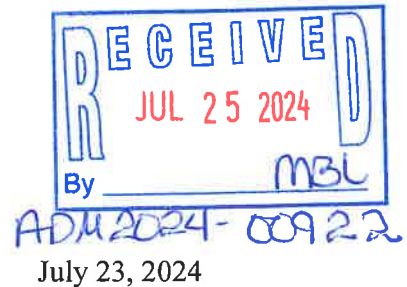




TENNESSEE COMMISSION
on CONTINUING LEGAL EDUCATION



JULIE BENNETT
Chair
Kingsport

STEPHANIE COLEMAN
Vice Chair
Lenoir City

LYNDA MINKS HOOD
Secretary
Chattanooga

KYONZTÉ HUGHES-TOOMBS
Treasurer
Nashville

JAY A. EBELHAR
Germantown

TIFFANY GIPSON
Whitleyville

SHANNON HOFFERT
Collierville

ANDREW McREE
Knoxville

DAVID VEILE
Franklin

JAMES WASHBURN
Dresden

LaDONNA TATUM WILLIAMS
Nashville

MICHELE WOJCIECHOWSKI
Executive Director

AMY FROGGE
Compliance Director

1321 Murfreesboro Pike
Suite 810
Nashville, TN 37217
Tel 615-741-3096
Fax 615-532-2477

www.cletn.com
Email: info@cletn.com

James Hivner, Clerk
100 Supreme Court Building
401 7th Avenue North
Nashville, TN 37219-1407
Re: ADM2024-00922

Dear Mr. Hivner,

The Commission on Continuing Legal Education submits this letter in response to the Board of Professional Responsibility's petition to amend Tennessee Supreme Court Rule 9, section 10.1, which would classify the personal addresses and contact information that Tennessee attorneys provide to the Board as confidential and not public record.

The Commission utilizes attorney contact information provided by the Board of Professional Responsibility (BPR) for a variety of communications, including sending out Annual Report Statements, Notices of Non-Compliance, the draft Suspension Order, and the final Suspension Order. Most communications remain private between the Commission and the attorney and are not publicly published.

However, both the draft Suspension Order and the final Suspension Order are public-facing and contain both the names of all noncompliant attorneys and their preferred addresses. (When submitting contact information to the BPR, each attorney selects a preferred address.) The preferred address may be an attorney's home address, especially if that attorney is retired from practice or works from home.

The draft Suspension Order is mailed only to noncompliant attorneys, which means that only noncompliant attorneys are able to view its contents, but the final Suspension Order is publicly filed by the Court.

After discussion, the Commission has concluded that, while it is not necessary to list full residential or office addresses on either the draft Suspension Order or the Suspension Order, it is useful for judges and other interested parties if each attorney's city and state are included. This would allow judges and others to quickly identify suspended attorneys within their jurisdiction.

In short, the Commission agrees with the BPR's proposal to keep personal contact information confidential. This information, including an attorney's

street address, would be used by the Commission in the course of business only. However, the Commission requests that attorneys may be identified by name, city, and state on the draft Suspension Order and on the final Suspension Order.

Thank you for your consideration of the Commission's comments and concerns.

Sincerely,

A handwritten signature in cursive script, appearing to read "Julie P. Bennett".

Julie P. Bennett
Chair, Tennessee Commission on CLE

cc: Justice Sarah K. Campbell
Tennessee Commission on CLE members



July 25, 2024



ADM2024-00922

The Honorable James Hivner, Clerk
Tennessee Supreme Court
100 Supreme Court Building
401 7th Avenue North
Nashville, TN 37219-1407
Via email: appellatecourtclerk@tncourts.gov

**Re: Proposed Amendments to Rule 9, Section 10.1
Rules of the Tennessee Supreme Court
No. ADM2024-00922
*Comment of Tennessee Bar Association***

Dear Mr. Hivner:

The Tennessee Bar Association is grateful for the opportunity to comment on proposed changes to the Supreme Court Rules, and respectfully submits this comment on the change to Rule 9, Section 10.1 proposed in the petition filed by the Board of Professional Responsibility (the "Board") on June 18, 2024 and published for such comment by the Court's Order of June 26, 2024. This comment by the Association incorporates a recommendation of the Association's Standing Committee on Ethics and Professional Responsibility (the "Ethics Committee").

The Board's proposal is based on the policy of ensuring the safety of non-exempt Tennessee attorneys and Judges who are required to register with the Board. By eliminating an existing sentence in Rule 9, Section 10.1, it would provide that registrants' residence addresses, cellular telephone numbers, home telephone numbers, and personal non-government issued email addresses are confidential and not public records in all instances, even when a registrant has not provided non-private contact information to the Board.

The current Section requires, and the proposed amendment still would require, that every registrant provide his or her "residence, office, and email addresses" to the Board (as well as "such other information as the Board may direct"). In gathering information relevant to the proposal, the Ethics Committee was informed that a number of current registrants work from home, and the "office" address they provide to the Board is their home address. It also seems that the email address that some registrants provide to the Board is a "personal" email account procured from a provider such as gmail.com, rather than an address within a commercial or governmental email domain. The same may be true of telephone contact numbers, to the extent the Board has directed or directs them under the "such other information" clause quoted above.

TENNESSEE BAR CENTER
3310 WEST END AVE. #590
NASHVILLE, TN 37203
(615) 383-7421
WWW.TBA.ORG



The Association unequivocally supports the policy that registrants be protected from harm to their persons and property. The Association also sympathizes with the annoyance of receiving unsolicited emails from telemarketers and the like; and further sympathizes with the similar annoyance of undesired telephone calls, while noting that the proposed Rule in itself continues the limitation of mandatory information to residence, office, and email addresses

At the same time, the Association believes that there are valid policy reasons for the Board, and specifically the public information portions of its internet web site, to be an authoritative source of means by which clients and the public may locate and contact registrants. The paramount importance of protecting such persons is often said to be a fundamental aim of many of the Court's Rules, including the Rules of Professional Conduct contained in Rule 8. For this reason, the Association has concerns about the desirability of enabling a registrant to effectively have no contact information available through the Board.

The Association believes that there is a way in which Section 10.1 of Rule 9 could adequately and effectively further both of the above-described policies. The Section could authorize the Board to require each registrant to furnish information sufficient to facilitate contact by clients and members of the public. Each registrant would have full freedom to choose what information that is, and the Section could continue to protect any and all other information also required by the Board.

We are including with this letter complete "redlines" showing the effect of the Board's proposed amendment, followed by the Association's alternative proposal. However, the specific requirement in the Association's alternative proposal (likewise in "redline" form) is as follows:

The attorney shall designate information by which the attorney may be contacted by clients and members of the public, including an email address, a telephone number, and a physical or post office box address, all of which will be treated by the Board as public records. Other contact information of the attorney the Board may direct the attorney to provide, including any ~~The attorney's~~ residence address, cellular telephone number, home telephone number, and personal non-government issued e-mail address are confidential and not public records.

To be sure, some registrants who work from home and have no physical office could be displeased with a requirement to obtain a post office box, a second email address for professional compliance purposes, and/or (if a telephone number is required by the Board) an alternative telephone number for the same purpose. The Association believes, however, that the burden of such arrangements, if necessitated for compliance with the Section, is reasonable when the policy of providing an authoritative source of contact information is taken into consideration. The Association also would respectfully note that the concern with email messages and telephone calls is a matter of annoyance, not safety of home premises and persons and property therein; that the cost of post office boxes, if chosen by registrants for compliance, is very small; and that there are many email services that offer free accounts and even multiple or "alias" addresses for the precise purpose of diverting

Page 3
July 25, 2024

and sequestering unsolicited messages. The Association's proposal certainly would, at a minimum, reduce the number of circumstances in which registrants could reasonably find the Section in question to be objectionable.

The Association of course acknowledges that choosing balances between potentially competing policies is entirely the province of the Court. This comment is merely a reflection of the Association's attempt to offer one way of seeking such a balance here. During discussion of this matter within the Ethics Committee, there was an indication of the possibility of working with the Board on another alternative which might be still better, as the Association has sometimes done in the past. The Board's Chief Disciplinary Counsel is a member of the Ethics Committee but quite appropriately abstained from voting or taking a position on an alternative proposal. If authorized, however, the Association would welcome the opportunity to discuss possible alternatives with Counsel and/or other members of the Board.

Sincerely,

A handwritten signature in cursive script that reads "Sheree Q. Wright".

Sheree Wright
Executive Director

cc: TBA Executive Committee
Mark Vorder-Bruegge, Chair, TBA Committee on Ethics and Professional Responsibility

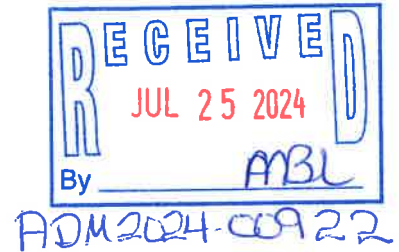
Appendix: Full "redlines" of Board and alternative proposals

APPENDIX
Tennessee Supreme Court Rule 9, § 10
Board of Professional Responsibility Proposal for Amendment

10.1. Every attorney admitted to practice before the Court, except those exempt under Section 10.3(b) and (c), shall, on or before the first day of their birth month, file with the Board at its central office an annual registration statement, on a form prescribed by the Board, setting forth the attorney's current residence, office, and email addresses, and such other information as the Board may direct. The attorney's residence address, cellular telephone number, home telephone number, and personal non-government issued e-mail address are confidential and not public records. ~~If, however, (1) the attorney failed to provide an office address, office telephone number, or office email address; or (2) the attorney listed the residence address, cellular telephone number or home telephone number, or personal non government issued e mail address as the attorney's office address, office telephone number, or office e mail address respectively, then the attorney's nonpublic information of the same category shall no longer be subject to the protection afforded under this Rule.~~ The attorney may designate the primary or preferred address for receipt of correspondence from the Board. In addition to such annual statement, every attorney shall file electronically with the Board through the Board's Attorney Portal as necessary a supplemental statement of any change in information previously submitted within thirty days of such change.

Alternative Proposal for Amendment

10.1. Every attorney admitted to practice before the Court, except those exempt under Section 10.3(b) and (c), shall, on or before the first day of their birth month, file with the Board at its central office an annual registration statement, on a form prescribed by the Board, setting forth the attorney's current residence, office, and email addresses, and such other information as the Board may direct. The attorney shall designate information by which the attorney may be contacted by clients and members of the public, including an email address, a telephone number, and a physical or post office box address, all of which will be treated by the Board as public records. Other contact information of the attorney the Board may direct the attorney to provide, including any ~~The attorney's~~ residence address, cellular telephone number, home telephone number, and personal non-government issued e-mail address are confidential and not public records. ~~If, however, (1) the attorney failed to provide an office address, office telephone number, or office email address; or (2) the attorney listed the residence address, cellular telephone number or home telephone number, or personal non government issued e mail address as the attorney's office address, office telephone number, or office e mail address respectively, then the attorney's nonpublic information of the same category shall no longer be subject to the protection afforded under this Rule.~~ The attorney may designate the primary or preferred address for receipt of correspondence from the Board. In addition to such annual statement, every attorney shall file electronically with the Board through the Board's Attorney Portal as necessary a supplemental statement of any change in information previously submitted within thirty days of such change.



Knoxville Bar Association
505 Main Street, Suite 50
P.O. Box 2027
Knoxville, TN 37901-2027
PH: (865) 522-6522
www.knoxbar.org

July 25, 2024

By Email: appellatecourtclerk@tncourts.gov

Officers

Carlos A. Yunsan
President

Jonathan D. Cooper
President-Elect

Rachel Park Hurt
Treasurer

Ursula Bailey
Secretary

Loretta G. Cravens
Immediate Past President

Board of Governors

Melissa B. Carrasco
Joan M. Heminway

Ian P. Hennessey
William A. Mynatt, Jr.

T. Mitchell Panter

M. Samantha Parreis

Courtney Epps Read

Vanessa Samano

Charles S.J. Shacrette

James T. Snodgrass

James R. Stovall

Alicia J. Teubert

Hon. Zachary R. Walden

James Hivner, Clerk of Appellate Courts
Tennessee Supreme Court
100 Supreme Court Building
401 Seventh Avenue North
Nashville, TN 37219-1407

RE: ADM2024-00922

Dear Mr. Hivner:

Pursuant to the Tennessee Supreme Court's Order referenced above, the Knoxville Bar Association ("KBA") Professionalism Committee ("Committee") considered the petition by the Board of Professional Responsibility (BPR) for an amendment to Rule 9, Section 10.1 of the Rules of the Tennessee Supreme Court. The Committee presented its recommendation on the requested amendment to the Executive Committee of the KBA. After consideration, the KBA submits the following comment:

The KBA supports the BPR's petition. Under the current version of the rule, the personal contact information of certain attorneys that is not treated as confidential is readily accessible, especially using the attorney look-up feature on the BPR's website.

As always, the KBA appreciates the invitation to consider and comment on proposed rules changes.

Sincerely,

Carlos A. Yunsan, President
Knoxville Bar Association

Executive Director
Tasha C. Blakney

General Counsel
Adrienne L. Anderson

cc: Tasha Blakney, KBA Executive Director (via email)
Executive Committee of the Knoxville Bar Association

Kim Meador

ADM2024-00922

FILED

JUL - 3 2024

Clerk of the Appellate Courts
REc'd By *KIM*

From: S Norman <seth@sethnormanlaw.com>
Sent: Wednesday, July 3, 2024 3:45 PM
To: appellatecourtclerk
Subject: Comment on Petition To Amend Tenn. Sup. Ct. R. 9, Section 10.1 (No. ADM2024-00922)

Good afternoon,

I have a comment regarding the Board's petition to amend Tennessee Supreme Court Rule 9, Section 10.1. While I agree with this reasoning behind the change, I believe it is extremely important that there be an exception for attorneys that do not have an office address. When filing motions, proposed orders, etc. the TBPR attorney lookup (found at <https://www.tbpr.org/for-the-public/online-attorney-directory>) is extremely valuable in order to ensure that service is properly provided to opposing counsel. As someone who practices in multiple counties, there are many times when the TBPR attorney lookup is the only way to know where to send copies for filings to comply with the applicable notice rules. If I am not mistaken, the proposed amendment would exclude an attorney that works from home from having his/her address listed on the TBPR website, as it would be deemed confidential. This would likely cause a notice problem in some situations if no exception is made for attorneys that work from home, especially in criminal cases, where many (if not all) of the court clerks offices only list the name of the attorney and no contact information on their websites.

I would suggest an exception be made to the proposed amendment for all attorneys who work from home, and do not have an office address or PO Box to list. There need to be some way to know that what is sent will be received by opposing counsel and to my knowledge the TBPR information is the only location where said information is required by our rules to be kept accurate and current.

Likewise, this would limit Pro Se litigants from easily being able to find the correct mailing address for opposing counsel when they work from home. It is a common problem that I have faced when looking from the mailing address for opposing counsel, that they have changed firms/locations/etc, and an internet search lists multiple addresses. I do not believe the TBPR should amend a rule that in some cases allows attorneys to essentially have no listed address. Regardless of where the attorney works (at an office or at home), at a minimum, some mailing address should be required to be publicly available for all licensed attorneys, even if that address is their home address. I believe that such a minimum requirement is necessary to allow for compliance with notice requirements in many situations.

An example of when this amendment could become an issue is when bail bonding companies file a motion to surrender a Defendant in a criminal case based on a new arrest, and they need to provide a copy of the motion to surrender to the Defendant's attorney. If the Defendant's attorney works from home, the attorney for the bonding company may be unable to discover the attorney's mailing address, resulting in a situation where the Defendant's attorney may not have proper notice of the motion.

Please feel free to contact me if further explanation is needed or if you have any followup questions.

Sincerely,
-Seth

Kim Meador

ADM2024-00922

From: Keane Barger <kbarger@loeb.com>
Sent: Tuesday, July 2, 2024 5:42 PM
To: appellatecourtclerk@tncourts.gov appellatecourtclerk; appellatecourtclerk
Subject: No. ADM2024-00922

FILED
JUL - 2 2024
Clerk of the Appellate Courts
REc'd By *KIM*

Mr. Hivner:

I write to express my support for the petition filed by the Board of Professional Responsibility ("Board") asking the Tennessee Supreme Court to amend Rule 9, section 10.1 to classify as confidential and not public record the personal addresses and contact information that Tennessee attorneys provide to the Board.

The public should have access to the business addresses and contact information of Tennessee attorneys. Such information may be necessary for a prospective client to locate counsel or a current client to communicate with his or her own attorney. But there is no corresponding need for the public to have access to the personal addresses and contact information of Tennessee attorneys. Publicizing such personal information serves no legitimate purpose and poses a risk of harassment and harm to attorneys who are often litigating contentious disputes.

Best regards

Keane Barger
Attorney At Law



901 New York Avenue NW, Suite 300 East | Washington, DC 20001
Direct Dial: [202.618.5003](tel:202.618.5003) | Fax: [202.618.5001](tel:202.618.5001) | E-mail: kbarger@loeb.com
Los Angeles | New York | Chicago | Nashville | Washington, DC | San Francisco | Beijing | Hong Kong | www.loeb.com

CONFIDENTIALITY NOTICE: This e-mail transmission, and any documents, files or previous e-mail messages attached to it may contain confidential information that is legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify the sender. Please destroy the original transmission and its attachments without reading or saving in any manner. Thank you, Loeb & Loeb LLP.

Kim Meador

ADM2024-00922

From: Larry Woods <debate@comcast.net>
Sent: Tuesday, July 2, 2024 5:54 PM
To: appellatecourtclerk
Subject: Amend Rule 9 section 10.1

FILED
JUL - 2 2024
Clerk of the Appellate Courts
REc'd By *Kim*

I am writing to support the amendment to make personal addresses confidential. During my years of law practice I was the subject of several threats and two shootings into my address, primarily a result of my work in opposition to the death penalty and support for a right to abortion in healthcare.

As the political world rapidly becomes even more threatening, the legal world will also be impacted.

Larry Woods

FILED

JUN 27 2024

Clerk of the Appellate Courts

REc'd By MBC

ADM 2024-00922

MaryBeth Lindsey

From: Brennan Parrish <brennan@gilparrishlaw.com>
Sent: Thursday, June 27, 2024 8:42 AM
To: appellatecourtclerk@tncourts.gov appellatecourtclerk; appellatecourtclerk
Subject: In Re Docket No. ADM2024-00922 (Petition to Amend Tenn. Sup. Ct. R. 9, Section 10.1)

To whom it may concern,

I support this amendment. On numerous occasions I have had opposing parties, some who were even represented by counsel, reach out to my personal cell phone number through having this information accessible. Often this was at non-business hours.

I have received death threats from opposing parties in some cases, and I know many other lawyers who have as well. Personal residence information needs to be private. It is prudent given the potential for highly emotional reactions of opposing parties in tough cases. We live in a volatile, unpredictable world. This amendment is well needed to protect the members of the legal profession.

Last – I am a young attorney (licensed 2019). When I applied to take the Bar Exam the Board naturally requested all my personal information. It was never disclosed or noted in the application that the personal information I provided would ultimately be the same information that would be sent to the general register for all Tennessee attorney's contact information. Hence, the Board asks for my personal phone number – I naturally provide it because I need to take the bar exam – and then a few months later my personal cell phone number gets published on the Tennessee Bar Attorney Contact information as my primary contact (which it is not – our office number is my primary contact). Implementation of the amendment to this rule needs to ensure it protects newly added members to the Bar from inadvertently having their information published.

I hope this input is helpful. Feel free to contact me if further input is needed.

All the best,

Brennan E. Parrish, Esq.
Parrish Law, PLLC
60 Brazelton Street, Unit 9
Savannah, TN 38372
731-925-1966

MaryBeth Lindsey

From: Chip Dawson <chip@charlesdawsonlaw.com>
Sent: Thursday, June 27, 2024 11:14 AM
To: appellatecourtclerk
Subject: ADM2024-00922

ADM 2024-00922
FILED
JUN 27 2024
Clerk of the Appellate Courts
REc'd By MBL

I would like to add my support for the Tennessee Board of Professional Responsibility's Petition in this matter. Tragic events of recent years have highlighted the need for protection of the privacy of judges, attorneys and their families. Amending the Rule as proposed will allow a measure of assurance that the most invasive (and potentially dangerous) interactions with the public may be reduced.

Thanks.

Chip Dawson Attorney
Law Office of Charles C. Dawson, Jr., LLC
2105 Old Montgomery Highway, Suite 206, Pelham, AL 35124
t: (855)516-3132
f: (888)316-6313
m: (205)516-3132
w: charlesdawsonlaw.com
e: chip@charlesdawsonlaw.com

Admitted in Alabama and Tennessee

LAW OFFICE OF CHARLES C. DAWSON, JR., LLC represents the rights of creditors throughout the states of Alabama and Tennessee.

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Please note that if this is the first written notice you have received from this firm, unless you dispute in writing the validity of the debt, or any portion thereof, within 30 days of the receipt of this notice, the debt will be assumed to be valid by this office. If you notify us in writing within the 30 day period that the debt, or any portion thereof, is disputed, this office will obtain verification of the debt or a copy of a judgment against you and a copy of such verification or judgment will be mailed to you. Also, upon your written request within the 30 day period this office will provide you with the name and address of the original creditor, if different from the current creditor.

Any statements contained herein are not intended or written to be used, and cannot be used, by you or any other taxpayer, for the purpose of avoiding any penalties that may be imposed by federal tax law.

This message may contain information that is privileged or confidential. If you have received this message in error, please contact the sender immediately then delete the original message.

MaryBeth Lindsey

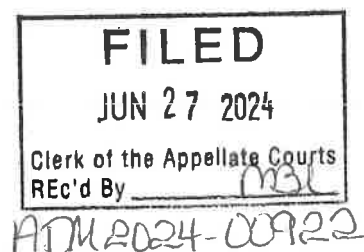
From: Charles Byrd <cbyrd@cbyrdslaw.com>
Sent: Thursday, June 27, 2024 11:15 AM
To: appellatecourtclerk@tncourts.gov appellatecourtclerk; appellatecourtclerk
Subject: Proposal to Make Attorney Contact Information Private

Mr. Hivner,

I just read about the above proposal to amend Tennessee Supreme Court Rule 9, section 10.1 in the TBA Today. There was no docket number provided. Please show me as being in support of the amendment.

Sincerely yours,

Charles H. Byrd, Sr.
Attorney at Law



P.S. If you know someone needing a real estate closing attorney, please refer them to us. We take pride in taking the stress out of closings!

www.byrdslaw.com

North Office*
518 Carriage House Drive
Jackson, TN 38305
(731) 660-1577, Extension 102
(731) 660-1588 Facsimile

WARNING – FRAUDULENT FUNDING INSTRUCTIONS: Email hacking, phishing, and cyberfraud to fraudulently misdirect funds are rampant. Please call your escrow officer immediately using contact information found from an independent source, such as the sales contract, internet, or phone number used previously to verify any funding instructions. We are not responsible for any funds transferred by you to an incorrect party.

Confidentiality Statement: The information contained herein is legally privileged and confidential information intended only for the use of the individual or entity named above as the intended recipient. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone (collect) at (731) 660-1577 and entirely delete the email from your system.

Tax Advice Disclaimer: The information contained herein does not constitute tax advice that may be used or relied upon in any way by the recipient or any other person to avoid imposition of any penalty imposed by the Internal Revenue Service. This firm does not give tax advice and urges any party seeking such to contact a certified public accountant or his/her tax preparer.

Metadata Disclosure: Any metadata contained herein and in any document attached hereto is not intended for the recipient and pursuant to ABA Opinion, Model Rule 4.4(b) and Tennessee Formal Ethics Opinion 2004-F-150, the recipient has an obligation to refrain from reviewing the materials, notify the sending lawyer and abide by such lawyer's instructions regarding disposition of the confidential documents.

MaryBeth Lindsey

From: Doni Porteous <doni.porteous@gmail.com>
Sent: Wednesday, June 26, 2024 7:04 PM
To: appellatecourtclerk
Subject: IN RE: PETITION TO AMEND TENN. SUP. CT. R. 9, SECTION 10.1

FILED
JUN 26 2024
Clerk of the Appellate Courts
REc'd By MBL
ADM2024-00922

Feedback: I fully support the petition to keep personal attorney information protected. I maintain the expense of a post office box specifically so there is no chance my residential address becomes viewable.

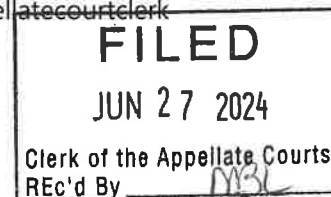
Additionally, many attorneys work now from their residences which was not the norm when the present rule was originally drafted. Thank you.

—Doni Porteous
BPR 038736

MaryBeth Lindsey

From: Erika Roberts <ErikaR@svmic.com>
Sent: Thursday, June 27, 2024 10:10 AM
To: appellatecourtclerk@tncourts.gov appellatecourtclerk; appellatecourtclerk
Subject: Comment regarding confidentiality of contact information

ADM 2024-00922



May it please the Court:

I am writing to express my support for amending the rules so that attorney contact information is confidential and not publicly available (at least not readily so).

I support a listing featuring the attorney's name and the status of the attorney's license. And perhaps, for good cause shown, the Court could construe a method to disclose such information to a party, if merited. I can also see an option allowing attorneys to opt in to sharing their public address, but not requiring it. However, given increasing cyber security issues and what seems to be an increase in violence/anger towards the legal/judicial system and its participants, it seems prudent to shield this valuable and vulnerable information from the public, at least online. I can also imagine in situations involving domestic violence or other similarly dangerous situations, an attorney, though bound by the rules to keep his/her information current with the Board, may choose not to do so out of fear for personal safety.

Currently, I have my work address posted, but there have been times in the past where I was self-employed and my home address was posted. Due to the sensitive nature of my job, and the potential for angry plaintiffs or insureds, my own company does not even post my name or bio online. Yet the board's website does. While I have never been comfortable with that information being so readily available, it did not seem like there is an alternative. There should be.

I understand that there are various ways that a person could obtain potential contact information for a lawyer, but I feel that the Board should not be an unwitting accomplice in providing accurate contact information to someone who may intend harm to an attorney.

Thank you for your time,
Erika Roberts



Erika D. Roberts, JD
SVMIC | Claims Attorney

OFFICE 615-846-8362

5005 Maryland Way | Suite 300 | Brentwood, TN | 37027

ONLINE SVMIC.com

NOTICE: This email message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

This email from SVMIC.com has been scanned for email related threats.

MaryBeth Lindsey

From: Greg Atwood <gregatwoodlaw@gmail.com>
Sent: Wednesday, June 26, 2024 5:52 PM
To: appellatecourtclerk
Subject: PETITION TO AMEND TENN. SUP. CT. R. 9, SECTION 10.1

FILED
JUN 26 2024
Clerk of the Appellate Courts
REc'd By MB

ADM2024-00922

I am in support of the proposed change. My practice is 95%+ working for other lawyers making court appearances, and I have no need for a public office. I maintain a mailbox at a local UPS store for the sole purpose of not having my home address be public information. This will make my practice more efficient and reduce costs.

--
Greg Atwood, Esq.
8161 Highway 100, #104
Nashville, TN 37221
615-347-5095
615-866-5922 fax
gregatwoodlaw@gmail.com

MaryBeth Lindsey

From: Jamie Herman <jherman@jhermanattorney.com>
Sent: Tuesday, July 2, 2024 4:19 PM
To: appellatecourtclerk@tncourts.gov appellatecourtclerk; appellatecourtclerk
Subject: Confidentiality of personal attorney information

2 July 2024 5:15 eastern

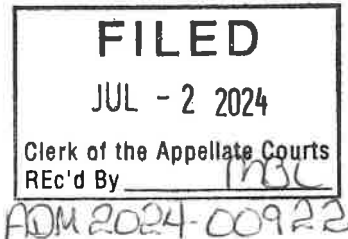
I support withholding personal information as confidential.

I used to do contested divorces.

There were a few cases where I always checked to make sure that I was not followed home.

It makes no sense to me to have our home addresses available.

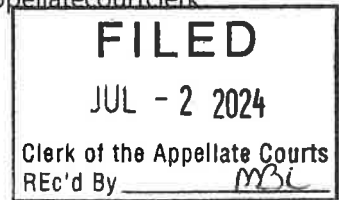
Jamie L. Herman
Attorney
409 E. Watauga Avenue
Johnson City, Tennessee 37601
phone: 423-928-5480
fax: 423-928-5480
BOPR 9186



MaryBeth Lindsey

ADM2024-00922

From: Hedrick, Judge Andra (STC) <AndraHedrick@jnsnashville.gov>
Sent: Tuesday, July 2, 2024 3:24 PM
To: appellatecourtclerk@tncourts.gov appellatecourtclerk; appellatecourtclerk
Subject: No. ADM2024-00922



To the Honorable Justices of the Tennessee Supreme Court:

I am writing to express my concerns regarding the Petition filed in the above referenced matter by the Tennessee Board of Professional Responsibility. My understanding is that the Petition requests that the Court amend Tenn. Sup. Ct. R. 9, Section 10.1. The amendment would make non-public the contact information for attorneys who have failed to provide an office address which is different from a personal address. The amendment does not appear to provide an exception allowing the courts and clerks to be given access to the non-public contact information. This creates an undue burden on the courts and clerks and puts litigants at risk, for the reasons explained below.

I preside over the Davidson County Probate Court. It is a high volume court, with between 2,400 and 2,500 new cases filed each year and approximately 5,000 pending cases that we are charged to oversee. We have an estimated 500 or more different attorneys who file petitions in our court. While some come from firms, many are sole practitioners who may or may not maintain an office separate from their homes.

When an attorney enters an appearance for a petitioner in probate court, the attorney has continuing obligations so long as the case remains open or until an order is signed allowing the attorney to withdraw. These obligations can involve requiring the petitioner to become bonded as a fiduciary, and to file various types of financial and status reports for transparency to the court, other parties and interested persons. The obligations affect more than just the interests of the petitioner. They affect the interests of the many other potential parties and interested persons in the case (heirs, beneficiaries, respondents, contestants and creditors), many of whom typically are not represented by separate counsel.

Far too many of our attorneys do not meet the obligations required of them as counsel of record. All too often, we become aware of cases in which required filings have not been made and the attorney of record has failed to address the delinquency. Our clerk tracks these required filings and issues notices and citations accordingly. Ultimately, if the clerk's warnings are ignored the court must issue "show cause" notices and conduct "show cause" hearings to determine the next appropriate action. Attorneys of record may fail to respond and/or to attend required "show cause" hearings. Mailings to attorneys may be returned undelivered because the attorney has changed addresses but failed to notify the court or clerk. In this situation, our staff and/or the clerk must attempt to locate a new, accurate address (or other contact information) for the attorney. The public information on the website of the Tennessee Board of Professional Responsibility can be a helpful, reliable source of finding new addresses for attorneys so that the clerk's notices and court orders can be sent to them at the correct address. If such information is made non-public, without an exception permitting disclosure to court clerks and staff, this will hinder our court's ability to enforce the obligations of attorneys and protect the parties and interested persons in our cases from preventable harm.

All of that being said, my concerns would be greatly alleviated if the rule as amended would include an exception whereby the Tennessee Board of Professional Responsibility could release the otherwise non-public information to court staff and clerks upon their written request. This would achieve the safety objectives of the amendment without unduly burdening the courts and clerks who many need the information for legitimate purposes - the orderly administration of cases and protection of parties and interested persons whose interests are affected in pending cases.

Thank you for your consideration of these concerns and suggestions.

Andra

Judge Andra Hedrick
Seventh Circuit (Probate) Court
Davidson County Courthouse, Suite 608

Judicial Assistant: Kitty Lammers (kittylammers@jnsnashville.gov or 615.862.5990)

MaryBeth Lindsey

From: Looney, Kim H. <Kim.Looney@klgates.com>
Sent: Tuesday, July 2, 2024 2:25 PM
To: 'appellatecourtclerk@tncourts.gov' appellatecourtclerk; appellatecourtclerk
Subject: contact information

Personal information should always be designated as confidential.



Kim Harvey Looney
Partner
K&L Gates LLP
501 Commerce Street
Suite 1500
Nashville, Tennessee 37203
Direct: (615) 780-6727
Mobile: (615) 812-4039
kim.looney@klgates.com
www.klgates.com

FILED
JUL - 2 2024
Clerk of the Appellate Courts
REc'd By *MBL*

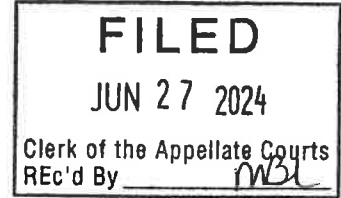
ADM2024-00922

MaryBeth Lindsey

From: Martha Emeson <martha@zendylaw.com>
Sent: Thursday, June 27, 2024 3:12 PM
To: appellatecourtclerk@tncourts.gov appellatecourtclerk; appellatecourtclerk
Subject: Comment re: Petition to Amend TN S Ct R 9, Sect. 10.1

Dear Mr. Hivner, Clerk:

Re: Petition to Amend Tenn. R. Sup. Ct. R 9, Section 10.1
No. ADM2024-00922



ADM2024-00922

I am writing in support of the proposed amendment to Rule 9, Section 10.1!

On more than one occasion I have found my home address published (without my prior knowledge or permission) as my law practice business address. Making attorneys' personal addresses and contact information confidential will help bring a stop to this.

Thank you!

Martha Zendlovitz Emeson
Attorney at Law
4235 Hillsboro Pike, Suite 300
Nashville, TN 37215
Tel.: 615-403-3205
Fax: 615-369-8653
E-mail: martha@zendylaw.com

FILED
JUN 27 2024
Clerk of the Appellate Courts
REc'd By MBL

MaryBeth Lindsey

From: Melinda Kirkham <mkirkham@mwzmlaw.com>
Sent: Thursday, June 27, 2024 4:30 PM
To: appellatecourtclerk@tncourts.gov appellatecourtclerk; appellatecourtclerk
Subject: No. ADM2024-00922

ADM 2024-00922

Good afternoon,

I am in support of the petition to make the contact information of attorneys private. I personally have received threats relating to my work. I feel this will help with safety and make it harder for those with inimical intentions to get private information.

Thank you,

Melinda Kirkham, Esq.
Associate Attorney, Foreclosure

Mackie Wolf Zientz and Mann, P.C.
Cool Springs Commons
7100 Commerce Way, #273
Brentwood, TN 37027
Main Line: 615-238-3630
Fax: 615-777-4517



**MACKIE WOLF
ZIENTZ MANN**

This email message and any attachments are intended solely for the use of the addressee. If you are not the intended recipient, you are prohibited from reading, disclosing, reproducing, distributing, disseminating or otherwise using this transmission. If you have received this message in error, please promptly notify the sender by reply email and immediately delete this message from your system. This message and any attachments may contain information that is confidential, privileged or exempt from disclosure. Delivery of this message to any person other than the intended recipient is not intended to waive any right or privilege. Message transmission is not guaranteed to be secure or free of software viruses. Finally, please know that this firm may be a debt collector attempting to collect a debt and any communication received may be used for that purpose.

MaryBeth Lindsey

From: Miles Terry <milesterry82@gmail.com>
Sent: Wednesday, June 26, 2024 8:52 PM
To: appellatecourtclerk
Subject: Re: Court Order No. ADM2024-00922

FILED
JUN 26 2024
Clerk of the Appellate Courts
REc'd By MBL

ADM2024-00922

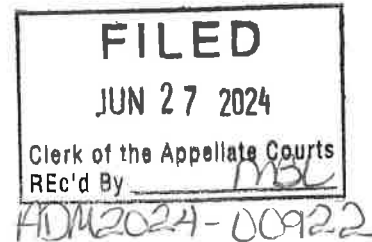
Regarding the request for Comments Sought on Proposal to Make Attorney Contact Information Private, if Judges and Court Administrators' personal information is currently private, then this should extend to attorneys as well as they too are officers of the court and have personal lives, property, and loved ones that should be protected. Privacy increases the safety and security of attorneys and I very much recommend that this information be made private.

Miles Terry | Managing Partner
Gideon Law Group, LLC, Churches | Nonprofits | Private Schools
Mailing | 1718 General George Patton Drive | Brentwood, Tennessee 37027
Contact | Office 864.569.9344 | Fax 770-234-6745
Website | gideonlawgroup.com

*Admitted in South Carolina, Tennessee, and the District of Columbia

MaryBeth Lindsey

From: The Hill Law Firm <office@hillfirmllaw.com>
Sent: Thursday, June 27, 2024 9:47 AM
To: appellatecourtclerk
Subject: ADM2024-00922



Good morning!

With regard to this recent order, I sincerely hope that the Tennessee Supreme Court does enter an order to amend the rule to classify as confidential and not public record the personal addresses and contact information Tennessee attorneys provide to the board. Cell phones and other forms of "instant" communications have increased expectations to the point that everyone is expected to be instantly available to everyone else. I believe that lawyers, like doctors and other professionals, need to have some reasonable measure of privacy and protection of the sanctity of their homes. Please contact me if you have any questions. Thanks!

-Rob Hill

The Hill Firm PLLC | PO Box 150529 | Nashville, TN 37215 | 615-815-1758 | www.HillFirmLaw.com

You may opt out of receiving further email communications from The Hill Firm, PLLC by replying to this email address with an email message that has the word 'stop' in the subject line.

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. Please note that if this is the first written notice you have received from us, unless you dispute the validity of the debt, or any portion thereof, within 30 days of the receipt of this notice, the debt will be assumed to be valid by this office. If you notify us in writing within the 30 day period that the debt, or any portion thereof, is disputed, this office will obtain verification of the debt or a copy of a judgment against you and a copy of such verification or judgment will be mailed to you. Also, upon your written request within the 30 day period this office will provide you with the name and address of the original creditor, if different from the current creditor. | Any statements contained herein are not intended or written to be used, and cannot be used, by you or any other taxpayer, for the purpose of avoiding any penalties that may be imposed by federal tax law. | This message may contain information that is privileged or confidential. If you have received this message in error, please contact the sender immediately then delete the original message.

FILED

JUN 26 2024

Clerk of the Appellate Courts

REc'd By MBL

ADM 2024-00922

MaryBeth Lindsey

From: rob robvandiver.com <rob@robvandiver.com>
Sent: Wednesday, June 26, 2024 5:54 PM
To: appellatecourtclerk@tncourts.gov appellatecourtclerk; appellatecourtclerk
Subject: ADM2024-00922, Supreme Court Rule 9, section 10.1 proposed amendment

Dear Clerk Hivner,

I am writing in support of the proposed amendment that would make the personal contact information of attorneys confidential and not publicly available. While I have never personally had someone contact me at my personal residence or home phone, I have always been concerned that someone with bad intent would have such easy access to this information.

I practice in the field of consumer bankruptcy. I have had, during the last 25 years, something like 10,000 clients. That is a large number. Due to the nature of my practice, I enjoy a good relationship with my clients in an environment in which I am helping them get free from debt. However, in dealing with that many people from all walks of life, eventually someone could get upset and "track me down" at my house.

Thank you for your consideration,

Rob Vandiver

Robert B. Vandiver, Jr. | Attorney

ROBERT B. VANDIVER, JR.

Attorney at Law

Certified Consumer Bankruptcy Specialist

227 W. Baltimore St. | Jackson, TN 38301

Post Office Box 906 | Jackson, TN 38302-0906

Telephone (731) 554-1313 | Fax (731) 554-2354

Website www.robvandiver.com

Mr. Vandiver is Certified as a Consumer Bankruptcy Specialist by the American Board of Certification.

This message is for the named recipient only. It may contain confidential, proprietary or legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by email and delete the original message from your computer

MaryBeth Lindsey

From: Bob Parsley <Bob.Parsley@millermartin.com>
Sent: Thursday, June 27, 2024 8:08 AM
To: appellatecourtclerk@tncourts.gov appellatecourtclerk; appellatecourtclerk
Subject: Amendment of Tennessee Supreme Court Rule 9, section 10.1

Hon. James Hivner
Appellate Court Clerk

I respectfully support the proposed amendment.

Robert F. Parsley
Attorney / Chattanooga TN
Robert F. Parsley

FILED
JUN 27 2024
Clerk of the Appellate Courts
REc'd By *(Signature)*

ADM2024-00922



d (423) 785-8211
f (423) 321-1511
Volunteer Building Suite 1200 | 832 Georgia Avenue | Chattanooga, TN 37402



CONFIDENTIALITY NOTICE

The information contained in this e-mail message is legally privileged and confidential, and is intended only for the use of the addressee. If you are not the intended recipient, please be aware that any dissemination, distribution or copy of this e-mail is prohibited. If you have received this e-mail in error, please immediately notify us by reply e-mail and delete this message and any attachments. Thank you