the proposals to allow non-lawyer ownership of law practices and to lower the requirements for admission to the bar in Tennessee. While I understand the stated intent may be to increase access to justice, I believe these changes will, in practice, diminish the quality, independence, and integrity of our legal profession and ultimately erode public trust in the justice system.

1. Risks of Non-Lawyer Ownership

Opening the door to non-lawyer ownership invites outside business and technology interests to prioritize profit over professional duty. We have seen the harmful consequences of this in the medical field, where corporate interests often dictate care, driving up costs while eroding the doctor-patient relationship. The attorney-client relationship, grounded in strict fiduciary duty, must not be subjected to the same pressures. A law practice's first and only loyalty should be to its clients, not to shareholders.

2. The False Promise of "Innovation"

Some argue that non-lawyer ownership will bring innovation—particularly from the technology sector. This is a misconception. Lawyers across Tennessee are already integrating new tools, including artificial intelligence, to serve their clients more effectively. Paralegals, legal assistants, and other non-lawyer professionals already collaborate closely with attorneys to realize productivity gains. The real effect of shifting ownership outside the profession is not to create new innovation but to divert the financial benefits of these efficiencies away from clients and attorneys, and into the hands of business owners and investors. Instead of consumers enjoying lower costs through reduced billable hours, those savings will be captured as profits for corporations.

3. Economic Harm to the Profession and the Public

Law is one of the last professions where individuals can still make a stable and respectable living without requiring generational wealth or years of residency training. Allowing corporate ownership will siphon earnings out of Tennessee attorneys' hands and into the accounts of outside investors. This threatens to push talented lawyers out of the state and reduce the availability of high-quality, committed practitioners. Citizens will suffer when the best attorneys leave for jurisdictions that protect their independence.

4. Lowering Standards Endangers Quality of Representation

Tennessee already has multiple pathways and affordable law schools for aspiring lawyers. Lowering the bar to entry will not meaningfully expand access but will reduce the quality of representation citizens receive. The law is complex, and Tennesseans deserve competent, rigorously trained advocates. Diluting professional standards risks turning the practice of law into a commodity, further undermining trust in our courts and attorneys.

5. Public Confidence at Stake

Faith in the legal system rests on the public's perception that lawyers are highly trained professionals who act with intelligence, integrity, and independence. If law firms become another profit center for corporate interests—or if bar standards are weakened—citizens will rightly question whether their attorneys are serving them or their investors. Public confidence, once eroded, is difficult to rebuild.

For these reasons, I strongly urge the Court to reject these proposals. Instead, efforts to increase access to justice should focus on strengthening legal aid programs, supporting pro bono initiatives, and leveraging technology in ways that keep lawyers—not corporations—in control of legal practice.

Thank you for your careful consideration of this matter. Protecting the independence, competence, and trustworthiness of the legal profession is essential to protecting the rights of every Tennessean.

Respectfully submitted,

Morgan Valentine,

Concerned Citizen

Kim Meador

From: Greta Locklear <gretalocklear@yahoo.com>
Sent: Friday, September 19, 2025 12:30 PM
To: appellatecourtclerk
Subject: Re: Regulatory Reform No. ADM2025-01403



ADM2025-01403

Warning: Unusual sender <gretalocklear@yahoo.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

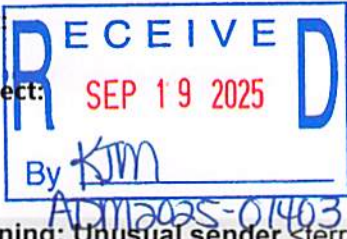
How about doing away with the privilege tax? We definitely do not need to reduce the educational requirements for lawyers. If you expect lawyers to charge less perhaps law school should cost less. I am primarily a child welfare attorney and make very little money on court appointed cases and I feel like we should get free continuing legal education and that our student loans should be marked paid in full after so many years practicing child welfare law at such a low rate.

Thank you.
Greta Locklear

Sent from Yahoo Mail for iPhone

Kim Meador

From: Terry Cox <terrycox@coxelderlaw.com>
Sent: Friday, September 19, 2025 9:35 AM
To: appellatecourtclerk
Subject: Re: Regulatory Reform No. ADM2025-01403



Warning: Unusual sender <terrycox@coxelderlaw.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Thank you for allowing me to comment. The objective articulated in the order is laudable. I have long believed that the way to accomplish this goal is not by flooding the marketplace with more lawyers.

The goal can be accomplished by adopting a program of limited licensure. Our profession should self-restrict the areas of law in which one may practice. Far too many lawyers handle matters for which they are not sufficiently educated or experienced.

We should follow the historical model observed by physicians in which one may only practice within the narrow discipline for which one is certified.

Adopting limited licensure would keep every practitioner in his or her own "lane." The quality of practice in every legal discipline would improve and services would be delivered more efficiently and competently.

Disadvantaged persons will not receive more and better legal care if there are simply more lawyers holding licenses. Disadvantaged persons will receive more and better legal care if a segment of the legal practitioner community is licensed to practice in disciplines peculiar to the needs of this group of consumers.

Terry Cox

--

Sincerely,



Terry C. Cox
Attorney
149 South Rowlett
Collierville, Tennessee 38017
901-853-3500
901-853-3525 (fax)

CONFIDENTIALITY NOTICE: This e-mail and its attachments (if any) contain confidential information of the sender which is legally privileged. The information is intended only for the use by the direct address(es) of the original sender (or

Kim Meador

From: Lillian Burke <lpburke@peerlessmail.net>
Sent: Saturday, September 20, 2025 9:32 PM
To: appellatecourtclerk
Cc: Lillian Burke peer
Subject: Re: Docket # ADM2025-01403



Warning: Unusual sender <lpburke@peerlessmail.net>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

James Hivner, Clerk
Re: Regulatory Reform
100 Supreme Court Building
401 7th Avenue North
Nashville, TN 37219-1307

No. ADM2025-01403

Mr. Hivner,

I am writing to comment on the proposal that TN should not require ABA certification for the practice of law.

I am a physician, now retired from practice, but am interested in supporting the rights of certain patients and physicians. As a retired person, it would be difficult for me to enroll in a full time program; therefore, I enrolled in Purdue Global law school.

Graduates can sit for the bar in California and in other states under various arrangements. In California, the Purdue passage rate is comparable to many ABA approved schools, though not as high as Harvard or Stanford. Last year, for the first time, Indiana allowed graduates to take the bar and all five passed. At least one graduate has practiced before the US Supreme Court, there are several who are judges and others who have made a good career for themselves.

In my law school cohort, there are several physicians and other medical professionals, including me, a retired OB GYN MD, and a well-published Neurosurgeon who is on the faculty of the leading institution. Most of the students are mid-career professionals. For all of us, it would be very difficult to attend class during the day. We have discussed that the educational quality is high.

Many students seem to come from rural areas and have families, which would make law school impossible. These students are more likely to practice in rural areas and provide good service.

We have classes every week with a lot of interaction- the maximum class size is usually about 30 and there is a lot of discussion, so our professors do get to know us well. We have access to the full academic library as well as Westlaw. It seems that they do deal with problematic students as they either moderate their conduct or disappear. Of course, these details are private. They have a relatively open admission policy but a lot of people do not make it more than 1-2 semesters. I don't think it is like predatory law schools as the total cost (4 year program) is about \$54K, so it is also a lot less expensive. At my age, it would not be reasonable for me to spend \$180K for legal education.

Purdue is not ABA accredited. The main sticking point is that there are no in person classes. In this day and age, it is not clear how that matters.

For these reasons, I believe that Purdue graduates should be allowed to sit for the bar in Tennessee.

That said, there is value to having an oversight professional group that sets standards. I do know that Purdue has worked actively with them. These groups are similar to those that certify hospitals, physicians, and surgeons, and I have personally seen how this improves care- though of course it can be stressful also.

I do believe that formal training is important. One can "pick up" quite a bit by working in the field, but there are some basics that everyone needs to know. Some of this education will only be needed in rare circumstances, but if you let in a lot of people with informal training, there will be risks of diluting the professional qualifications of those who serve as lawyers. Allowing people to train at a fully online school such as Purdue, would allow people to work as paralegals and still get the needed education. We have several paralegals in our class and they do benefit from the additional training.

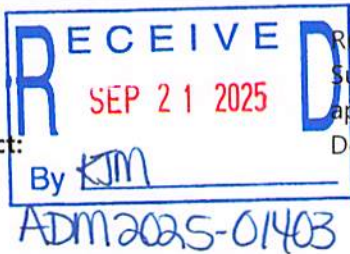
Please take these observations into consideration as you consider options for opening the bar to additional types of training.

Feel free to contact me if I can be of further assistance to you.

Lillian Burke, MD
6521 Marina Dr.
Prospect, KY 40059
252 258 6978
LpBurke@peerlessmail.net

Kim Meador

From: Russell Fowler <rfowler@laet.org>
Sent: Sunday, September 21, 2025 8:15 AM
To: appellatecourtclerk
Subject: Docket No. ADM2025-01403



Warning: Unusual sender <rfowler@laet.org>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

First, thank you for considering my views on these important issues. Please note that in addition to practicing law since 1987, I regularly recruit, hire, and train new lawyers and I teach pre-law students at the University of Tennessee at Chattanooga (UTC). And, some of these issues touch on access to justice by low-income and rural Tennesseans and I have been in management of a Tennessee legal aid program serving 26 Tennessee counties since 1997.

(1) Modify, reduce or eliminate reliance on American Bar Association (ABA) accreditation in setting minimum educational requirements for lawyers.

Tennessee should only end reliance on the ABA *if the ABA lowers or relaxes its standards*. In general, the educational quality of new lawyers has been in decline and we should do nothing to exacerbate that problem. For example, I have heard suggestions of reducing law school from three to two years. I believe that would do massive damage to the profession and to the public interest. I believe in more requirements not less. For example, we need to return to law schools requiring a course on equity and, to build respect for the profession, add legal history to the curriculum.

(2) Consider alternatives to ABA accreditation.

Only if the alternatives are *more* rigorous not less. New lawyer quality is already in decline as stated.

(3) Consider adopting alternative pathways for admission to the bar.

No. New pathways imply easier access to bar admission. We do not need to lower standards. We need to focus on higher quality of lawyers not higher quantity. Too many lawyers drives down quality and ethical standards and endangers the public. We do need to find ways to attract more lawyers to rural areas, but driving up the number of lawyers in general is not the way. Rural Tennesseans need more good lawyers not a lot of bad lawyers. And low-income Tennesseans need more good lawyers volunteering to help them, not more desperate lawyers ignoring or taking advantage of them.

(4) Consider modifying requirements for admission for those licensed in other states

No. I believe Tennessee's requirements are fair and logical, except the process is sometimes way too slow.

(5) Modify, reduce or eliminate regulations prohibiting non-lawyer ownership of law firms or fee sharing with non-lawyers.

No. The practice of law is much more than a trade or business. In fact, as President Coolidge said, the law is "the highest of the professions." We should do nothing to undermine that great calling to public service and the furtherance of justice. Some things are more important than financial efficiency.

Again, thank you for considering my comments.

Respectfully submitted:

Russell Fowler
Director of Litigation and Advocacy / Managing Attorney
Legal Aid of East Tennessee
100 W. Martin Luther King Blvd., Suite 402
Chattanooga, TN 37402
Phone: 423-402-4764 / Toll Free: 800-572-7457 / Fax: 423-265-4164
www.laet.org

Justice shouldn't depend on income. Support our mission. Give the gift of justice. Donate today at LAET.org

IMPORTANT DISCLAIMERS

PRIVILEGED AND CONFIDENTIAL INFORMATION:

****This e-mail may contain PRIVILEGED and CONFIDENTIAL information and is intended only for the use of the specific individual(s) to which it is addressed. Review by any individual other than the intended recipient shall not constitute waiver of the attorney-client privilege, the attorney-work-product doctrine, any evidentiary privilege, or any proprietary rights in the information. If you are not an intended recipient of this e-mail, please delete it and immediately notify the person named above by telephone or reply e-mail. Thank you.

INTENT NOT TO BE BOUND:

****The sender of this transmission does not intend to create or be bound by any agreement that otherwise might arise pursuant to any international, federal or state law. Including but not limited to the Electronic Signature Act.

TAX ADVICE:

****Any tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or applicable tax laws or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein. Please consult your tax advisor for guidance specific to your situation.

Kim Meador

From: The Migrant Alliance <themigrantalliance@gmail.com>
Sent: Tuesday, September 23, 2025 7:23 PM
To: appellatecourtclerk
Cc: service@americanbar.org
Subject: Public Comment – Review of ABA Accreditation Requirement for Bar Admission in Tennessee



Warning: Unusual sender <themigrantalliance@gmail.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Tennessee Supreme Court
Attn: Clerk of the Appellate Courts
401 7th Avenue North
Nashville, TN 37219-1407

Date: September 23, 2025,

Re: Public Comment – Review of ABA Accreditation Requirement for Bar Admission in Tennessee

Dear Honorable Justices of the Tennessee Supreme Court,

I am writing to express my support for Tennessee's consideration of alternatives to the requirement that bar applicants graduate from an American Bar Association (ABA)-accredited law school. As a Texas resident, single parent, civil rights advocate, and director of *The Migrant Alliance*, I applaud this Court for opening this critical conversation.

The ABA's current stranglehold on legal education not only promotes red tape and rigid bureaucracy, but it functions as a **gatekeeper that favors privileged applicants** while excluding countless talented individuals from low-income, minority, and working-class backgrounds. Law schools accredited by the ABA often leave students burdened with upwards of \$150,000 in debt—an unconscionable barrier that deters qualified and committed individuals from entering the legal profession, particularly those seeking to serve underserved communities.

As a 44-year-old working professional and single parent, I have found it nearly impossible to participate in the traditional ABA-dominated legal education system. In response, I have decided to enroll in **Northwestern California University School of Law (NWCUSLAW)**—a fully online, California-accredited law school—which will qualify me to sit for the California Bar Exam. My intent is to practice immigration law, a federal practice area that allows lawyers admitted in one state to serve clients across the country. Tennessee—and other states—must recognize that federal legal practice and modern realities demand more accessible pathways to licensure.

It is also essential to acknowledge the harm caused by current **Unauthorized Practice of Law (UPL)** restrictions. These rules often prevent trained non-attorney legal professionals from delivering affordable legal services, particularly in areas like immigration, small claims, housing, and consumer disputes. These UPL rules are not about protecting the public, but about protecting the **legal monopoly cartel** that has benefited from exclusive control for decades—at the expense of our most vulnerable communities. This violates both the **First and Fourteenth Amendments** by suppressing the rights of legal advocates and the people they serve.

With the rise of **artificial intelligence**, new forms of legal assistance, and digital tools, the traditional legal profession is evolving rapidly. The bar admission process must evolve with it. Tennessee can lead by adopting a **modern, inclusive framework** that promotes quality legal services without clinging to obsolete standards.

The ABA's model is no longer fit for the future—it is rigid, exclusionary, and increasingly disconnected from the realities of modern American life. I urge the Tennessee Supreme Court to stand with reformers and break away from this outdated mold. We need a system that values **access, affordability, innovation, and the constitutional right to work**.

Thank you for your time and thoughtful consideration.

Sincerely,

Augusto J. Martinez

Director, *The Migrant Alliance*

1505 George Dieter Dr, Ste 109 #590

El Paso, TX 79936

Tel. (818) 272-6336

themigrantalliance@gmail.com

Augusto J Martinez, Director

The Migrant Alliance

1505 George Dieter Dr

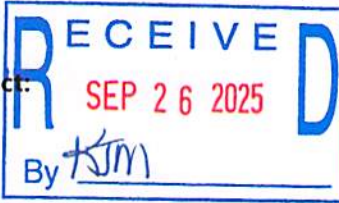
El Paso TX 79936

Tel. 818-272-6336

themigrantalliance@gmail.com

Kim Meador

From: Mary Lambert <ShellsWorkBook@outlook.com>
Sent: Friday, September 26, 2025 11:11 AM
To: appellatecourtclerk
Subject: Re: Regulatory Reform No. ADM2025-01403



ADM2025-01403

Warning: Unusual sender <shellsworbook@outlook.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

To whom it may concern:

I hope this message finds you well. I am writing to bring to your attention several ethical concerns regarding my recent custody case against the department of children services and the treatment I received as an indigent client with an ADA-accommodated diagnosis.

Throughout the proceedings, I was appointed seven different attorneys, each of whom eventually withdrew from my case. This constant turnover severely impacted my ability to effectively communicate and participate in my defense, especially given my struggles with CPTSD.

Moreover, despite reaching out to the ADA association within my local court system, I did not receive any response, leaving me without crucial support. Additionally, the conduct of the state's attorney involved in the termination of parental rights case was troubling. The attorney made defamatory statements and manipulated facts, which I reported to the Board of Professional Responsibility. Unfortunately, my concerns were not addressed, as I was considered the defendant rather than the client.

Given these circumstances, I am deeply concerned about the self-regulation of lawyers in Tennessee and the potential for ethical standards to be compromised. I respectfully urge your office to look into these matters to ensure that all clients receive fair and ethical representation, regardless of their circumstances.

Thank you for your attention to this critical issue. I look forward to your response.

Sincerely,
Mary Lambert

Kim Meador

From: Matthew Ryan <mryan@rma-law.com>
Sent: Friday, September 26, 2025 11:59 AM
To: appellatecourtclerk
Subject: Re: Regulatory Reform No. ADM2025-01403



Warning: Unusual sender <mryan@rma-law.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

I am against this proposed reform, especially the following:

“...States have started experimenting with regulatory reforms aimed at increasing the supply of legal services and thereby lowering their costs. These reforms include the limited licensing of paraprofessionals to provide certain legal services, allowing non-lawyer ownership of law firms, and providing alternative pathways to licensure other than a traditional three-year legal education and successful completion of the bar examination.”

This is not only good for the legal profession, but also the general public that needs legal help. Let's see this proposal for what it really is, an attempt for non-lawyers to practice law in our state for profit, not helping those in need of legal assistance.

Sincerely,

Matthew

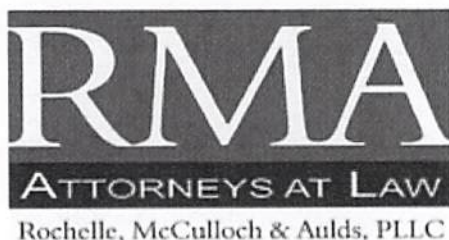
Matthew H. Ryan, Attorney at Law
ROCHELLE, McCULLOCH & AULDS, P.L.L.C.

Lebanon Office:

109 N. Castle Heights Ave.
Lebanon, TN 37087
Direct Phone: 615-443-8753
Fax: 615- 443-3846

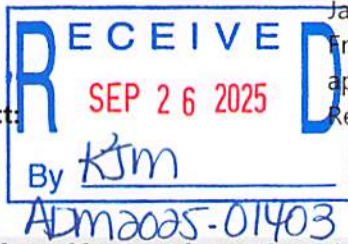
Mt. Juliet Office:

2745 N. Mt. Juliet Road
Mt. Juliet, TN 37122
Phone: 615-443-8787
Email: mryan@rma-law.com
Web: www.rma-law.com



Kim Meador

From: Jake Perry <jperry@rma-law.com>
Sent: Friday, September 26, 2025 11:29 AM
To: appellatecourtclerk
Subject: Re: Regulatory Reform No. ADM2025-01403



Warning: Unusual sender <jperry@rma-law.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Good morning. In response to the State Supreme Court seeking comments on the regulation of the legal profession, I would like to submit the following comments on specific topics:

(3) consider adopting alternative pathways for admission to the bar

While there is much debate on whether law school and the bar exam adequately measure a person's ability to be an effective lawyer, law school and the bar examination do at least provide some level of objective standards to ensure that a person admitted to the bar has a basic understanding of law. For this reason, the law school and bar exam model should remain in effect.

In lieu of law school, some state permit an apprenticeship program. According to an August 10, 2022 article by the Indianapolis Bar Association, in those states that permit an apprenticeship program in lieu of law school (whether fully or partially) did not perform as well on the bar exam compared to the their traditional law school counterparts. As stated in the article:

There are . . . disadvantages to law school apprenticeships, notably, the bar passage rates. In all four states with true apprenticeship programs, the bar passage rate is lower among those who studied law in an apprenticeship rather than in law school. However, the difference in bar passage rate varies by state. Recent bar passage rates for participants in California's Law Office Study Program were not available.

Vermont: In 2021, 50% of those who took the bar after studying through Vermont's Law Office Study Program passed. The passage rate for those who graduated from an ABA accredited law school was 56%. From 2017 to 2019, 54% of those who sat for the Vermont Bar after studying through the Law Office Study Program passed. The bar passage rate for law school graduates during the same time frame was 64%. There are currently 46 people enrolled in the Law Office Study Program. The program typically has about 10-15 new participants annually, though not all complete the program.

Virginia: From 2001 to 2019, the bar passage rate for those who studied in the Law Reader Program was 19% while the overall passage rate was 68%. During this same time frame, 22,817 people passed the Virginia Bar; 32 of them studied through the Law Reader Program.

Washington: 30.8% of bar takers who studied law through the Law Clerk Program passed the July 2021 bar; the passage rate for those with a J.D. from an ABA accredited law school was 80.3%. However, the disparity is less extreme when only considering first-time takers, 57.1% of Law Clerks passed the July 2021 bar on their first attempt, while 83.7% of graduates from ABA accredited schools passed.

New York and Maine offer programs in which participants must complete some law school at ABA accredited institutions but may complete their legal studies with an apprenticeship. New York requires students to complete at least the first-year law school courses, and the combination of time in law school and time studying through an apprenticeship must total four years. Maine requires that a student complete at least 2/3 of the academic requirements for graduation from an ABA accredited law school and at least a year of study in a law office. In New York, 20% those sitting for the 2021 bar who utilized the Law Office Study Program passed. 75% of test takers from ABA accredited law schools passed, and

the overall passage rate was 60%. Bar passage rates of participants in Maine's legal apprenticeship program were unavailable.

See Apprenticeship Alternatives to Law School - Government Practice News,
<https://www.indybar.org/?pg=GovernmentPracticeNews&blAction=showEntry&blogEntry=79791> (Aug. 10, 2022),
accessed Sept. 26, 2026.

These data samples from other states exemplify that apprenticeship-path students objectively did not perform as well on the bar exam. This could be due to other factors (e.g., these students are more likely to choose an apprenticeship because they feel they do not perform well in school settings and/or are not good test takers), but the fact remains that there must be some objective standard to test competency, and the bar exam is the best we have for that. So, while this commentor is not necessarily opposed to allowing an alternative path to law school, the bar exam must remain in place to safeguard the profession. Further, there is strong evidence not to permit alternative paths to the profession based upon data samples that apprenticeship students did not perform as well on the bar exam.

Rather than do away with the schooling or the bar exam, a focus on streamlining the amount of school required would be a better approach. Currently, an attorney is required to obtain a 4-year bachelor's degree and attend 3 years of law school for a combined seven years of school. While some schools have developed 3+3 programs, this approach also requires that the student attend said school for the entire duration of their college career. There are likely means to streamline this process further as much of an undergraduate degree does not prepare one for the practice of law.

(5) modify, reduce or eliminate regulations prohibiting non-lawyer ownership of law firms or fee sharing with non-lawyers.

Permitting non-lawyers to have ownership rights in a law firm is dangerous and will quickly erode our profession. While such measures are often framed as innovations aimed at increasing access to justice or promoting efficiency, they pose a serious threat to the foundational principles of our profession and the profession itself.

The legal profession is not merely a business. It is a vocation grounded in fiduciary duty, confidentiality, loyalty, and an unwavering commitment to the administration of justice. Lawyers are bound by ethical obligations that often require them to act against their own financial interests in service of a client's rights or the integrity of the legal system. Introducing non-lawyer ownership risks subordinating these duties to commercial pressures and investor interests. Non-lawyers are not subject to the same ethical codes, disciplinary oversight, or duty of candor to the court. Their priorities (i.e., return on investment, market share, cost-cutting, et cetera) may directly conflict with the lawyer's duty to provide zealous and independent representation.

Further, permitting non-lawyers to have ownership stake in a law firm begs for large-scale commercialization of our profession and the erosion of a quality product. Large companies could operate at a loss/break even in an effort to drive out competition. As competition from traditional law firms decreases, the prices of these non-lawyer owned firms will increase, and the consumer suffer. For example, if Legal Zoom were able to hire a team of lawyers to edit and mass sell contract forms, wills, etc., you could see a mass extinction of certain practice areas.

I urge you to oppose any measure that permits non-lawyers to own, control, or influence law firms. The long-term consequences of such a policy will be felt not only by attorneys, but by every citizen who relies on the legal system to protect their rights, resolve disputes, and uphold the rule of law.

Jacob L. Perry, Attorney
Rochelle, McCulloch & Aulds, PLLC
109 North Castle Heights Avenue
Lebanon, Tennessee 37087
Phone: 615-444-1433
Fax: 615-443-8775
E-mail: jperry@rma-law.com
Website: www.rma-law.com



Kim Meador

From: Cole, Daniel <DCole@chamblisslaw.com>
Sent: Friday, September 26, 2025 2:05 PM
To: appellatecourtclerk
Subject: Re: Regulatory Reform No. ADM2025-01403



ADM2025-01403

Warning: Unusual sender <dcole@chamblisslaw.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

As a recent transplant from North Carolina and a patent lawyer these are my answers to the questions public comment was sought on:

1. The state should in no way modify, reduce, or eliminate reliance on the ABA for setting minimum educational requirements for lawyers. These requirements ensure that lawyers are competent – especially lawyers going into litigation in any form need to meet these standards. Lowering these standards would not increase affordability of competent legal services but only increase the number of incompetent lawyers in the state.
2. Neither should the state consider any accreditation services other than the ABA – doing so would only have the same affect as 1 above.
3. I also do not support alternative pathways for admission to the bar. The bar exam, even the newer multistate version, does not test nearly all the skills required for a lawyer. Going to a competent law school though accredited by the ABA still though does teach them. Critically the method of thinking lawyers must adopt to ethically do what we do. Coming from science, and working in higher education before going to law school I can say this is a method of thought not used by either of these professions. I expect it is a very particular mode of thought not used by any other profession. It is however required.
4. I have a unique perspective on this as I just entered in April of this year. I found the process lengthy, expensive, and confusing. Largely however I understand the need for it. Though I think having to send to Tennessee all of the information I sent to the NC bar and UNC law again was a bit much – certainly proving I have worked for the five years required and sending notices of good standing and any disbarment or compliant information I have was completely understandable and should not be changed.
5. I am of mixed feelings on this question. While I do believe this might go along way to decreasing legal prices by increasing the number of independent lawyers (If I could find investment I might very well go independent), however I worry it would make the profession make legal decisions based on money even more than it does now. In North Carolina I had several bosses who made me write patents that both of us knew were extremely likely to fail rather than advising the clients not to waste their time and money. That the lawyer I work for now seeks to settle and attempts to convince clients and opposing counsel to do so when it is in everyone's best interest but they might rather fight, as opposed on ginning up conflict to ring up large bills, amazed me. I would want to make sure this kind of behavior continues and is encouraged.

On the other more general questions I expect (given what I am learning about the politics of Tennessee) you are not going to like my answers. I do not think there is a less costly alternative to the traditional three-year law school curriculum – maybe apprenticeship but that would likely again only give a very specific workman like knowledge of the law and not the overall understanding that law school gives. I think this would be a mistake. North Carolina has a law school at UNC that is publicly funded as UNC is publicly funded. Tennessee has seems to have two – one associated with the University of Tennessee and one associated with the University of Nashville. This is great! Expanding the support of these institutions and increasing the number of attending students who choose to stay in Tennessee would likely go a long way to increasing the local law supply and thus decrease costs. For rural areas increasing tele-support may help – but I expect a lot of people will still want to meet with lawyers in person so the lack of business in these smaller communities will continue to be a problem.

As for legal services that can be performed by paraprofessionals ... honestly knowing what I know about complications and traps for the unwary that litter law I wouldn't even want a paralegal to write a simple will for a single person who wants to leave everything they have to a single charity. Maybe simple traffic court cases – first time speeding tickets? Cases where someone is pleading guilty maybe a lawyer doesn't need to be present when they agree to the guilty verdict? (should still certainly be able to argue mitigating factors verbally in court). I may be very wrong here though as I practice no criminal law and took only the most basic crim law class in law school.

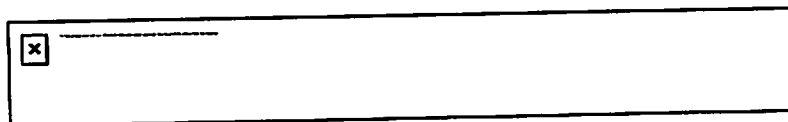
For both criminal and civil law in Tennessee increased support to indigent defense and increased support for legal aid is likely the best option to increase access to justice.

Hope the above is helpful thank you for collecting opinions.

Daniel Cole
Registered Patent Attorney

Chambliss, Bahner & Stophel, P.C.
Liberty Tower
605 Chestnut Street, Suite 1700
Chattanooga, TN 37450

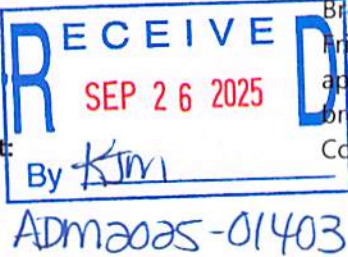
P (423) 757-0261
F (423) 508-1261
dcole@chamblisslaw.com | www.chamblisslaw.com



This transmission is confidential and may be privileged or proprietary. If you are not the intended recipient, you are not authorized to use the information in this transmission in any way. Please inform the

Kim Meador

From: Brendan Hernandez <brendan.hernandez@proton.me>
Sent: Friday, September 26, 2025 2:50 PM
To: appellatecourtclerk
Cc: brendan.hernandez@proton.me
Subject: Comments: No. ADM2025-01403



Warning: Unusual sender <brendan.hernandez@proton.me>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Comments: No. ADM2025-01403
To: Tennessee Supreme Court

Very often when a state Supreme Court asks for comments, it usually places more heavy weight on the written comments made by law school Deans and large legal professional associations. My hope is that the Tennessee Supreme Court places greater weight on comments from individuals, who are aspiring lawyers, who actually experience the awful drawbacks inflicted on us by the American Bar Association (ABA).

To keep my written comments succinct, I believe the Texas Supreme Court should immediately implement the following:

1. The Texas Supreme Court should totally ban the involvement of the ABA in any aspect of 'accreditation' of laws schools in the state. The ABA has become a cartel which primarily focuses on decreasing the quantity of lawyers in the state, to economic benefit those who currently practice law in the state. Simply put, the less lawyers in the state, the more the existing lawyers get paid. It's gross, unjust, and should be seen for what it is.
2. Multiple alternative pathways should be created by the Texas Supreme Court for the practice of law in the state. This should include abolishing the 'bar exam' (of which the ABA has massive influence) in place of practice oriented approach, and providing strong recognition for law school legal education in itself. Currently, law students take over 25 separate exams during their law school. This is more than enough testing to ensure that a candidate to practice law understands basic concepts of law.
3. As referenced above, the Tennessee Supreme Court should totally abolish the bar exam, in favor of multiple pathways to practice law in the state without the requirement to take a bar exam. The bar exam has proven to be a lousy impediment to bringing high quality lawyers into the professional. Great 'exam takers' do not equate to great lawyers - great lawyers are those that have a passion for law, their clients, and justice.

4. The Texas Supreme Court should allow foreign law graduates (particularly those from common law jurisdictions) to participate in any alternative pathway(s) that are created for the practice of law in the state. If a foreign law graduate holds an LLM from a reputable U.S. law school (whether gained online or in-person), they should be eligible to participate in the state alternative pathways to practice law.

My hope is that the Tennessee Supreme Court thinks about the individuals that the ABA continues to hurt. The ABA is a Washington DC based organization that cares only about its funding and its own left-leaning political agendas. The organization clearly takes steps to indirectly curtail the practice of law by conservatives and Republicans.

Many of these individuals are those who do not have the time or focus to even write comments to the Supreme Court on this matter. However, I can vouch for their deep concerns that the ABA has turned into a politically controlled association designed to keep new lawyers from entering the legal profession - not only in Tennessee, but across the nation.

The leadership of the Court should be commended for its aggressive and timely concern about this issue, and my hope is that the Court takes immediate and aggressive reform actions to ensure that the ABA can no longer de facto control the legal profession in the United States.

Sincerely,

Brendan Hernandez

Kim Meador

From: Brendan Hernandez <brendan.hernandez@proton.me>
Sent: Friday, September 26, 2025 2:50 PM
To: appellatecourtclerk
Cc: brendan.hernandez@proton.me
Subject: Comments: No. ADM2025-01403



Warning: Unusual sender <brendan.hernandez@proton.me>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Comments: No. ADM2025-01403
To: Tennessee Supreme Court

Very often when a state Supreme Court asks for comments, it usually places more heavy weight on the written comments made by law school Deans and large legal professional associations. My hope is that the Tennessee Supreme Court places greater weight on comments from individuals, who are aspiring lawyers, who actually experience the awful drawbacks inflicted on us by the American Bar Association (ABA).

To keep my written comments succinct, I believe the Texas Supreme Court should immediately implement the following:

1. The Texas Supreme Court should totally ban the involvement of the ABA in any aspect of 'accreditation' of laws schools in the state. The ABA has become a cartel which primarily focuses on decreasing the quantity of lawyers in the state, to economic benefit those who currently practice law in the state. Simply put, the less lawyers in the state, the more the existing lawyers get paid. It's gross, unjust, and should be seen for what it is.
2. Multiple alternative pathways should be created by the Texas Supreme Court for the practice of law in the state. This should include abolishing the 'bar exam' (of which the ABA has massive influence) in place of practice oriented approach, and providing strong recognition for law school legal education in itself. Currently, law students take over 25 separate exams during their law school. This is more than enough testing to ensure that a candidate to practice law understands basic concepts of law.
3. As referenced above, the Tennessee Supreme Court should totally abolish the bar exam, in favor of multiple pathways to practice law in the state without the requirement to take a bar exam. The bar exam has proven to be a lousy impediment to bringing high quality lawyers into the professional. Great 'exam takers' do not equate to great lawyers - great lawyers are those that have a passion for law, their clients, and justice.

4. The Texas Supreme Court should allow foreign law graduates (particularly those from common law jurisdictions) to participate in any alternative pathway(s) that are created for the practice of law in the state. If a foreign law graduate holds an LLM from a reputable U.S. law school (whether gained online or in-person), they should be eligible to participate in the state alternative pathways to practice law.

My hope is that the Tennessee Supreme Court thinks about the individuals that the ABA continues to hurt. The ABA is a Washington DC based organization that cares only about its funding and its own left-leaning political agendas. The organization clearly takes steps to indirectly curtail the practice of law by conservatives and Republicans.

Many of these individuals are those who do not have the time or focus to even write comments to the Supreme Court on this matter. However, I can vouch for their deep concerns that the ABA has turned into a politically controlled association designed to keep new lawyers from entering the legal profession - not only in Tennessee, but across the nation.

The leadership of the Court should be commended for its aggressive and timely concern about this issue, and my hope is that the Court takes immediate and aggressive reform actions to ensure that the ABA can no longer de facto control the legal profession in the United States.

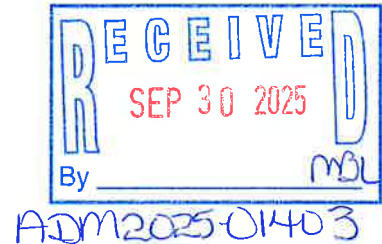
Sincerely,

Brendan Hernandez

William T. Jackson, Jr.
1200 Broadway, Apt 2604
Nashville, TN 37209
wtjackson1979@gmail.com
224-387-9574

September 30, 2025

James Hivner, Clerk
Re: Regulatory Reform
100 Supreme Court Building
401 7th Avenue North
Nashville, TN 37219



Re: Public Comment on the Regulation of the Legal Profession and Pathways to Admission to the Tennessee Bar – No. ADM2025-01403

Introduction

The Tennessee Supreme Court's review of professional regulation is both timely and essential to expanding access to justice across the state. I respectfully submit this comment as a law student currently in good standing at Purdue Global Law School, where I maintain a 3.2 GPA. I expect to graduate December 2026, and I plan on taking the bar exam immediately thereafter.

As a Tennessee resident, my personal goal upon graduation is to practice law in Tennessee and provide legal services to indigent, veteran, and immigrant populations. I have firsthand experience having helped a homeless Nashville resident get back on their feet and navigate the legal system in Davidson County. I attend Church of the City in Franklin and am well aware of the challenges facing single mothers, foster children and veterans in our community as a result of our local programs.

Because I already own a successful business, I am financially independent and uniquely positioned to provide services pro bono or at minimal cost to clients in need. However, under Tennessee's current rules, I am not eligible to sit for Tennessee's bar exam, as Purdue Global Law School is a fully online law school and is not currently eligible for accreditation by the American Bar Association. (I cannot even transfer in a UBE score from another jurisdiction, because Purdue Global Law School is not "based

on in-person attendance.”) This says nothing about the quality of the legal education I am receiving or my qualifications to practice law in Tennessee.

ABA Accreditation and Minimum Educational Requirements

I encourage the Court to reconsider its exclusive reliance on ABA accreditation as its criteria for bar exam eligibility. (Tennessee’s rules contain a narrow exception for graduates of certain “Tennessee law schools,” but this would not apply to me or numerous other graduates of an online law school like Purdue Global.) While the ABA’s role in legal education is important, it should not be the sole measure of competency. Programs such as Purdue Global Law School provide rigorous training at significantly lower cost than many ABA institutions.

Restricting admission to ABA graduates excludes qualified, service-driven individuals who are committed to filling Tennessee’s justice gap. Allowing graduates of state-accredited programs like Purdue Global to sit for the Tennessee Bar would expand the pool of attorneys prepared to serve the public.

Alternatives to ABA Accreditation

The Court could recognize several alternatives that balance accessibility with quality:

- **State-Accredited Law Schools:** Acceptance of graduates from state-accredited schools such as Purdue Global, which is accredited in California and approved for the bar exam in Indiana and Connecticut, would expand opportunity without sacrificing rigor.
- **Tennessee-Specific Accreditation or Review:** Under TSC Rule 7 Tennessee already has an exception for certain instate schools that are not ABA accredited. In the interest of expanding access to legal services for all Tennessee citizens this exception should be expanded to include any legal education program that provides requisite training and facilitates passing the Tennessee bar exam.
- **Competency-Based Measures:** Applicants should be assessed by their demonstrated knowledge and skills rather than institutional accreditation alone. Oregon is one example of a state that has recently adopted a non-bar-exam pathway to licensure.

These reforms would ensure competence while allowing committed future lawyers like me to contribute to the profession in Tennessee.

Less Costly Alternatives to the Traditional Model

The three-year, ABA-accredited law school model often results in student debt exceeding \$200,000, placing representation of modest means clients out of reach for many. The COVID-19 pandemic fundamentally reshaped higher education, including legal education. During the pandemic, nearly every law school in the United States—including those accredited by the ABA—shifted to online or hybrid instruction for extended periods. This experience suggests that in the right circumstances, rigorous, interactive legal education can be delivered effectively in a virtual environment.

Purdue Global Law School, unlike institutions that adopted online platforms out of necessity, has operated successfully in the online space for decades. Its pedagogy has matured to include structured live instruction, rigorous assessments, interactive discussions, and simulated practice experiences that prepare graduates for the profession.

Post-pandemic, the stigma once attached to online education has largely disappeared. Employers and regulators alike now recognize that quality education can be delivered virtually. Programs like Purdue Global provide accessibility and affordability for nontraditional students, including working professionals, parents, and individuals who might not otherwise have the opportunity to pursue law. These are often the very students most committed to returning to their communities to provide affordable legal services—precisely the populations Tennessee needs to reach in order to reduce its justice gap.

Admission of Attorneys Licensed in Other States

Mobility between jurisdictions is increasingly necessary in today's economy. I encourage the Court to consider reducing barriers for attorneys in good standing in other states to be admitted in Tennessee. If someone has obtained licensure in another state, that should provide a sufficient indicium of reliability to allow them to pursue licensure in Tennessee, even if they attended a non-ABA law school, and even if that law school was online. This reform would expand the pool of lawyers available to Tennesseans, particularly in underserved areas, and would further the Court's commitment to access and affordability.

Conclusion

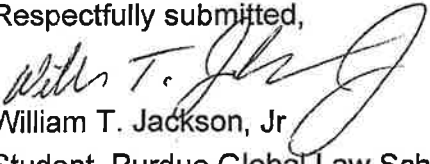
I have had as a personal goal to earn a JD degree and to practice law since I completed my career in the U.S. Air Force. I have become closely connected to Tennessee since moving here in 2020 and have seen up close the challenges that a significant portion of our citizenry faces in trying to navigate the legal system. Veterans, the indigent, foster children and families, and immigrants all struggle to access justice and this potential modification to credentialing standards in our state could go a long way toward helping the situation.

My request is simple and deeply personal: I ask the Court to recognize the education provided by Purdue Global Law School, and by extension, to allow graduates of state-accredited, non-ABA institutions to seek admission to the Tennessee Bar.

As a business owner with financial independence, I will not rely on law practice as my sole source of income. Instead, I intend to devote my career to providing affordable, and often pro bono, legal services to indigent, veteran, and immigrant Tennesseans.

By reforming bar eligibility standards, the Court would not only open the profession to individuals like me, but also directly advance its stated mission of ensuring affordable access to justice across the state.

Respectfully submitted,


William T. Jackson, Jr
Student, Purdue Global Law School

MaryBeth Lindsey

From: bill@pivotaltalentsearch.com
Sent: Tuesday, September 30, 2025 12:57 PM
To: appellatecourtclerk
Subject: DOCKET # ADM2025-01403 - PUBLIC COMMENTS ON POTENTIAL REGULATORY REFORMS TO INCREASE ACCESS TO QUALITY LEGAL REPRESENTATION
Attachments: RESPONSE TO ORDER SOLICITING PUBLIC COMMENTS ON POTENTIAL REGULATORY REFORMS TO INCREASE ACCESS TO QUALITY LEGAL REPRESENTATION.pdf

Warning: Unusual sender

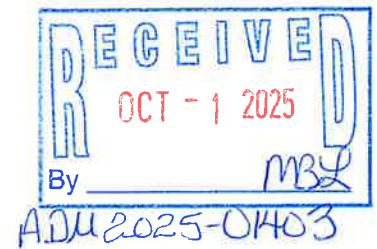
You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Good afternoon,
Please see attached for my response to the request for comments.

Regards,

Bill Jackson ★
Chief Operating Officer | Pivotal Talent Search
224.387.9574 | bill@pivotaltalentsearch.com





Tennessee Supreme Court

Public Comment on Regulatory Reform of the Legal Profession

Docket No. ADM2025-01403

Submitted by:

Curtis S. Berkley
3958 Gordon Smith Rd.
Knoxville, TN 37938
(865)803-3423
cberkley@wintn.com

October 01, 2025

Executive Summary

Core Recommendation

Adopt an alternative pathway to full bar admission based on:

1. Foundational Legal Education – completion of a core curriculum in basic legal principles (Constitutional law, contracts, torts, criminal law, civil procedure, and ethics) through state-approved programs, apprenticeships, or distance learning.
2. First-Year Competency Examination (“Baby Bar”) – demonstration of mastery of fundamentals prior to supervised practice.
3. Supervised Practice – two years under the direction of a licensed Tennessee attorney or judge, with reporting and oversight.
4. Portfolio Review – submission of work products for evaluation by the Board of Law Examiners to confirm competence, ethics, and character.

Positions on Specific Issues

- ABA Accreditation: Oppose exclusive reliance. Approve multiple educational avenues so long as core principles are taught.
- Admission of Attorneys from Other States: Oppose. Reciprocity will not increase service to the indigent or underrepresented.
- Non-Lawyer Ownership / Fee Sharing: Oppose. Such measures would primarily advance corporate interests, not access to justice.
- Paraprofessional Licensure: Oppose. One is either a lawyer or is not; partial licensure creates inequity and public confusion.
- Less-Costly Alternatives: Strongly support via the proposed core curriculum + Baby Bar + supervised practice + portfolio model.

Conclusion

Tennessee should modernize its regulatory framework to expand opportunity without diluting standards. The proposed pathway ensures a sound educational foundation, verified knowledge,

extensive supervised training, and competency-based evaluation—without requiring three years of law school or a single high-stakes exam.

Respectfully submitted,
Curtis S. Berkley

Curtis S. Berkley
3958 Gordon Smith Rd.
Knoxville, TN 37938
(865)803-3423
cberkley@wintn.com

October 01, 2025

Clerk James Hivner
Re: Regulatory Reform, Docket No. ADM2025-01403
100 Supreme Court Building
401 7th Avenue North
Nashville, TN 37219
Email: appellatecourtclerk@tncourts.gov

Re: Public Comment on Regulatory Reform of the Legal Profession
Docket No. ADM2025-01403

Dear Clerk Hivner and Honorable Justices:

I respectfully submit this comment in response to the Court's September 16, 2025 Order (Docket No. ADM2025-01403) inviting public input on reforms to the regulation of the legal profession.

I am a fifty-two year old, one hundred percent disabled veteran and small business owner. From a young age, I aspired to the practice of law, but military service and life circumstances led me in a different direction. Today, as I seek ways to serve my community—especially fellow veterans who are among the most vulnerable and least represented—the existing system of legal education and licensure is simply inaccessible. Three years of full-time law school without income, followed by months devoted exclusively to preparing for the bar exam, is not possible for Tennesseans like me.

The current barriers exclude many qualified, motivated individuals who could competently and honorably serve the people of this state. I therefore write in strong support of meaningful reform, and in opposition to reforms that, in my judgment, would dilute the profession or misdirect its focus.

1. Core Curriculum, Baby Bar, Supervised Practice, and Portfolio Review

I propose the following pathway as an alternative to the traditional law school route:

1. **Foundational Legal Education:** All candidates should complete a core curriculum in fundamental subjects—constitutional law, contracts, torts, criminal law, civil procedure,

and ethics. This education may be delivered through state-approved programs, distance learning, apprenticeships, or non-traditional institutions.

2. **First-Year Competency Examination (“Baby Bar”):** Passage of a Baby Bar would confirm mastery of foundational principles before practice begins.
3. **Supervised Practice:** Candidates would then complete two years of structured, supervised practice under an experienced Tennessee attorney or judge, subject to reporting and oversight.
4. **Portfolio Evaluation:** At the conclusion of supervised practice, candidates would submit a portfolio of legal work—motions, pleadings, client communications, ethical analyses—for review by the Board of Law Examiners. Admission to the Tennessee Bar would be based on demonstrated knowledge, skills, character, and integrity.

This pathway preserves rigorous standards while removing unnecessary financial and structural barriers. It ensures an educational foundation, verifies knowledge, provides extensive supervised training, and evaluates competency through demonstrated legal work.

2. Opposition to Admission of Attorneys from Other States

I oppose relaxing admission standards for attorneys licensed elsewhere. If Tennessee lawyers often decline to serve the indigent and underrepresented, there is little reason to believe that lawyers from outside the state would voluntarily fill that gap. Reciprocity does not solve the access-to-justice crisis within Tennessee, and it risks diverting opportunities away from Tennessee residents who are committed to serving their own communities.

3. Opposition to Non-Lawyer Ownership and Fee-Sharing

I also oppose non-lawyer ownership of firms or fee-sharing arrangements. Such reforms will inevitably attract corporate enterprises motivated primarily by profit, not by public service. They would generate more corporate-style lawyering while doing little, if anything, to address unmet needs among indigent or underrepresented Tennesseans.

4. Opposition to Paraprofessional Licensure

Finally, I oppose creating paraprofessional or “limited” lawyer categories. The public deserves clarity and equity: one is either a lawyer, fully authorized and accountable, or one is not. A two-tier system risks public confusion, inequities in representation, and potential abuses. The solution lies not in creating partial lawyers, but in broadening genuine pathways to full licensure for those willing to serve.

Conclusion

The Court's initiative presents an opportunity to modernize the profession in a way that expands opportunity without sacrificing competency or integrity. By adopting a pathway based on core legal education, a Baby Bar, supervised practice, and portfolio evaluation, Tennessee can prepare attorneys who are fully competent and deeply committed to service, while rejecting measures that would dilute the profession or misdirect reform efforts.

Respectfully submitted,
Curtis S. Berkley

MaryBeth Lindsey

From: Curtis Berkley <CBerkley@wintn.com>
Sent: Wednesday, October 1, 2025 11:26 AM
To: appellatecourtclerk
Subject: Regulatory Reform, Docket No. ADM2025-01403
Attachments: Tennessee Supreme Court.pdf

Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Dear Clerk Hivner,

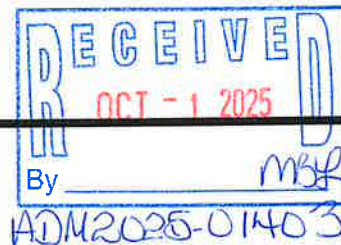
Attached please find my public comment in response to the Tennessee Supreme Court's September 16, 2025 Order (Docket No. ADM2025-01403) regarding regulation of the legal profession. I appreciate the Court's initiative in seeking public input and respectfully submit my recommendations for consideration.

A formal letter of the same will follow this email.

Thank you for your attention to this matter.

Respectfully,
Curtis S. Berkley
3958 Gordon Smith Rd.
Knoxville, TN 37938
(865)803-3423
cberkley@wintn.com

MaryBeth Lindsey



From: eric@sitlerlaw.com
Sent: Wednesday, October 1, 2025 6:00 PM
To: appellatecourtclerk
Cc: Johnny C. Garrett; rep.william.lamberth@capitol.tn.gov
Subject: Re: Public Comments on Regulatory Reform (ADM2025-01403)

Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

To: James Hivner, Clerk
Tennessee Supreme Court

Re: Public Comments on Regulatory Reform (ADM2025-01403)

Dear Clerk Hivner and Honorable Justices of the Tennessee Supreme Court:

I submit this comment in response to the Court's Order dated September 16, 2025, soliciting feedback on potential regulatory reforms designed to expand access to justice while maintaining the integrity of the legal profession. After careful consideration, I write in **support** of reforms numbered **1, 5, and 7**, and in **opposition** to reforms numbered **2, 3, 4, and 6**.

I am in support of:

1. Reducing Reliance on ABA Accreditation

The Court should modify its reliance on ABA accreditation as the exclusive measure of a law school's adequacy. While accreditation serves as a quality benchmark, it is also costly and slow to adapt to innovations in legal education. Tennessee's Board of Law Examiners is capable of establishing rigorous standards tailored to the needs of Tennesseans. This reform would expand opportunities for schools to innovate, reduce costs, and increase pathways for competent graduates without sacrificing quality.

5. Promoting Interstate Practice and Mobility

Encouraging greater reciprocity and easing barriers for attorneys licensed in other states will strengthen Tennessee's legal community. Interstate mobility benefits both lawyers and clients, particularly in border regions and underserved rural areas. It also ensures that Tennessee remains competitive and welcoming to legal professionals, thereby expanding access to legal services statewide.

7. Reevaluating Non-Lawyer Ownership of Law Firms

Carefully reducing restrictions on non-lawyer ownership and fee sharing has the potential to foster innovation and expand resources for client services. Outside investment could lower costs, increase technological development, and improve service delivery, especially for middle- and low-income Tennesseans. With proper safeguards to preserve attorney independence and client confidentiality, this reform could meaningfully address the justice gap.

I am in opposition of:

2. Alternatives to ABA Accreditation

While I support reducing strict reliance on ABA accreditation (Issue 1), I oppose replacing it with untested or vague alternatives. Accreditation—whether ABA or state-approved—remains essential to protect the public from diploma mills or programs offering inadequate training. Without a structured, vetted system, the risk of underprepared attorneys harming clients is too great.

3. Less Costly Alternatives to Three-Year Law School

Although affordability is a critical concern, shortening or diluting the traditional curriculum undermines preparation for practice. The three-year program ensures that graduates gain the analytical, procedural, and ethical grounding necessary for competent practice. Cost concerns should be addressed through tuition reform, scholarships, and state-supported aid—not by lowering the quality or duration of legal education.

4. Alternative Pathways to Licensure (e.g., Apprenticeships or Legal Aid Service in Place of Exams/Education)

While experiential learning is valuable, substituting apprenticeships or limited service for formal education and examination risks producing practitioners unprepared for the wide-ranging demands of modern practice. Bar examinations and rigorous education remain vital for ensuring minimum competence across diverse areas of law. These pathways should supplement—not replace—the traditional requirements.

6. Expansion of Paraprofessional Roles

I oppose transferring core legal functions to paraprofessionals. While well-intentioned, this creates a two-tiered system of justice where low-income clients may be relegated to second-class representation. The practice of law requires not only technical knowledge but also ethical judgment and accountability under professional rules. Paraprofessional licensing could dilute public trust and lead to inconsistent outcomes for vulnerable clients.

In conclusion

I urge the Court to pursue reforms that **lower unnecessary barriers (Issues 1, 5, 7)** while preserving the rigorous standards that protect clients and ensure the competence of Tennessee attorneys (Issues 2, 3, 4, 6). Thoughtful reform should expand access without compromising the professionalism and integrity of the Bar. Thank you for considering these comments.

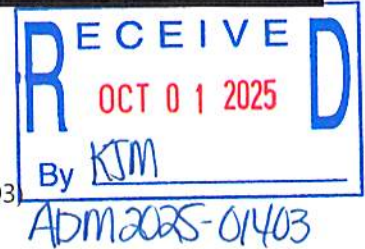
Respectfully submitted,

Eric W. Sitler
Attorney at Law
PO Box 36
Hendersonville, TN 37077
(615) 824-3229

Do not forward this email without permission from the sender. This email is from a law office and may be protected by attorney-client or work product privileges. If you are not the intended recipient of this email or have received this transmission in error, please notify the sender and delete any and all information received immediately.

Kim Meador

From: eric@sitlerlaw.com
Sent: Wednesday, October 1, 2025 6:00 PM
To: appellatecourtclerk
Cc: Johnny C. Garrett; rep.william.lamberth@capitol.tn.gov
Subject: Re: Public Comments on Regulatory Reform (ADM2025-01403)



Warning: Unusual sender <eric@sitlerlaw.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

To: James Hivner, Clerk
Tennessee Supreme Court

Re: Public Comments on Regulatory Reform (ADM2025-01403)

Dear Clerk Hivner and Honorable Justices of the Tennessee Supreme Court:

I submit this comment in response to the Court's Order dated September 16, 2025, soliciting feedback on potential regulatory reforms designed to expand access to justice while maintaining the integrity of the legal profession. After careful consideration, I write in **support** of reforms numbered **1, 5, and 7**, and in **opposition** to reforms numbered **2, 3, 4, and 6**.

I am in support of:

1. Reducing Reliance on ABA Accreditation

The Court should modify its reliance on ABA accreditation as the exclusive measure of a law school's adequacy. While accreditation serves as a quality benchmark, it is also costly and slow to adapt to innovations in legal education. Tennessee's Board of Law Examiners is capable of establishing rigorous standards tailored to the needs of Tennesseans. This reform would expand opportunities for schools to innovate, reduce costs, and increase pathways for competent graduates without sacrificing quality.

5. Promoting Interstate Practice and Mobility

Encouraging greater reciprocity and easing barriers for attorneys licensed in other states will strengthen Tennessee's legal community. Interstate mobility benefits both lawyers and clients, particularly in border regions and underserved rural areas. It also ensures that Tennessee remains competitive and welcoming to legal professionals, thereby expanding access to legal services statewide.

7. Reevaluating Non-Lawyer Ownership of Law Firms

Carefully reducing restrictions on non-lawyer ownership and fee sharing has the potential to foster innovation and expand resources for client services. Outside investment could lower costs, increase technological development, and improve service delivery, especially for middle- and low-income Tennesseans. With proper safeguards to preserve attorney independence and client confidentiality, this reform could meaningfully address the justice gap.

I am in opposition of:

2. Alternatives to ABA Accreditation

While I support reducing strict reliance on ABA accreditation (Issue 1), I oppose replacing it with untested or vague alternatives. Accreditation—whether ABA or state-approved—remains essential to protect the public from

diploma mills or programs offering inadequate training. Without a structured, vetted system, the risk of underprepared attorneys harming clients is too great.

3. Less Costly Alternatives to Three-Year Law School

Although affordability is a critical concern, shortening or diluting the traditional curriculum undermines preparation for practice. The three-year program ensures that graduates gain the analytical, procedural, and ethical grounding necessary for competent practice. Cost concerns should be addressed through tuition reform, scholarships, and state-supported aid—not by lowering the quality or duration of legal education.

4. Alternative Pathways to Licensure (e.g., Apprenticeships or Legal Aid Service in Place of Exams/Education)

While experiential learning is valuable, substituting apprenticeships or limited service for formal education and examination risks producing practitioners unprepared for the wide-ranging demands of modern practice. Bar examinations and rigorous education remain vital for ensuring minimum competence across diverse areas of law. These pathways should supplement—not replace—the traditional requirements.

6. Expansion of Paraprofessional Roles

I oppose transferring core legal functions to paraprofessionals. While well-intentioned, this creates a two-tiered system of justice where low-income clients may be relegated to second-class representation. The practice of law requires not only technical knowledge but also ethical judgment and accountability under professional rules. Paraprofessional licensing could dilute public trust and lead to inconsistent outcomes for vulnerable clients.

In conclusion

I urge the Court to pursue reforms that **lower unnecessary barriers (Issues 1, 5, 7)** while preserving the rigorous standards that protect clients and ensure the competence of Tennessee attorneys (Issues 2, 3, 4, 6). Thoughtful reform should expand access without compromising the professionalism and integrity of the Bar.

Thank you for considering these comments.

Respectfully submitted,

Eric W. Sitler
Attorney at Law
PO Box 36
Hendersonville, TN 37077
(615) 824-3229

Do not forward this email without permission from the sender. This email is from a law office and may be protected by attorney-client or work product privileges. If you are not the intended recipient of this email or have received this transmission in error, please notify the sender and delete any and all information received immediately.

MaryBeth Lindsey

From: Christopher Dee Jefferson <jeffe007@proton.me>
Sent: Saturday, October 4, 2025 2:07 AM
To: appellatecourtclerk
Subject: Subject line: Comment on Law School Accreditation Reform



ADM2025-01403

Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

I write as a licensed atty in Alabama to express my support that y'all eradicate the ABA from any reference in rules or application. As an organization they are useless and seek to only cause strife and cost increases in the legal system. I have been stopped in KY from being able to motion in without exam, even with reciprocating agreements, because I graduated from a non ABA school. Your state too requires me to go back to law school all over again even though I have been an atty in Alabama for almost 15 years if I wish to get a TN license. Even crazier is I am pro hac vice in TN since 2023 but due to your ABA rule, still not able to motion in without exam; yet I have practiced with other TN attys and beaten them in court. The system is broken and purposely exacerbated the costs that in the end hurt not only potential attys, but people like my clients. Enough is enough.

Chris Jefferson /CDJ
2567701175
26321 Jones Springs Dr.
Athens, AL 35613

Kim Meador

From: Ellen <issueforu@aol.com>
Sent: Tuesday, October 7, 2025 7:52 AM
To: appellatecourtclerk
Subject: ADM2025-01403



Warning: Unusual sender <issueforu@aol.com>

You don't usually receive emails from this address.
Make sure you trust this sender before taking any actions.

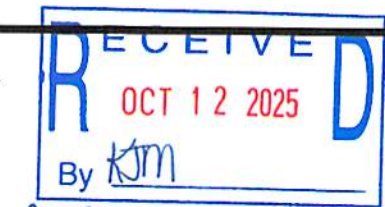
I am writing pursuant to an order soliciting comments. I am opposed to any action by the Supreme Court to reduce requirements for admission to the Bar. I believe such action will not serve the purpose it seeks to achieve, i.e. lower cost access to justice. I believe that such action will result in the targeted groups being taken advantage of and will also result in increased claims and complaints with the Board of Professional Responsibility.

"The court said the goal of the effort is to lower barriers to entry into the profession and ensure availability of affordable legal services in the state while ensuring the competency of attorneys and safeguarding the public." How on earth can this be implemented, achieved and policed? And at what cost? How will the quasi-lawyer's fees be set and policed? We should be elevating the legal profession, not the opposite.

Sincerely,
Ellen E. Fite, Esq.

Kim Meador

From: Gibson, John W, III <john.w.gibson@Vanderbilt.Edu>
Sent: Sunday, October 12, 2025 3:59 PM
To: appellatecourtclerk
Subject: Comment on ADM2025-01403



ADM2025-01403

Warning: Unusual sender <john.w.gibson@vanderbilt.edu>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Dear Mr. Hivner,

I write as a law student at Vanderbilt and a current ABA student member. I support the Court's consideration of ending reliance on the ABA and exercising independent authority over professional standards.

As an aspiring legal professional, I've been discouraged by the ABA's increasingly political posture, especially its continued defiance of the U.S. Department of Justice and multiple state attorneys general, including Tennessee's, regarding its unlawful DEI-based discrimination. These actions undermine the ABA's credibility as a neutral steward of legal ethics and professional development.

I joined the ABA hoping for practical resources and a commitment to legal excellence. Instead, I've seen an organization more focused on ideological signaling than serving the needs of the legal profession. Tennessee has an opportunity to lead alongside states like Texas and Florida in developing an alternative framework that reflects constitutional values, respects state sovereignty, and restores trust in the rule of law.

Sincerely,



John Gibson
J.D. Candidate
Vanderbilt University
336-500-7627 | john.w.gibson@vanderbilt.edu