

**IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE**

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NASHVILLE

**IN RE PROPOSED AMENDMENT TO RULES 7 AND 9,  
RULES OF THE TENNESSEE SUPREME COURT**

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**No ADM2016-01840**

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**COMMENT OF THE TENNESSEE BAR ASSOCIATION**

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The Tennessee Bar Association (“TBA”), by and through its President, Jason H. Long; Chair of its Committee on Ethics and Professional Responsibility, Brian Faughnan; General Counsel, Edward D. Lanquist; and Executive Director, Allan F. Ramsaur, supports these amendments to address the Court’s power to reinstate a law license with one possible modification in the language.

This proposed amendment to Rule 7, Article XVI, §16.01 attempts to clarify that a lawyer who has been suspended, disbarred or assumed inactive status must first establish their suitability to practice law before taking the bar examination to establish proof of competency and learning in the law.

The TBA believes the proposed language could lead to the impression that a Court could order successful completion of the exam. The TBA would respectfully submit the second sentence of §16.01 would better convey the intent of the Rule if it read as follows:

If the Court orders the applicant's successful completion of the bar exam as evidence of the attorney's practice of law, the applicant must apply for examination as provided in §3.03 of this Rule, and attach to the application a disclosure that the application is being submitted pursuant to §16.01.

With this minor language change, the TBA respectfully submits that the amendment to the Rule should be adopted.

Respectfully Submitted,

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### CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing has been served upon the individuals and organizations identified in Exhibit "A" by regular U.S. Mail, postage prepaid within seven (7) days of filing with the Court.

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