

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

08/24/2021

Clerk of the
Appellate Courts

**IN RE: AMENDMENTS TO TENNESSEE SUPREME COURT RULE 9,
SECTIONS 31.3(f) AND 34.3(a)**

No. ADM2021-00971

ORDER

The Court hereby adopts the amendments to Tennessee Supreme Court Rule 9, sections 31.3(f) and 34.3(a), as set out in the attached Appendix. These amendments—which more explicitly describe but do not change current practice in lawyer disciplinary proceedings—are effective immediately upon the filing of this Order.

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

It is so ORDERED.

PER CURIAM

APPENDIX

NO. ADM2021-00971

TENN. SUP. CT. R. 9, SECTION 31.3(f)

[New text is indicated by underlining]

31.3. Reimbursement of Costs.

....

(f) Payment of the costs and fees assessed pursuant to this Section shall be required as a condition precedent to any later request for reinstatement of the respondent or petitioning attorney. Interest shall accrue on costs and fees assessed in disciplinary proceedings in accordance with Tennessee Code Annotated sections 47-14-121 and -122. In the discretion of the Chief Disciplinary Counsel, the respondent or petitioning attorney may, upon a showing of extraordinary need, be permitted to pay costs in periodic payments. If a payment plan is permitted, the respondent or petitioning attorney also shall pay the Board interest at the statutory rate. If for any reason, the respondent or petitioning attorney does not abide by the terms of the payment plan, the Chief Disciplinary Counsel may revoke the plan and the respondent or petitioning attorney shall be required to pay the balance of any unpaid assessment of costs and accrued interest within thirty days thereof.

TENN. SUP. CT. R. 9, SECTION 34.3(a)

[New text is indicated by underlining]

Section 34. Additional Rules of Procedure

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34.3. (a) Except as otherwise provided in this Rule, the Tennessee Rules of Civil Procedure and the Tennessee Rules of Evidence apply in disciplinary case proceedings before a hearing panel, the Board, or a panel. Tennessee Rule of Civil Procedure 69.04 also applies to motions to extend judgments entered in disciplinary case proceedings.