

# EWING SELLERS

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SEP 02 2011

Honorable Michael W. Catalano, Clerk  
100 Supreme Court Building  
401 Seventh Avenue North  
Nashville, TN 37219-1407

Re: Comments, Tennessee Court Orders 2011-24  
Docket No. M2011-01747-SC-RL2-RL

Dear Mr. Catalano,

My comments are limited to proposed Rule 42(f). I am opposed to the changes in the rule whereby a writing must be created and entered into the record of the proceedings. I serve in a Municipal Court which is not a court of record. The proposed change to this rule would be unduly burdensome to Municipal Courts whereby a written document must be created which may be similar from case to case but would necessarily be different. This document would then need to somehow be entered onto the record when there is no record. It would require, at a minimum in an attempt to comply with the rule, to have the Judge dictate the statement to, I suppose, the Clerk who would then need to type the statement and then somehow staple or attach it to whatever citation, parking ticket, or other ordinance violation that is the subject of the hearing.

The court's compliance with the rule as now in effect requires the Court to simply verbalize all of the efforts made to obtain a certified or registered interpreter and to determine the capabilities of the proposed non-credentialed interpreter and since these efforts must only be verbalized in open Court, it is not unduly burdensome to do so.

I therefore respectfully oppose the amendment to the rule unless an exclusion is made therein for Municipal Courts or other non-record Court proceedings.

I appreciate the opportunity to make my thoughts and comments known.

Sincerely,

Ewing Sellers

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cc: Tennessee Municipal Judges Conference Legislative Committee