

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

FILED

10/03/2018

Clerk of the  
Appellate Courts

**IN RE: PETITION FOR THE ADOPTION OF AMENDED TENNESSEE  
SUPREME COURT RULE 31 AND SUPREME COURT RULE 31A**

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**No. ADM2018-00425**

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**ORDER**

On March 9, 2018, the Alternative Dispute Resolution Commission (“ADRC”) filed a petition seeking to adopt amendments to Tennessee Supreme Court Rule 31 and Appendix A of Rule 31 and seeking to adopt a new Supreme Court Rule 31A. The petition asserts that the amendments are needed to divide Supreme Court Rule 31 into Rule 31 and Rule 31A; to redefine and clarify the eligible civil actions encompassed by Rule 31; to establish grievance procedures; to clarify matters related to confidentiality, privilege, and admissibility; to clarify the obligations of Rule 31 mediators; to modify and clarify the training and listing requirements for mediators; to propose additional duties for mediators; and to remove appendices B-E from Rule 31.

In response to the petition, the Court received and reviewed responses from the ADRC, the Tennessee Bar Association, the Knoxville Bar Association, the Chattanooga Bar Association, the Nashville Bar Association, the Tennessee Board of Professional Responsibility, University of Tennessee Law Professor Becky Jacobs, and numerous mediation centers and individuals. The Court expresses its appreciation for all of the responses. After due consideration, the Court hereby amends Tennessee Supreme Court Rule 31 and Appendix A of Rule 31 and adopts Tennessee Supreme Court Rule 31A in the form attached to this Order.

The effective date of the revisions to Rule 31, Appendix A of Rule 31, and Rule 31A, with the exception of Rule 31, sections 14(2) and 15(a)(4), shall be November 1, 2018.

The effective date of the revisions to Rule 31, sections 14(2) and 15(a)(4) shall be November 1, 2019. This effective date will allow Rule 31 Mediators who are currently on inactive status sufficient time to change their status to active if they choose to do so. Otherwise, as of November 1, 2019, the listing for Rule 31 Mediators on inactive status will lapse and mediators who are on inactive status will have to reapply to become Rule

31 Listed Mediators. In addition, the amendment from a fifteen-year training validity to a six-year training validity will be effective November 1, 2019, to allow anyone who completed a Rule 31 training within fifteen years to apply before the amendment of a six-year training validity becomes effective. *See* Tenn. Sup. Ct. R. 31, sections 14(2) and 15(a)(4).

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

PER CURIAM