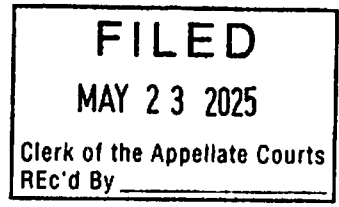


IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE



**IN RE: PETITION TO AMEND TENNESSEE RULE OF APPELLATE  
PROCEDURE 22 AND TENNESSEE SUPREME COURT RULE 46**

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**No. ADM2023-01231**

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**ORDER**

In August 2023, the Tennessee District Public Defenders Conference, the Tennessee Association of Criminal Defense Lawyers, and the Tennessee Attorney General's Office jointly petitioned the Court to amend Tenn. R. App. P. 22 to allow the use of unsworn declarations under penalty of perjury in lieu of notarized affidavits if filed by licensed Tennessee attorneys in good standing and to amend TN Sup. Ct. Rule 46, sec. 3.04(c), to allow such attorneys to electronically file their unsworn declarations with electronic signatures in lieu of printed notarized affidavits.

That part of the petition requesting the amendment to Tenn. R. App. P. 22 was submitted to the Advisory Commission on the Rules of Practice and Procedure for consideration. Subsequent amendments to Rule 22 were proposed by the Commission, approved by the Court, and adopted by the General Assembly on April 25, 2025. In light of the amendments to Rule 22, the Court considered the accompanying request to amend TN. Sup. Court 46, sec. 3.04(c). After due consideration, the Court adopts the proposed amendments to Rule 46 as set out in the attached Appendix. These amendments shall take effect immediately upon the filing of this Order.

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

## ***APPENDIX***

### **AMENDMENT TO TENN. SUP. CT. R. 46, § 3.04(c)**

**[Amend Tenn. Sup. Ct. R. 46, § 3.04(c) by deleting the text as indicated below by overstriking and adding the new text indicated below by underlining.]**

#### **Section 3.04(c). Signatures.**

(c) *Signatures Under Penalty of Perjury and Notarized Signatures.* Documents required or authorized by law to include a signature under penalty of perjury, ~~or the signature of a notary public,~~ may be e-filed with an electronic signature if the e-filer is a registered user who is a licensed Tennessee attorney in good standing with the Board of Professional Responsibility; provided that the declarant or notary public has signed a printed form of the document. If a document is required by law to include the signature of a notary public, or if a document is filed by an e-filer who is a registered user but is not a licensed Tennessee attorney in good standing with the Board of Professional Responsibility, then the affiant or notary public must sign a printed form of the document, and ~~the~~ printed document bearing the original signatures must be scanned as a PDF in a format that accurately reproduces the original signatures and contents of the document and electronically submitted for filing.