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January 13, 2009

M2008-02645-SC-RL2-RL4

Michael W. Catalano
100 Supreme Court Building
401 7th Avenue North
Nashville, Tennessee 37219-1407

**IN RE: COMMENT RULE 7 SECTION 10.03
RULES OF THE TENNESSEE SUPREME COURT**

Dear Mr. Catalano:

The purpose of this is to comment on the proposed rule amending rule 7 of the Rules of the Tennessee Supreme Court.

I believe a person should graduate from law school and should pass the Bar Exam before receiving a license to practice law. I do not object to a screening process.

However in my view, a law student should be allowed to take the Bar Exam the last year prior to graduation.

Today Law Students are brighter than ever. Most of us older lawyers could not even get accepted into law school under current standards. Law students today are not a bunch of nin-com-poops. They are all bright.

The cost of the Bar Exam review course is over \$3,000.00. Many law students are "up to their eyeballs" in debt by the time they graduate. To require an additional \$3,000.00 on top of everything else for a review course and wait six months after graduation for the results, in my opinion, is not right. Out in the hinterland there is certainly the smell that there is more concern for the vendors selling the review course/s than a concern for the kids just graduating.

Assuming an individual has passed the Bar Exam (whenever taken), they should start practicing law as soon as possible after graduation.

It is not right for us to flounder these kids with all of this debt and delay. We are doing young lawyers and more important their young families a real disservice.

Very truly yours,
SWAFFORD, JENKINS & RAINES

H. Graham Swafford, Jr.

GS:cmp

M2008-02645



OFFICE OF THE DISTRICT ATTORNEY GENERAL

VICTOR S. JOHNSON III
District Attorney General

January 14, 2009

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

RE: Amendment to Rule 7, Section 10.03, Rules of the Tennessee Supreme Court

Dear Mr. Catalano:

I have had an opportunity to review the proposed amendment to the above referenced rules, and I am writing to support wholeheartedly this change. Each summer our office has a large contingent of first and second year law students who are seeing first-hand the challenges and rewards of working as an assistant district attorney. While many of these individuals are from Tennessee law schools, each year some are Tennessee natives who are attending excellent schools located outside the state. Under the current rule, these second year students are precluded from practicing before the courts in Davidson County. This proposed rule change would permit them to gain valuable experience like their Tennessee law school counterparts.

If I can provide you with any additional information, please do not hesitate to contact me.

Yours truly,

Victor S. (Torry) Johnson III
District Attorney General

VSI/ja

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IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: AMENDMENT TO RULE 7, SECTION 10.03,
RULES OF THE TENNESSEE SUPREME COURT

FILED
2009 MAR -2 PM 3:13
APPELLATE COURT CLERK
NASHVILLE

M2008-02645-SC-RL2-R6

JOINT COMMENTS OF THE TENNESSEE DISTRICT ATTORNEYS GENERAL
CONFERENCE AND THE TENNESSEE DISTRICT PUBLIC DEFENDERS
CONFERENCE IN SUPPORT OF PROPOSED AMENDMENT TO TENNESSEE
SUPREME COURT RULE 7, SECTION 10.03

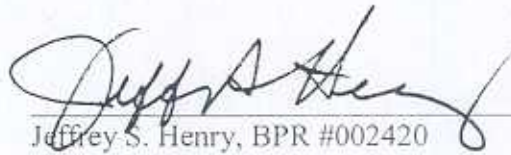
Come now the Tennessee District Attorneys General Conference and the Tennessee District Public Defenders Conference and hereby urge this Honorable Court to adopt the proposed amendment to Tennessee Supreme Court Rule 7, Section 10.03(a) as drafted, as both Conferences believe the amendment will benefit Tennessee's legal community and judicial system.

For many years, District Attorney General Offices and Public Defender Offices across the State have utilized the services of law school student interns and clerks to assist in the courtroom responsibilities of their respective Offices. This has been a mutually beneficial relationship that affords law school students a practical learning experience, and provides typically understaffed agencies with additional resources. These clinical practice programs also offer District Attorney and Public Defender Offices the chance to recruit the best and brightest law students in Tennessee to government service and public interest work while they are still in law school, with the goal that many of them will become the next prosecutors and defenders in our criminal justice system. In this respect, clinical practice programs provide valuable early training for the future lawyers of our communities.

The proposed amendment will allow Offices within both Conferences that participate in clinical practice programs to expand their recruiting efforts beyond the best and brightest of Tennessee law schools to the best and brightest of law schools across the nation. This expansion would include Tennessee residents who have chosen to attend out-of-state law schools. Without a doubt, the opportunity that Rule 7, §10.03 offers law students to gain practical courtroom experience while still in school is a coveted one. Furthermore, it is an opportunity not available in every State, rendering Tennessee an attractive destination for law students attending schools elsewhere. In our opinion, extending such a valuable opportunity to law students in other States will only enhance the practice of law in Tennessee.

Tennessee is a State on the rise, with more and more people interested in coming to live and work here. The Conferences believe that this proposed rule change will encourage law students from other States who are interested in government service and public interest law to come to Tennessee and bring with them their talents, energy, and willingness to improve our criminal justice system. Additionally, it will encourage Tennessee residents who attend out-of-state law schools to return home after graduation to do the same. Consequently, we submit to this Honorable Court this joint recommendation urging the adoption of the proposed amendment to Supreme Court Rule 7, §10.03.

Respectfully submitted,



Jeffrey S. Henry, BPR #002420

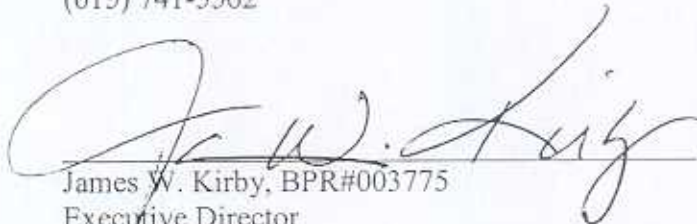
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