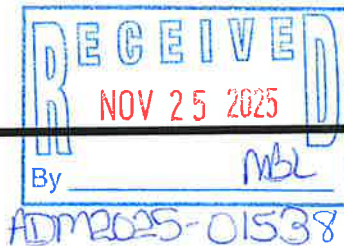


MaryBeth Lindsey



From: Jon Tynjala <jtynjala@mnclcl.org>
Sent: Tuesday, November 25, 2025 11:13 AM
To: appellatecourtclerk
Subject: Comment to Petition to Amend Supreme Court Rule 21 - No. ADM2025-01538

Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

To whom it may concern:

As stated in *The Path to Lawyer Well-Being: Practical Recommendations for Positive Change* promulgated by the American Bar Association's National Task Force on Lawyer Well Being, "[t]o be a good lawyer, one has to be a healthy lawyer."

On behalf of Lawyers Concerned for Lawyers (MN), Minnesota's lawyer assistance program, I write to express our support for the Petition to Amend Tennessee's Supreme Court Rule 21 (Docket No. ADM2025-01538), that would require one hour of mental health/substance use continuing legal education every three years. Minnesota adopted a similar CLE requirement in 2024.

Programs that focus on issues around mental health and substance use can normalize conversations about mental health, thereby reducing the stigma around seeking help, and helping lawyers to recognize early warning signs in themselves and their colleagues. It also reinforces the importance of lawyer self-care and ensures that every attorney is made aware of resources that are available to them when a crisis arises. It allows for education and awareness of these issues that lawyers might not otherwise be exposed to absent this requirement.

The proposal aligns with the national trend to require similar courses, as is the case in Minnesota, and is amplified by the American Bar Association's recommendation that jurisdictions include at least one hour of mental health or substance use education within their CLE frameworks.

Thank you for your commitment to promoting and protecting the well-being of Tennessee's lawyers and the clients they serve. Please let me know if you have any questions.

Jon M. Tynjala, Esq.
Executive Director

LAWYERS CONCERNED FOR LAWYERS

Court International Building
2550 University Avenue West, Suite 313N
St. Paul, Minnesota 55114
Email: jtynjala@mnclcl.org
Phone: (651) 646-5590
Toll Free: (866) 525-6466
Fax: (651) 646-2364
Website: www.mnclcl.org
Facebook: www.facebook.com/mnclcl

BAKER DONELSON
BEARMAN, CALDWELL & BERKOWITZ, PC

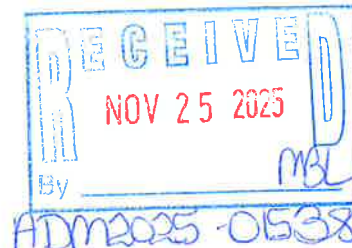
2000 FIRST HORIZON BUILDING
165 MADISON AVENUE
MEMPHIS, TENNESSEE 38103

PHONE: 901.526.2000
FAX: 901.577.2303

www.bakerdonelson.com

BEN C. ADAMS, JR.
Direct Dial: 901-577-2307
Direct Fax: 901-577-0714
E-Mail Address: badams@bakerdonelson.com

November 25, 2025



Mr. James Hivner, Clerk
Re: Tennessee Supreme Court Rule 21
402 Seventh Avenue, North, Suite 321
Nashville TN 37219-1407

Re: No. ADM2025-01538

Dear Mr. Hivner:

I write in support of the proposed amendment to Section 3.01(a) of Rule 21 of the Rules of the Tennessee Supreme Court to require at least one (1) hour of CLE credit for mental health or substance use disorder programs every three (3) years as part of our ethics/professional credit obligation. Self and society awareness about and treatment for mental health related disorders are chronically deficient throughout the United States and have been for many years. As the CEO of a large firm for over 20 years, I am very familiar with the pressures that our profession imposes on lawyers and the resultant disorders. My father was a very successful attorney and eventually succumbed to alcoholism as well. My mother suffered from bipolar disorder off and on her entire adult life. The lack of understanding about these disorders, the stigma associated with them, the driven but private nature of professionals generally, and the need for continuing improvements and options for treatment are a compelling problem for professionals and society generally. I fully support this proposed amendment. Thank you for your consideration. If you have any questions or need further information, please contact me.

Sincerely,

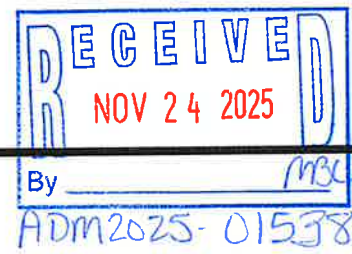
BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC

Ben C. Adams, Jr.
Chairman Emeritus

BAJ:jaw

4924-3294-7068v1
2616900-000036

MaryBeth Lindsey



From: Lipshie, Sam <slipshie@bradley.com>
Sent: Monday, November 24, 2025 2:17 PM
To: appellatecourtclerk
Subject: Comment regrading Petition to Amend Tennessee Supreme Court Rule 21

Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

This email is in support of the proposed Amendment to TN S. Ct. Rule 21 to require that TN lawyers earn at least one (1) hour of mandatory Ethics and Professionalism mental health and substance use disorder programming every three (3) compliance years.

I have seen more than a few TN lawyers refrain from seeking help or counselling because of self-denial or fear of the stigma that used to be prevalent with seeking mental health assistance over my 44 years of legal practice. Everything reasonable should be done to improve the level of awareness among the TN bar to encourage those who need help to seek assistance through TLAP or private counselling, including the enactment of the proposed Rule amendment.

Sincerely,

Sam Lipshie



Sam Lipshie

Partner
e: slipshie@bradley.com w: bradley.com
d: 615.252.2332 f: 615.252.6332
Bradley Arant Boult Cummings LLP
ONE 22 ONE, 1221 Broadway, Suite 2400
Nashville, TN 37203
My Bio

Confidentiality Notice: This e-mail is from a law firm and may be protected by the attorney-client or work product privileges. If you have received this message in error, please notify the sender by replying to this e-mail and then delete it from your computer.

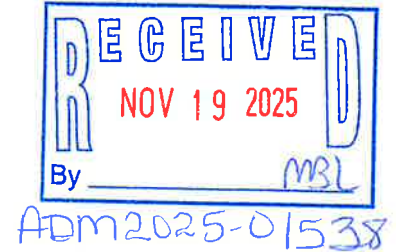
MaryBeth Lindsey

From: lbrown@tals.org on behalf of Laura Brown <lbrown@tals.org>
Sent: Wednesday, November 19, 2025 1:35 PM
To: appellatecourtclerk
Subject: Webform submission from: Submit Comment on Proposed Rules

Submitted on Wed, 11/19/2025 - 13:34

Submitted by: Anonymous

Submitted values are:



Your Name

Laura Brown

Your Address

50 Vantage Way, STE 250, Nashville, TN 37228

Your email address

lbrown@tals.org

Your Position or Organization

Tennessee Alliance for Legal Services

Rule Change

ADM2021-00308 Supreme Court Rule 13

Docket number

ADM2025-01538

Your public comments

To:

James Hivner, Clerk
100 Supreme Court Building
401 Seventh Avenue North
Nashville, TN 37219-1407
RE: ADM2025-01538

Tennessee Alliance for Legal Services (TALS) supports ADM2025-01538- IN RE: PETITION TO AMEND SUPREME COURT RULE 21. TALS supports the request in the Petition and believes that implementing the CLE requirements will be a beacon of light and hope on the overlooked topic of attorney mental health and wellbeing. The required education will help attorneys better balance the pressures and challenges of being an attorney and in the end, save lives. The Petition does not increase the annual CLE hours required for attorneys but, rather, requires just one CLE credit hour every three years about attorney mental health and wellbeing.

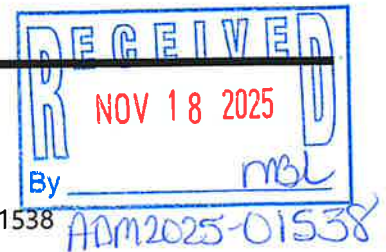
TALS has experience facilitating and conducting CLE sessions in the area of attorney of mental health

and wellbeing. Annually, TALS facilitates and sponsors its statewide conference, Equal Justice University (EJU), for over 300 attendees. TALS works hard to ensure that experts provide sessions at each EJU about attorney mental health and wellbeing. Historically, these sessions have been very well-received and well attended.

Additionally, TALS has extensive experience offering continuing legal education (CLE) sessions through monthly free CLE offerings on topics of interest to attorneys. TALS believes so strongly that this Petition has the possibility to change attorney lives that it is committed to providing four free CLE virtual sessions on attorney mental health and wellbeing every year. The virtual sessions would ensure attorneys will be able to complete the CLE requirement easily and efficiently from anywhere.

MaryBeth Lindsey

From: Dewey Branstetter <DBranstetter@srvhlaw.com>
Sent: Tuesday, November 18, 2025 12:31 PM
To: appellatecourtclerk
Subject: Petition to Amend Supreme Court Rule 21: No. ADM2025-01538



Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Dear Mr. Hivner,

I am writing concerning the Petition to Amend Supreme Court Rule 21, Docket Number ADM2025-01538, which has been filed by Kent Halkett, the Tennessee Lawyers Assistance Program, and the Tennessee Alliance for Legal Services.

The proposed amendment would require lawyers to engage in one hour of mental health and substance use disorders programming every three years as part of their ethics/professionalism CLE requirements. I wholeheartedly support this proposed change to the CLE requirements for all lawyers. It does not add any additional CLE hours, nor is it an unreasonable burden on lawyers.

Kent Halkett and I were in the same law school class at Vanderbilt, graduating in 1981. We were friends in addition to being classmates, and he is one of the last people in our class who I would ever have expected to suffer from depression.

I have been incredibly impressed by Kent's willingness to advocate for mental health support for lawyers, and his personal story provides a face to a problem that too many other lawyers face. If you are not aware of his story, here is a link to an article that describes his journey:

<https://afcc-ca.org/a-biglaw-partners-journey-through-clinical-depression/>

I urge the Supreme Court to adopt this proposed change to the CLE requirements. The evidence of lawyers suffering from depression, substance abuse, and other mental health issues is overwhelming. As the Petition cites, suicide is the third leading cause of death among lawyers, compared to suicide being the 11th leading cause of death overall. Granting the Petition will not fix this issue, but if it helps one lawyer who is struggling with mental health issues, then it would be well worth it.

The Petitioners set forth a strong case, and I urge the Court to grant the Petition.

Thank you for allowing me an opportunity to state my support for the proposed amendment to Rule 21.

With best regards,

Dewey Branstetter

SherardRoe | Sherrard Roe
Voigt & Harbison


1600 West End Avenue, Suite 1750
Nashville, TN 37203

Dewey Branstetter

DBranstetter@srvhlaw.com

Direct: (615) 742-4567 Main: (615) 742-4200

Fax: (615) 742-4539

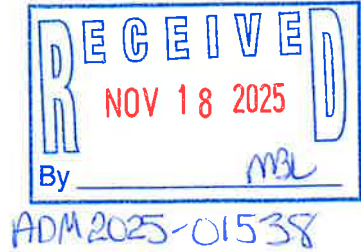
Sherrard Roe | V-Card | 

----- Sherrard Roe Voigt & Harbison, PLC Disclaimer -----

THIS IS A CONFIDENTIAL COMMUNICATION protected by the attorney-client privilege and the work product doctrine. If you are not the intended recipient of this communication, please delete it immediately without opening any attachments. Please notify the sender by reply e-mail that you received this e-mail in error or call (615) 742-4200.

MaryBeth Lindsey

From: Michael Dagley <mldagley@me.com>
Sent: Tuesday, November 18, 2025 10:32 AM
To: appellatecourtclerk
Subject: Petition to Amend Rule 21



Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

To Whom it May Concern,

I am writing to comment in SUPPORT of the Petition filed by Kent Halkett et al. to Amend Rule 21. I practiced law for 42 years and retired as a partner from Bass Berry & Sims in 2023.

Mr. Halkett is a good friend and classmate (VLS '81). I know his personal story. He has been extremely courageous in sharing his own experience with severe depression and has worked tirelessly to bring public awareness to the services available to members of our profession struggling with mental health issues.

In the last five years, I have lost to suicide three close friends and one former client who was General Counsel of a Nashville public company. Depression and similar mental health issues is a crisis for practicing attorneys.

We have tremendous resources available to members of our profession, but I understand that very few lawyers know of or use these excellent services. This lack of knowledge is easily remedied by the proposed Amendment.

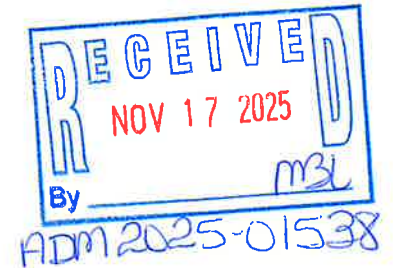
The Amendment will save lives. Requiring lawyers to take one hour of CLE every three years to learn about the risk of depression and mental health resources available is a very small price to pay. I urge the Court to adopt the Amendment.

Respectfully,

Michael Dagley
BPR 012896
(615) 500-4528
809 Wilson Blvd S
Nashville TN 37215

November 12, 2025

James Hivner, Clerk
Tennessee Supreme Court
Re: Tennessee Supreme Court Rule 21
401 Seventh Avenue North, Suite 321
Nashville, TN 37219-1407



Re: Opposition to No. ADM2025-01538

Dear Mr. Hivner:

I oppose Petition No. ADM2025-01538. Mental health and substance abuse are lifestyle and medical issues, not legal issues. The same can be said about a lawyer's physical and spiritual health. How a person handles stress, conflict, or disappointment and how a person interacts with others in the legal system are largely personal choices based upon many factors, including a person's religious beliefs, personality, character traits, morals, and personal goals and ambitions. Lifestyle modifications and medical treatment (however altruistic the motives) should not be the Tennessee Supreme Court's goal under Rule 21.

Requiring one hour of CLE on mental health or substance abuse most likely will not aid a lawyer who is struggling with mental health or substance abuse. For example, requiring three hours of ethics has not greatly impacted or deterred unethical attorney behavior. Those attorneys who engage in unethical practices will skirt the underlying goals by "watching" the online CLE webcasts without truly listening or learning from them. That is because a person's ethical behavior is an outward manifestation of a person's deeply rooted inward beliefs and morals. The same is true for a person who struggles with mental health or substance abuse problems. Participating in one hour of CLE will likely not benefit a lawyer with mental health or substance abuse problems unless the lawyer recognizes his or her problem. At that point, the lawyer is ready and willing to seek help and then – and only then – would participation in a CLE on mental health or substance abuse be of any help.

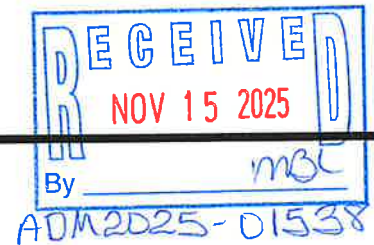
I have no opposition to voluntary CLE courses on mental health and substance abuse. The Tennessee Bar Association and various local bar associations already offer such courses. However, making these courses mandatory for all attorneys for the purpose of forcing some attorneys who struggle with these issues to attend is an overreach. The bottom line is that mandatory Continuing Legal Education should be just that – *legal*, not lifestyle or medical education. Straying from purely legal development courses is a slippery slope.

Sincerely,

Doug S. Hamill
TN Bar No. 022825

MaryBeth Lindsey

From: Davis, Delta <delta.davis@Vanderbilt.Edu>
Sent: Saturday, November 15, 2025 2:53 PM
To: appellatecourtclerk
Subject: Docket No. ADM2025-01538 (petition to amend Rule21)



Warning: Unusual sender <delta.davis@vanderbilt.edu>

You don't usually receive emails from this address.
Make sure you trust this sender before taking any actions.

Dear Mr. Hivner,

I'm writing in support of the petition to amend Rule 21 on Continuing Legal Education to require one hour of mental health/substance abuse programming every three years. This proposed amendment would not increase the current 15 hours/year requirement.

I am in support of this proposed amendment because I believe mental health is extremely important, especially for lawyers practicing in the current environment. This requirement, though minimal, could potentially save lives and, at the very least, would certainly raise awareness of this important issue.

I believe the proposed amendment is in the best interest of our legal profession. I urge its adoption.

Thank you for your consideration.

Best,

Anne

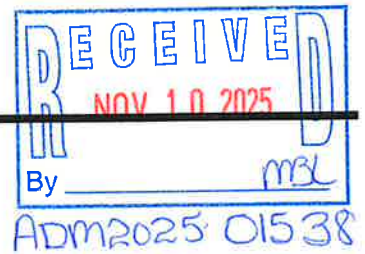
Delta Anne Davis

Senior Program Advisor, Energy, Environment and Land Use Program Vanderbilt Law School

(615) 400-7276

MaryBeth Lindsey

From: Amanda Bradley <abradley@hartzogsilva.com>
Sent: Monday, November 10, 2025 12:53 PM
To: appellatecourtclerk
Subject: docket number ADM2025-01538, comment on CLE rule change



Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Dear Mr. Hivner,

I am writing to express my support for the proposed rule change to Rule 21 that would require attorneys to complete at least one hour of CLE in mental health or substance use disorders every three years. Substance abuse problems continue to disproportionately impact attorneys, and the same is true for mental health disorders. I support the change in the rules to require attorneys to address these concerns through a mandatory CLE at least every 3 years.

Thank you for collecting all of the opinions, and please let me know if there's anything else you need from me.

Respectfully,

Amanda L. Bradley

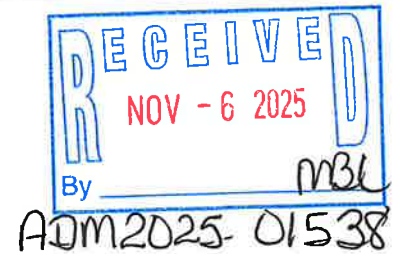
Hartzog & Silva, PLLC
123 Fifth Avenue North
Franklin, Tennessee 37064
(615) 790-1500

Existing clients: Schedule a meeting with me [here](#)

CONFIDENTIALITY NOTICE: This electronic mail transmission has been sent by a lawyer, or on behalf of a lawyer. It may contain information that is confidential, privileged, proprietary, or otherwise legally exempt from disclosure. If you are not the intended recipient, you are hereby notified that you are not authorized to read, print, retain, copy or disseminate this message, any part of it, or any attachments. If you have received this message in error, please immediately delete this message and any attachments from your system hard drive without reading the content and notify the sender immediately of the inadvertent transmission. There is no intent on the part of the sender to waive any privilege, including the attorney-client privilege, that may attach to this communication. Thank you for your cooperation.

MaryBeth Lindsey

From: Kerr Law <kerrlawtn@gmail.com>
Sent: Thursday, November 6, 2025 9:48 PM
To: appellatecourtclerk
Subject: Public Comment: No. ADM2025-01538



Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

RE: Public Comment to "In re: Petition to Amend Supreme Court Rule 21", No. ADM2025-01538

I am writing, on my own behalf, in regard to the proposed amendment to S. Ct. R 21 seeking to add a one-hour CLE requirement related to mental health/substance abuse.

I do not, necessarily, object to the amendment, because there can never be "too many" mental health resources or "too much" mental health information/education. However, I do believe this is a proper forum in which to express my ongoing concern that many well-meaning attempts to address the grave issue of poor mental health and substance abuse in the legal profession are largely ineffective because they do not address some of the more global causes of these issues.

Proposed remedies, such as this amendment, seek to put the onus on the individual — an individual who (we assume in some cases) is already struggling with more than they can effectively handle. There is certainly a benefit to providing more education and resources to attorneys to individually address these issues. However, I strongly feel they are insufficient to effect substantive change. Such measures can even potentially be regressive or harmful by permitting those who can affect meaningful change on a global level to believe they have done their due diligence and can lay responsibility for this issue aside. To put it summarily — This feels like putting a bandaid on a bullet wound. (Or maybe a more pointed metaphor might be — it's like asking a shooting victim to hold a cloth against their own open wound.)

It concerns me that the responsibility continues to be laid solely at the feet of the already-struggling individual, instead of using our resources to address the issues, unique to this profession, which cause and/or exacerbate that individual's mental illness in the first place. The ABA - citing to the same study cited in the proposed amendment (see #12) - enumerated recommended remedial actions the profession and institutions should take to address these concerns.

(<https://www.americanbar.org/news/abanews/publications/youraba/2017/december-2017/secrecy-and-fear-of-stigma-among-the-barriers-to-lawyer-well-being/>) Among that list were the recommendations to: "Identify stakeholders and the role each of them can play in reducing the level of toxicity in the legal profession;" and "Take small, incremental steps to change how law is practiced and how lawyers are regulated to instill greater well-being in the profession." I do not, at this time, have fully articulated solutions to address these global causes. However, I hope our profession will continue to have meaningful conversations about this issue and that our Supreme Court and other professional institutions will continue to push larger change to make our profession one which is not such a noxious incubator for these ills.

I'll end by saying I do, sincerely, appreciate the attention to and attempts to remedy these ills. To reiterate — I believe there can never be "too much" help/education/support/etc. regarding mental health / substance abuse. Therefore, I support this measure. But I do so alongside a strong plea to our Supreme Court and others to continue seeking other - potentially more effective - solutions, in addition to this proposed amendment.

Thank you,

Shannon C. Kerr (she/her)

www.KerrLawTN.com

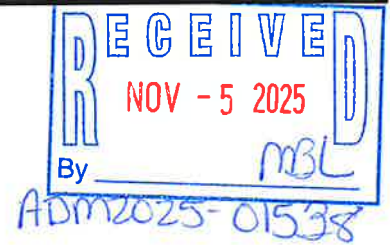
(615) 200-0108

KerrLawTN@gmail.com

235 3rd Ave. N., Franklin TN 37064

MaryBeth Lindsey

From: Lindsey Shepard <lshepard@grsm.com>
Sent: Wednesday, November 5, 2025 3:13 PM
To: appellatecourtclerk
Subject: Opposition to Proposed Amendment to Rule 21



Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Dear Madam or Sir,

I write in opposite to the Supreme Court's proposed amendment to Rule 21 requiring 1 hr every 3 yrs of CLE for mental health or substance use. I oppose this amendment for the following reasons –

1. Logistical difficulties in tracking and compliance,
2. Obstacles to finding compliant courses, and
3. Increased compliance burden for those who maintain a multi-state practice.

I support increased education and resources for mental health and substance abuse. However, I do not believe this is the best way to support that objective.

Thank you for your consideration.

Lindsey M. Shepard
Partner



GORDON REES SCULLY MANSUKHANI

YOUR 50 STATE LAW FIRM™

D: 615.772.9013

E: lshepard@grsm.com | grsm.com

4020 Aspen Grove Drive, Suite 500, Franklin, TN 37067

vCard

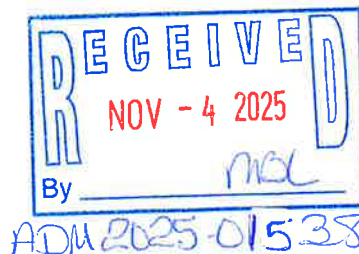
This email communication may contain CONFIDENTIAL INFORMATION WHICH ALSO MAY BE LEGALLY PRIVILEGED and is intended only for the use of the intended recipients identified above. If you are not the intended recipient of this communication, you are hereby notified that any unauthorized review, use, dissemination, distribution, downloading, or copying of this communication is strictly prohibited. If you are not the intended recipient and have received this communication in error, please immediately notify us by reply email, delete the communication and destroy all copies.

GORDON REES SCULLY MANSUKHANI, LLP
YOUR 50 STATE LAW FIRM™

www.grsm.com

MaryBeth Lindsey

From: kenthalkett (null) <kenthalkett@aol.com>
Sent: Tuesday, November 4, 2025 11:28 AM
To: appellatecourtclerk
Subject: Tennessee Supreme Court Rule 21



Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

To: James Hivner, Clerk
Re: Tennessee Supreme Court Rule 21
Docket No. ADM2025-01538

The Court will save lives by granting Petition No. ADM2025-01538.

I graduated from Vanderbilt Law School in 1981 and had a long, successful career. Nonetheless, afflicted with clinical depression, I attempted suicide in 2015. My goal in supporting the Petition is to prevent law students, attorneys and judges from going down such a self-destructive path.

Mental illness is a medical condition that has many warning signs and effective treatments. Helpful resources are readily available to those in the legal profession. However, as I experienced, most attorneys are unaware of such signs, treatments and resources. The Petition overcomes that shortcoming by amending Section 3.01(a) of Rule 21 to require at least one hour of continuing legal education credit for mental health or substance use disorders programming in a three-year period to be included in the yearly required three hours of ethics/professionalism credit. That CLE requirement will assure that the legal professionals in Tennessee are aware of the severe mental health challenges in the law and they will know that there are resources available to them or their colleagues in distress.

I have no doubt that mental health CLE programming will save lives based upon my own mental health journey and the overwhelming public response to my articles on this taboo topic. My article, "Mental Health in the Legal Profession: A Crisis, a Case Study and a Call to Action," was the cover story in the January/February 2021 issue of the Tennessee Bar Journal. On March 9, 2021, in its "Letters of the Law: Mental Health Article Resonates With Readers," the TBJ published over 40 letters responding to my article ("the most ever received about an article in the Tennessee Bar Journal"). Those letters were only the tip of the ice burg - the silent majority consisting of law students, attorneys, judges, law school professors and administrators, law firm employees/staff, journalists, psychiatrists and attorney spouses - those effected by the mental health problems in the legal profession. All of them appreciated the light being shown on this difficult topic. For example:

- Attorney: "... You'll likely never know, but lessons in what you have written and shared about things not easily shared will save lives."
- Judge: "... In my view an article like this truly has the power to change (and even save) lives."
- Law school professor: "... I have no doubt - none - that this will save some lives and it may help to make a dent on real plagues in our profession."
- Non-attorney: "...You may never know how many lives your effort will save, even if it doesn't get a wider audience. EVERY lawyer should read this!"

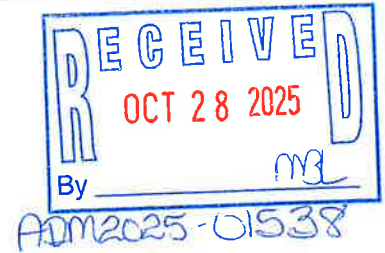
Every attorney will be exposed to such lifesaving information if the Court grants the Petition.

Thank you for your attention and consideration.

Kent A. Halkett, Esq. (BPR No. 035565)

MaryBeth Lindsey

From: Anthony Berry <anthonyberryesq@gmail.com>
Sent: Tuesday, October 28, 2025 8:29 PM
To: appellatecourtclerk
Subject: Comment on ADM2025-01538



Warning: Unusual sender <anthonyberryesq@gmail.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

I would like to voice my opposition to the proposed amendment to Rule 21 that would require attorneys to receive one hour of continuing legal education in mental health or substance abuse disorders every three years.

First, it is enough that attorneys in Tennessee must complete 15 hours of continuing legal education every year. Adding an additional requirement that must be kept track of in three-year increments adds an unwanted burden that will doubtless serve as a pitfall for many who will simply forget this new and unusual requirement. The stress thereby added to our lives would surely offset whatever mental health benefits the Tennessee Lawyer Assistance Program seeks to promote by its endeavor here.

Furthermore, the purpose of continuing legal education is to keep oneself informed as to developments in the law or ethical strategies for practicing it. While maintaining one's mental health is important, it is not the place of the State to obligate anyone to be a captive and regular audience to opinions on it or advertisements for relevant services. It would be just as inappropriate for the State to obligate attorneys to attend a regular CLE on gym memberships, nutrition, or weight loss even though physical health is as important as mental health.

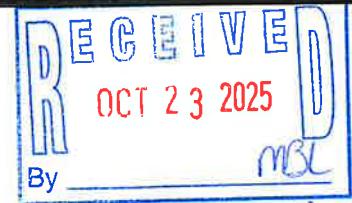
Finally, there exists no need for a new CLE requirement for Tennessee lawyers. The Tennessee Lawyer Assistance Program is already well known, and to the extent that it is not, the Tennessee Lawyer Assistance Program can find other ways to advertise itself than by burdening the entirety of the legal profession with another CLE to keep track of.

Thus, I would ask that the proposed amendment be rejected.

Sincerely,
Anthony Berry

MaryBeth Lindsey

From: John Butler <JButler@bvblaw.com>
Sent: Thursday, October 23, 2025 12:06 PM
To: appellatecourtclerk
Subject: ADM2025-01538



ADM2025-01538

Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Mr. Hivner,

I am writing in response to the courts request for public comment on the above referenced proposed rule change. I support amending Rule 21, Section 3.01(a) to require at least one hour of the currently required three hours in ethics/professionalism programming be dedicated to mental health or substance use disorders every three years. I think anything we can do to reduce the stigma in the legal community surrounding acknowledging and seeking help for mental health issues and/or substance use disorders is potentially of great benefit to lawyers, the courts, and the public. I'm confident that a substantial percentage of lawyer misconduct (reported and not reported) stems from attorneys failing to address these issues before substantial harm has occurred.

Thanks for your consideration.

John W. Butler

Attorney at Law

Butler, Vines and Babb, P.L.L.C.

2701 Kingston Pike

Knoxville, TN 37919

Phone: (865) 244-3925; Fax: (865) 637-3385

[See my Virtual Business Card](#)

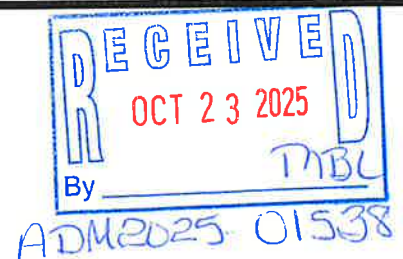


NOTICE: This email contains confidential or privileged information. If you believe you have received it in error, please notify Butler, Vines and Babb, P.L.L.C., and immediately delete this message without copying or disclosing it. Any communication from this office should be considered informational only, and should not be relied or acted upon until a formal attorney-client relationship is established via a signed written agreement.

This email has been scanned for email related threats and delivered safely by Mimecast.
For more information please visit <http://www.mimecast.com>

MaryBeth Lindsey

From: Robynn E. Moraites <robynn@nclap.org>
Sent: Thursday, October 23, 2025 1:18 PM
To: appellatecourtclerk
Subject: Docket number ADM2025-01538
Attachments: CLE New File Tracking.pdf



Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Docket number ADM2025-01538

I'm writing in support of the proposed change in your CLE rules to require one hour of mental health/substance abuse training every three years. North Carolina adopted a similar mandatory rule in 2001 (1 hr/3 yrs). There was a dramatic rise in the number of both self-referrals and referrals of colleagues to NC LAP. As a general rule, the number of client files often tracks the number of CLE given in a year. We know that CLE is the most important outreach tool we have in North Carolina. We often say that we "bat 1000 at CLE" because we receive either a self-referral or colleague referral from every CLE talk that we give.

Back in 2017, I charted some graphs. They are attached. Slide one details North Carolina's active caseload and CLE presentations from 2011-2017. The Minnesota Program responded to requests for information, so their data is also reflected on the second slide. It documents a similar tracking: more CLE = more active LAP client files. The third slide shows the dramatic rise in the volume of active files after the enactment of a mandatory CLE rule in North Carolina.

North Carolina recently went through an overhaul of its CLE rules. The mental health/substance abuse rule was renamed the Professional Well-Being hour. Substantively the rule was expanded a bit to include broad topics like compassion fatigue, stress management, and resilience topics. As a provider of these CLE talks, we offer a menu of options which can be seen here: <https://www.nclap.org/continuing-legal-education/>. We strive to add a new program every couple of years and rotate out old programs. CLE event sponsors are not required to use NCLAP for the Professional Well-Being hour, but most do.

I'm happy to answer any questions.



Robynn E. Moraites, Esq.

Executive Director

NC Lawyer Assistance Program

☎ (704) 503-9695

✉ robynn@nclap.org

🌐 nclap.org

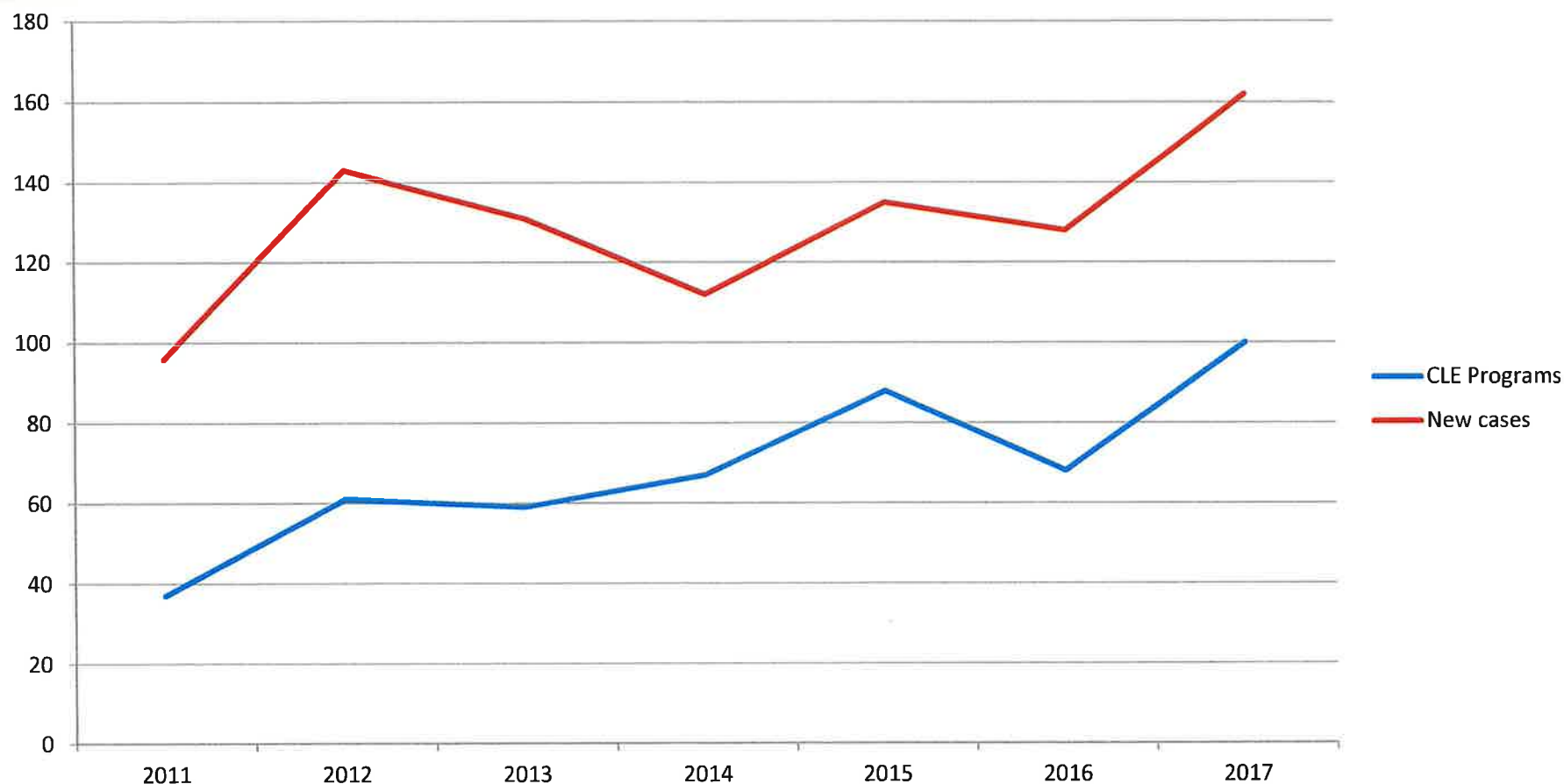
📍 312 Rensselaer Ave., Ste 100, Charlotte, NC
28203



Please be advised that the contents of this message and any reply may be subject to disclosure under North Carolina law. Informal ethics inquiries and advisories communicated via electronic mail are confidential pursuant to Rule 1.6 of the Rules of Professional Conduct. Lawyer Assistance Program client communications via electronic mail are also treated as confidential pursuant to Rule 1.6 of the Rules of Professional Conduct.



NC # of CLE & # of New Cases



Marketing/Outreach most crucial. The more lawyers hear about LAP, see us at events and CLE, get to know and trust us, the more willing they are to reach out for assistance or refer a friend in need.

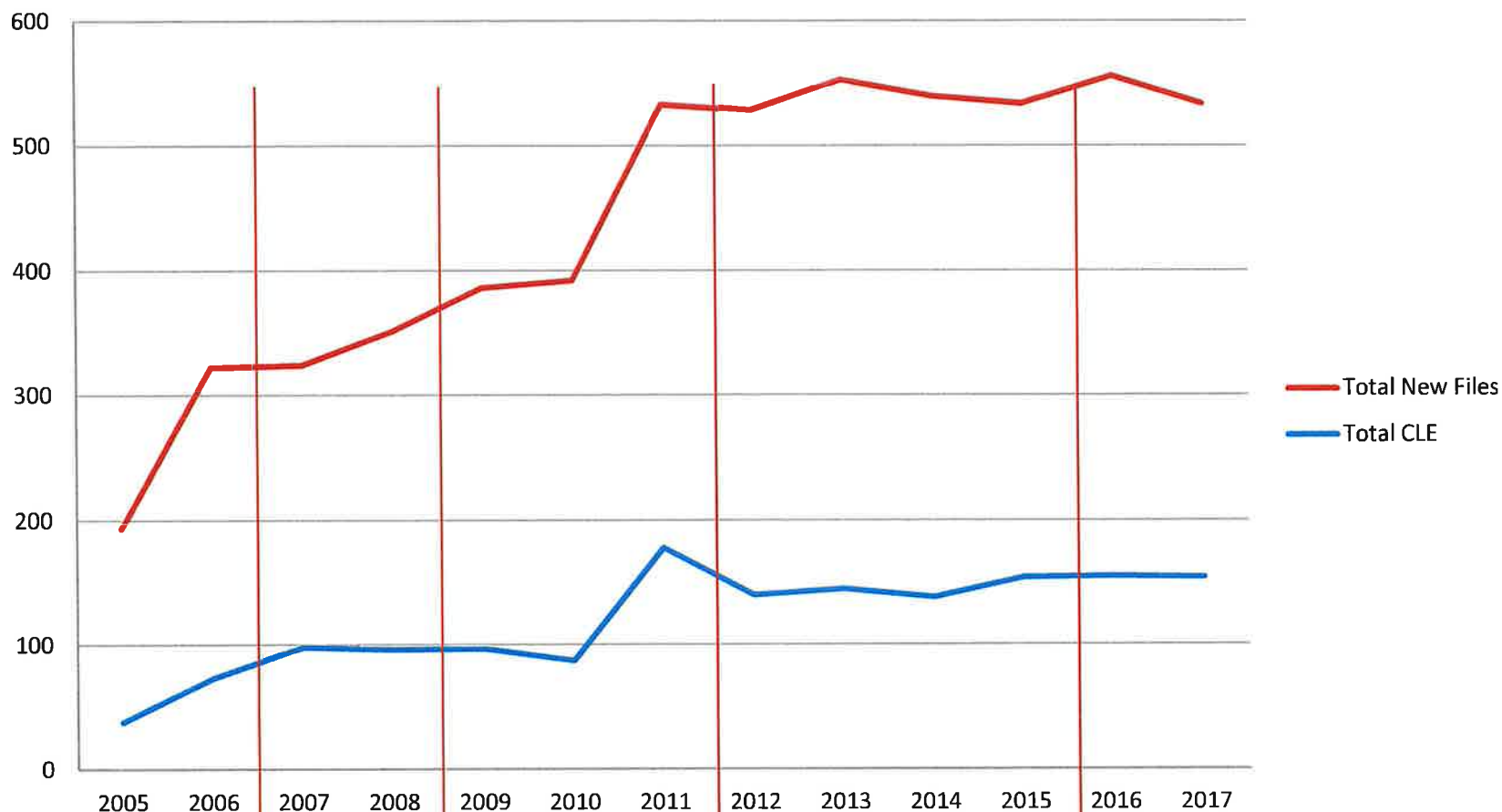
Smaller programs have no time or bandwidth to do outreach – too busy with direct services clinical work. If lawyers don't hear about LAP, they can't refer.





MN # of CLE & # of New Files

Minnesota CLE and New File Ratio

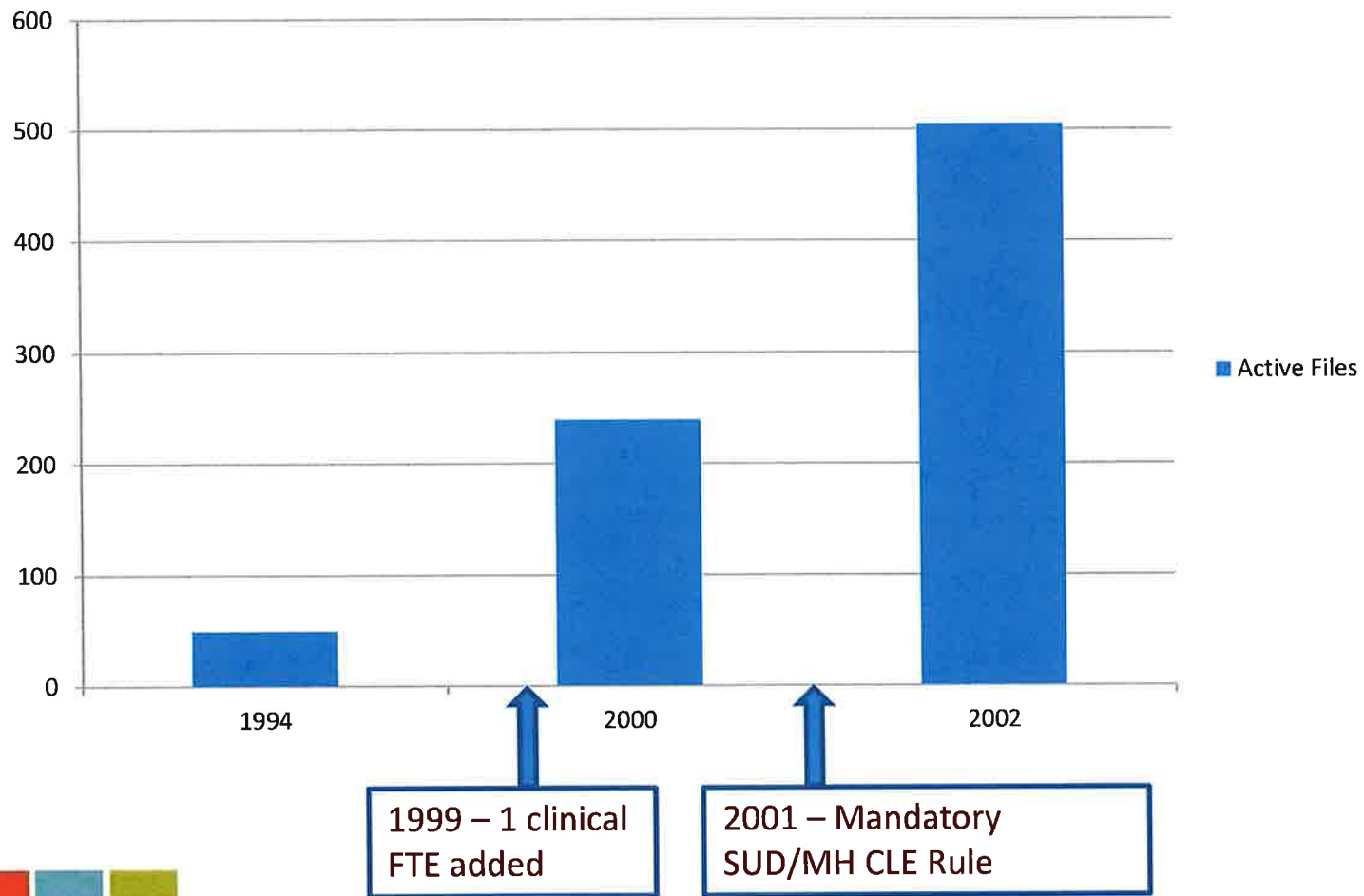


Total Staff: 2 2.5 3.2 3.5 4



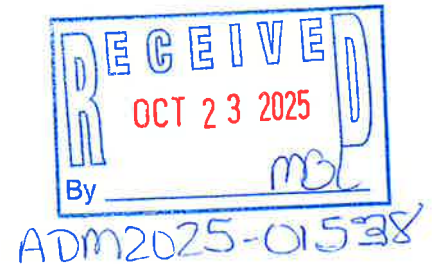
NC Before and After Mandatory CLE

Active Files



MaryBeth Lindsey

From:
Sent: Thursday, October 23, 2025 11:49 AM
To: appellatecourtclerk
Subject: Me again!



Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Dear Clerk,

I would also suggest a CLE on Social Media which is creating huge problems when decisions and actions are taken based on misinterpretation. Most attorneys are never there (and I understand that!) and don't understand the problems they create that have life altering consequences when legal decisions are made and actions taken without giving the "target" of the action an opportunity to provide context for a posting.

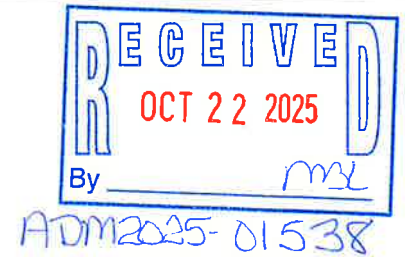
Respectfully,

Memphis TN

(where it is said that "Memphis Law" is practiced)

MaryBeth Lindsey

From:
Sent: Wednesday, October 22, 2025 12:06 PM
To: appellatecourtclerk
Subject: ADM2025-01538



Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Dear Court Clerk,

I am a retired attorney but have been living mental health hell with my grown daughter whose problem created a plethora of criminal, civil, and custody problems which have cost me the price of a house and continue to be resolved.

The mental health issue must be addressed. Not just for attorneys but also for their clients be they defendants or plaintiffs. There is a huge gap between the law and mental health. Mental health, as you surely are aware, is now a huge problem in our world and much injustice happens because of that gap.

I suggest that one hour CLE a year is inadequate to assure that clients are considered in order to avoid the travesties of justice that I have experienced and that are happening at all socio economic levels. A person without resources is essentially kicked to the curb without an understanding of mental health problems by the bar.

The injustices include the juvenile court system which needs it as much as anyone. My experience has been that, if a drug problem, there is a path the court follows. If a mental health problem, it boils down to whether the judge and guardian ad litem have any understanding whatsoever of the dynamics. Add a contention-loving lawyer to the mix, who is more about control, winning, and earning fees and only the child gets hurt. I have seen too many instances wherein the attorney for the plaintiffs who got a Dependency and Neglect granted, was so stuck on showing off that the child's best interest was hurt and the mother's mental health continued to decline by being kept from her child.

All this being said, I know my comments may not be considered. After experiencing the legal system from the outside, I am glad that I chose to leave the legal profession. I lived 72 years with only going to court with a divorce. I lived the last 2 with nothing but civil, criminal, and custody lawyers, some of whom have made everything worse.

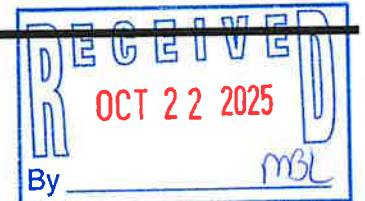
Please do not post my name anywhere with this comment. It would only exacerbate the difficulty of getting justice.

Memphis Tennessee

(Where it is said that Memphis practices Memphis law)

MaryBeth Lindsey

From: h.delughter@gmail.com
Sent: Wednesday, October 22, 2025 11:48 AM
To: appellatecourtclerk
Subject: Comment on No. ADM2025-01538



ADM2025-01538

Warning: Unusual sender <h.delughter@gmail.com>

You don't usually receive emails from this address.
Make sure you trust this sender before taking any actions.

Good afternoon,

In response to No. ADM2025-01538, please, do not require one hour of mental health CLE.

That is simply another matter that attorneys must track, counterintuitively adding to their strain.

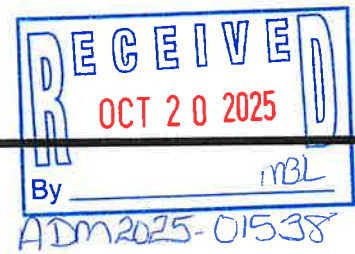
There is nothing wrong with current CLE courses including discussion of mental health, but that discussion does not need to be mandatory.

Additionally, mental health is already a well-known phrase and seemingly all members of the public are aware of it and of ways to seek assistance if desired.

Hardy DeLaughter
TN BPR 037248

MaryBeth Lindsey

From: Zachary Jones <zjones@martinjoneslaw.com>
Sent: Monday, October 20, 2025 6:27 PM
To: appellatecourtclerk
Subject: Comment on Proposed Amendment to Rule 21 (ADM2025-01538)



Warning: Unusual sender

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Comment on Proposed Amendment to Rule 21 (ADM2025-01538)

Respectfully, the proposed amendment—though unimpeachable in intent—moves us further down a slippery slope within an already dense and expanding compliance regime. Once we carve out a mandatory hour for mental-health or substance-abuse content, why not also require stand-alone hours for technology competence, cybersecurity, financial literacy, civility, diversity and inclusion, physical wellness, domestic abuse, artificial-intelligence risk, speeding (and other traffic violations that cause injuries and fatalities on Tennessee highways), honesty, attorney advertising, and so on? Each is important. But compelled slices of curriculum for all of them would crowd out an attorney's professional judgment as to which CLE programs best serve their practice and would further—and unnecessarily—complicate Tennessee's CLE framework, especially for small firms and lawyers admitted in multiple jurisdictions.

Tennessee lawyers already have abundant access to ethics and professionalism CLE—including mental-health and substance-use programming—through the TBA and many other providers. The current framework empowers attorneys to select the ethics content most responsive to their practices and clients. Before adding a new mandate, the Court should ask: Is there credible evidence that compulsory attendance in these topics reduces impairment or improves outcomes? If the answer is uncertain, the wiser course is to preserve flexibility.

Tennessee attorneys' CLE resources are best devoted to programming that fits their individual needs, practices, and clients—not to navigating ever-more granular compliance dictates. Encourage these courses, spotlight them, even incentivize them; but do not make them compulsory.

Zach Jones (Tenn. Bar Reg. No. 34756)

Martin & Jones, PLLC

Partner

304 Main Ave South
Fayetteville, TN 37334

O: 931.532.0665

D: 931.532.7066