

M 2010-01646-SQ-BLE-RL

TO THE HONORABLE SUPREME COURT OF  
TENNESSEE SITTING AT KNOXVILLE

**FILED**  
AUG 02 2010  
Clerk of the Courts

MELISSA CAMPBELL LANZO )  
)  
Petitioner )  
v. )  
)  
BOARD OF LAW EXAMINERS FOR )  
THE STATE OF TENNESSEE )  
)  
Respondents )

NO.

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**IN RE: PETITION FOR THE ADOPTION OF AMENDED  
TENNESSEE SUPREME COURT RULE 7, Section 2.02**

Melissa Lanzo ("Lanzo") petitions the Court to adopt an amended Rule 7, Section 2.02 of the Rules of the Tennessee Supreme Court, comprised of the Tennessee Rules of Professional Conduct, as set forth in Exhibit A, and described more fully in this Petition, to govern the admission of lawyers from other states to be licensed to practice in Tennessee. In support of the adoption of this amended rule, the petitioner, Lanzo, states as follows:

**BACKGROUND OF CASE**

(1) The petitioner, Melissa Campbell Lanzo, is a duly licensed attorney in good standing in the State of Alabama and is a graduate of a provisionally accredited American Bar Association (ABA) law school (2006), (to wit: Thomas Goode Jones School of Law) of Faulkner University in Montgomery, Alabama, having graduated in 1990;

(2) That petitioner was a sole practitioner in the State of Alabama during the years 1991 - 1997, and remains in good standing with the Alabama State Bar; (Exhibit B)

(3) That since 1997, she has resided in Hamilton County, Tennessee, having married former Assistant District Attorney Stanley Lanzo and has worked as a paralegal in his office while continuing to practice law in the State of Alabama on a part-time basis;

(4) That she has complied with all of the Continuing Legal Education (CLE) requirements of the State of Alabama and that the vast majority of her CLE requirements have been satisfied by attending legal seminars in the State of Tennessee; (Exhibit C)

(5) That she is of good character and morals and received letters of endorsement from Judge Rebecca Stern of the Hamilton County Criminal Court, District Attorney General Bill Cox of Hamilton County, former Attorney General and Attorney Barry Abbott of the Hamilton County Bar; (Exhibit D)

(6) That the petitioner respectfully submits she is qualified to practice law in the State of Tennessee and that the relief that she originally sought was to be admitted by reciprocity and/or be allowed to stand for the Tennessee Bar Examination and upon successful completion, to be admitted to the practice of law in the State of Tennessee;

(7) That she previously filed an application to practice law in Tennessee which was denied by letter on March 26, 2009, pursuant to Section 2.02 of Rule 7 of the Tennessee Supreme Court by the Tennessee Board of Law Examiners because she was not a graduate from a regularly organized law school accredited by the ABA at the time of her graduation in August, 1990, as the Jones School of Law of Montgomery, Alabama, was not given provisional approval by the ABA until 2006; (Exhibit E)

(8) That the petitioner, through counsel, respectfully filed a Petition to Rehear and the Tennessee Board of Law Examiners denied her request to be admitted to the Tennessee Bar around April 15, 2009;

(9) That the petitioner, through counsel, filed a petition for a hearing as an aggrieved party under Section 13.02 of Rule 7 of the Rules of the Tennessee Supreme Court which was further denied by the Tennessee Board of Law Examiners on May 28, 2009. (Exhibit F)

(10) On July 16, 2009, Lanzo filed a petition for writ of certioari in the Tennessee Supreme Court seeking to overturn the Tennessee Board of Law Examiners' decision arguing that Sections 2.02 and 2.03 of the Tennessee Supreme Court, Rule 7, the basis for its denial violated the equal protection, privileges and immunities, and full faith and credit clauses of the United States Constitution as well as the fundamental right to freely travel among the states.

(Exhibit G)

(11) On September 17, 2009, the Tennessee Supreme Court, in a per curiam opinion dismissed Lanzo's petition on the ground that she did not meet the requirements of Supreme Court Rule 7, section 2.02 and stated that for policy reasons its Court declined to grant a waiver from said rule. However, the Court further held that said dismissal was without prejudice to a petition seeking a change in the Court's rules governing inclusion to the State bar. (Exhibit H)

(12) In May, 2009, the Tennessee Bar Association (TBA) filed a Petition for the Adoption of Amended Tennessee Rules of Professional Conduct asking this Court to substantially revise its ethics rules governing Tennessee lawyers. Said proposed amendments were published in the media and public comments were sought. Oral arguments on a number of issues were heard by the Court on June 1, 2010, in Nashville.

(13) However, no amendments were proposed to Rule 7, Section 2.02 of the Court's rules which specifically affects the petition, Lanzo, and therefore, she accepts the Court's admonition to such redress on her own behalf and for those who find themselves in a similar legal predicament.

### **PETITIONER'S BACKGROUND**

Lanzo is a qualified applicant from a now accredited law school of the ABA. The legal impediment that prevented the Tennessee Board of Law Examiners from granting her admission

to the Tennessee Bar was that the Thomas Goode Jones School of Law of Faulkner University in Montgomery, Alabama, was not accredited at the time of her graduation in 1990.

She was and remains in good standing in the State Bar of Alabama and continues to practice in that jurisdiction on a limited basis. The continuing legal education requirements in that State have primarily been satisfied by attending seminars in Tennessee.

Although this Court made no reference to Section 2.03 of Rule 7 involving the Approval of Tennessee Law Schools Not Accepted by the American Bar Association in its per curiam opinion, a fundamental fairness comparison cannot be ignored.

Without going into the reasons for applicants under Section 2.03 being eligible for admission to the Tennessee Bar while qualified applicants such as Lanzo under Section 2.02 are not obviously brings into play the discrimination conflict between the two sections.

There are now two non-ABA accredited law schools in Tennessee, in Nashville and Knoxville.

The Thomas Goode Jones School of Law of Faulkner University in Montgomery, Alabama is now accredited under the rigid and demanding criteria of the ABA. (Exhibit I)

Even non-accredited ABA law schools in Tennessee can have its graduates be eligible to take the Tennessee bar examination under Section 2.03 when the standards in that section are met and the Board of Law Examiners finds that the school is effectively achieving its mission and objectives under said section. Thomas Goode Jones School of Law met the criteria of Section 2.03 of Rule 7 in 2009. (Exhibit J)

### **LANZO'S PROPOSAL**

1) Specifically, the petitioner proposes that the Court replace current Tennessee Supreme Court Rule 7, Section 2.03 with language that allows the petitioner to either take the bar

examination as are applicants under Rule 7, Section 2.03, or to grant her a waiver of the examination under Rule 7, Section 1.04;

2) The Court issue an Order soliciting written comments from judges, lawyers, bar associations, member of the public, and any other interested parties;

3) The Court issue an Order allowing the petitioner to respond to any written comments submitted during a designated period;

4) Set the case for argument on any issues identified by the Court which might assist the Court on said issue.

5) That the petitioner be granted leave to supplement her petition by filing updated reports of her compliance with legal requirements through 2010 upon receipt.

Respectfully submitted,

SUMMERS & WYATT, P.C.

By: 

Jerry H. Summers, BPR # 000534

735 Broad Street, Suite 800

Chattanooga, TN 37402

Tel: 423/265-2385

Fax: 423/266-5211

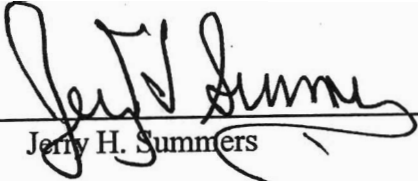
*Counsel for Melissa Campbell Lanzo*

### **CERTIFICATE OF SERVICE**

I, the undersigned, do hereby certify that a true and exact copy of the foregoing petition has been served on adversary counsel by placement of said copy in the United States Mail, postage prepaid to:

Talmadge M. Watts,  
Office of the Attorney General of Tennessee  
P.O. Box 20207  
Nashville, TN 37202  
faxsimile: 615/532-2571

This the 28<sup>th</sup> Day of July, 2010.

By:   
Jerry H. Summers

## Rules of the Supreme Court

- 📁 Rules of the Supreme Court
- 📁 RULES OF THE SUPREME COURT OF THE STATE OF TENNESSEE
- 📁 Rule 7. Licensing of attorneys.
- 📁 ARTICLE II — EDUCATIONAL REQUIREMENTS FOR ADMISSION

### Sec. 2.02. Approval of Law Schools.

Each applicant to take the examination must have completed a course of instruction in and graduated from a regularly organized law school which was accredited by the American Bar Association at the time of applicant's graduation, or one which has been approved by the Board pursuant to § 2.03.

[Amended by order filed August 23, 1993, and entered nunc pro tunc effective October 19, 1992; and by order filed March 23, 2004.]



## Rules of the Supreme Court

- 📁 Rules of the Supreme Court
- 📁 RULES OF THE SUPREME COURT OF THE STATE OF TENNESSEE
- 📁 Rule 7. Licensing of attorneys.
- 📁 ARTICLE II — EDUCATIONAL REQUIREMENTS FOR ADMISSION

Sec. 2.03. Approval of Tennessee Law Schools Not Accredited by the American Bar Association.

The Board may approve any law school in Tennessee not accredited by the American Bar Association for the purpose of allowing its graduates to be eligible to take the Tennessee bar examination when the standards in this section are met and the Board finds the school is effectively achieving its mission and objectives.

(a) Statement of Mission or Objectives

A school shall adopt a statement of its mission or objectives, which shall include a commitment to a program of legal education designed to provide its graduates with:

- (1) An understanding of their professional responsibilities as representatives of clients, officers of the courts, and public citizens responsible for the quality and availability of justice under the law;
- (2) A basic legal education through a course of study that develops an understanding of the fundamental principles of public and private law, an understanding of the nature, basis and role of the law and its institutions, and skills of legal analysis and writing, issue recognition, reasoning, problem solving, organization, and oral and written communications necessary to participate effectively in the legal profession.

(b) Organization and Administration

A school shall adopt and maintain an organizational and administrative structure that complies with the following standards:

- (1) It shall be governed by, and its general policies shall be established by, a governing board composed of individuals who are not members of its faculty and who are dedicated to fulfilling the mission or objectives of the school.
- (2) It shall have a dean, selected by the governing board, to whom the dean shall be accountable; and who shall be provided with the authority and support needed to carry out the responsibilities of the position.
- (3) The dean, with the advice of the faculty or its representatives, shall formulate and administer the educational program of the school, including the course of study; methods of instruction; admission; and academic standards for retention, advancement and graduation of students; and shall recommend to the governing board the selection, retention and compensation of the faculty.
- (4) Alumni, students and others may be involved in assisting the governing board, the dean and the faculty in developing policies and otherwise in fulfilling the mission or objectives of the school, in a participatory or advisory capacity.
- (5) A school shall not be conducted as a commercial enterprise, and the compensation of any person shall not depend on the number of students or on the fees received.



(6) A law school shall foster and maintain equality of opportunity in legal education, including employment of faculty and staff, without discrimination or segregation on ground of race, color, religion, national origin, sex or disability.

(c) Faculty

A school shall establish policies with respect to its faculty consistent with the following standards:

(1) A law school shall have a faculty whose members possess a high level of competence and experience as may be demonstrated by education, teaching ability, judicial service, and capacity for legal research and writing.

(2) To be eligible for appointment to the faculty, a person must be a licensed attorney of known ability and integrity. Nothing in this section shall, however, prevent the appointment of other persons of known ability and integrity who are not licensed lawyers to instruct in inter-disciplinary courses such as accounting, taxation, legal research, writing skills, and medicine for lawyers.

(3) A law school shall take reasonable steps to ensure the teaching effectiveness of each member of the faculty.

(4) A number of faculty members shall be employed sufficient to fulfill the mission or objectives of the school.

(d) Facilities

A school shall have classrooms, other physical facilities and technological capacities that are adequate for the fulfillment of its mission or objectives.

(e) Library

A school shall maintain a law library, including access to computerized research, sufficient to meet the research needs of its students and facilitate the education of its students consistent with its mission or objectives. The library shall be available to all students at reasonable hours.

(f) Program of Legal Education

A school shall maintain an educational program designed to fulfill its mission or objectives, which program shall be consistent with the following standards:

(1) The educational program shall be designed to qualify its graduates for admission to the bar and to prepare them to participate effectively and honorably in the legal profession.

(2) The course of study shall:

(A) Include instruction in those subjects generally regarded as the core of the law school curriculum, including but not limited to the law school subjects covered on the Tennessee bar examination and listed in Rule 7, § 4.04;

(B) Be designed to fulfill the school's mission or objectives, including those expressed in Subsection (a) above;

(C) Include at least one rigorous writing experience;

(D) Require at least the minimum standards of class hours required from time to time under the American Bar Association standards for approval of

law schools for the particular category of school;

(E) Be based on a schedule of classes to meet the minimum standards of class hours, which schedule may include weekend classes;

(F) Include adequate opportunities, and emphasis on, instruction in professional skills, particularly skills in written communication.

(3) A school shall adopt and adhere to sound standards of academic achievement, including:

(A) Clearly stated standards for good standing, advancement and graduation; and

(B) Termination of enrollment of a student whose inability or unwillingness to do satisfactory work is sufficiently manifest so that such student's continuation in school would inculcate false hopes, constitute economic exploitation, or detrimentally affect the education of other students.

(g) Admissions

A school shall adopt and adhere to admission policies consistent with the following standards:

(1) A school's admission policy shall be based on, and consistent with, its mission or objectives.

(2) To be admitted, an applicant must have:

(A) Received a bachelor's degree as provided in Rule 7, § 2.01; and

(B) Taken an acceptable test for the purpose of assessing the applicant's capability of satisfactorily completing the school's educational program; (the Law School Admission Test sponsored by the Law School Admission Council qualifies as an acceptable test; and the use of any other test must be approved by the Board) and

(C) Satisfied the minimum requirements for admission established by the governing board of the school; and

(D) Satisfied the dean and Admissions Committee that the applicant possesses good moral character.

(3) A law school may not use admission policies or take other action to preclude admission of applicants or retention of students on the basis of race, color, religion, national origin, sex or disability.

(h) Basic Consumer Information

A school shall publish basic consumer information in a fair and accurate manner, reflective of actual practice, including:

(1) statement of mission or objectives;

(2) admission data;

(3) tuition, fees, living costs, financial aid, and refunds;

(4) enrollment data and graduation rates;

(5) composition and number of faculty and administrators;

(6) description of educational program and curricular offerings;

(7) library resources;



Result #1: Rules of the Supreme Court - Sec. 2.03. Approval of Tennes...

<http://www.loislaw.com/pns/docview.htm?query=%28%28rule+%3>

effective October 19, 1992; amended by order filed December 15, 2000,  
effective as indicated in the compiler's note.]

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**on-line MCLE transcript for 1996**

Name: Mrs. Melissa Campbell-Lanzo  
 Bar ID: ASB-8399-075M  
 Status: Regular Member  
 Date Admitted: 09/30/1991  
 Address:  
 744 McCallie Ave Ste 109  
 Chattanooga, TN 37403-2584

1995 Carryover Credits: 1.5 Ethics Carryover: 0.00

Sponsor	Date	Description	Credits		
			CLE	Reporting	Points
NBI (National Business Institute)	02/13/1996	FUNDAMENTALS OF BANKRUPTCY LAW & PROCEDURE	6.0	0.0	0.0
NBI (National Business Institute)	10/22/1996	Successful Judgment in Collections in Alabama	6.0	0.0	0.0

**Please Note:**

- CLE credit hours for approved seminars are posted when received from Sponsors.
- Carryover credit hours may vary depending on your membership status or exemption status.

[Click Here](#) for mandatory CLE rules, the CLE calendar of upcoming seminars, or an application to apply for CLE credit approval(Uniform Application)

**Exemption Codes:**

- B - I reached the age of 65 during or before 1996
- C - I am:
  - A full-time judge
  - A member of the U.S. House or Senate
  - A member of the U.S. Armed Forces (Active Duty)
  - A member of the Alabama Legislature
  - Prohibited from the private practice of law by constitution, law or regulation
- D - I have received a waiver from the MCLE Commission
- E - I am receiving social security benefits and reached the age 62 during or before 1996
- F - I am an out -of-state attorney meeting all requirements of Reg. 2.7



**on-line MCLE transcript for 1997****Name: Mrs. Melissa Campbell-Lanzo****Bar ID: ASB-8399-075M****Status: Regular Member****Date Admitted: 09/30/1991****Address:****744 Mccallie Ave Ste 109****Chattanooga, TN 37403-2584****1996 Carryover Credits: 1.5 Ethics Carryover: 0.00**

Sponsor	Date	Event	Credits		
			CLE	Carryover	Future
Jones School of Law - Faulkner University	02/19/1997	Alternative Dispute Resolution Conference	4.0	0.0	0.0
NBI (National Business Institute)	10/14/1997	Trying the Wrongful Death Case in Alabama; Strategies in Preparation and Valuation	6.0	0.0	0.0
CLEAlabama (formerly ABICLE)	12/05/1997	Alabama Update	6.0	0.0	0.0

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  - A member of the U.S. Armed Forces (Active Duty)
  - A member of the Alabama Legislature
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- D - I have received a waiver from the MCLE Commission
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- F - I am an out -of-state attorney meeting all requirements of Reg. 2.7

## on-line MCLE transcript for 1998

Name: Mrs. Melissa Campbell-Lanzo

Bar ID: ASB-8399-O75M

Status: Regular Member

Date Admitted: 09/30/1991

Address:

744 McCallie Ave Ste 109

Chattanooga, TN 37403-2584

1997 Carryover Credits: 5.5 Ethics Carryover: 0.00

Sponsor	Start Date	Description	Credits		
			CLE	Leadership	Public
Tennessee Law Institute	09/17/1998	27th Annual Review Seminar	12.0	0.0	0.0
Total			12.0	0.0	0.0

### Please Note:

- CLE credit hours for approved seminars are posted when received from Sponsors.
- Carryover credit hours may vary depending on your membership status or exemption status.
- [Click Here](#) for mandatory CLE rules, the CLE calendar of upcoming seminars, or an application to apply for CLE credit approval(Uniform Application)

### Exemption Codes:

- B - I reached the age of 65 during or before 1998
- C - I am:
  - A full-time judge
  - A member of the U.S. House or Senate
  - A member of the U.S. Armed Forces (Active Duty)
  - A member of the Alabama Legislature
  - Prohibited from the private practice of law by constitution, law or regulation
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- E - I am receiving social security benefits and reached the age age 62 during or before 1998
- F - I am an out -of-state attorney meeting all requirements of Reg. 2.7

### on-line MCLE transcript for 1999

Name: Mrs. Melissa Campbell-Lanzo

Bar ID: ASB-8399-O75M

Status: Regular Member

Date Admitted: 09/30/1991

Address:

744 McCallie Ave Ste 109

Chattanooga, TN 37403-2584

1998 Carryover Credits: 5.5 Ethics Carryover: 0.00

Sponsor	Semin. Date	Description	Credits		
			CLE	Teaching	Ethics
Tennessee Law Institute	10/21/1999	Annual Review Seminar	12.0	0.0	0.0

Total CLE Credits: 12.0

#### Please Note:

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- Carryover credit hours may vary depending on your membership status or exemption status.
- [Click Here](#) for mandatory CLE rules, the CLE calendar of upcoming seminars, or an application to apply for CLE credit approval(Uniform Application)

#### Exemption Codes:

- B - I reached the age of 65 during or before 1999
- C - I am:
  - A full-time judge
  - A member of the U.S. House or Senate
  - A member of the U.S. Armed Forces (Active Duty)
  - A member of the Alabama Legislature
  - Prohibited from the private practice of law by constitution, law or regulation
- D - I have received a waiver from the MCLE Commission
- E - I am receiving social security benefits and reached the age age 62 during or before 1999
- F - I am an out -of-state attorney meeting all requirements of Reg. 2.7



### on-line MCLE transcript for 2000

Name: Mrs. Melissa Campbell-Lanzo

Bar ID: ASB-8399-075M

Status: Regular Member

Date Admitted: 09/30/1991

Address:

744 McCallie Ave Ste 109

Chattanooga, TN 37403-2584

1999 Carryover Credits: 5.5 Ethics Carryover: 0.00

Sponsor	Activity	Description	Credits		
			CLE	Paralegal	Ethics
Tennessee Law Institute		Annual Review Seminar	12.0	0.0	0.0

#### Please Note:

CLE credit hours for approved seminars are posted when received from Sponsors. Carryover credit hours may vary depending on your membership status or exemption status.

- [Click Here](#) for mandatory CLE rules, the CLE calendar of upcoming seminars, or an application to apply for CLE credit approval(Uniform Application)

#### Exemption Codes:

- B - I reached the age of 65 during or before 2000
- C - I am:
  - A full-time judge
  - A member of the U.S. House or Senate
  - A member of the U.S. Armed Forces (Active Duty)
  - A member of the Alabama Legislature
  - Prohibited from the private practice of law by constitution, law or regulation
- D - I have received a waiver from the MCLE Commission
- E - I am receiving social security benefits and reached the age age 62 during or before 2000
- F - I am an out -of-state attorney meeting all requirements of Reg. 2.7

### on-line MCLE transcript for 2001

Name: Mrs. Melissa Campbell-Lanzo

Bar ID: ASB-8399-O75M

Status: Regular Member

Date Admitted: 09/30/1991

Address:

744 McCallie Ave Ste 109

Chattanooga, TN 37403-2584

2000 Carryover Credits: 5.5 Ethics Carryover: 0.00

Date	Event Date	Description	Credits		
			CLE	Continuing	Ethics
	11/06/2001	Personal Injury Settlements in Tennessee: Practical Methods for Perfecting the Settlement of a Claim	6.0	0.0	0.0
	12/21/2001	Alabama Update	6.0	0.0	0.0

**Please Note:**

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- Carryover credit hours may vary depending on your membership status or exemption status.
- [Click Here](#) for mandatory CLE rules, the CLE calendar of upcoming seminars, or an application to apply for CLE credit approval(Uniform Application)

**Exemption Codes:**

- B - I reached the age of 65 during or before 2001
- C - I am:
  - A full-time judge
  - A member of the U.S. House or Senate
  - A member of the U.S. Armed Forces (Active Duty)
  - A member of the Alabama Legislature
  - Prohibited from the private practice of law by constitution, law or regulation
- D - I have received a waiver from the MCLE Commission
- E - I am receiving social security benefits and reached the age age 62 during or before 2001
- F - I am an out -of-state attorney meeting all requirements of Reg. 2.7

### on-line MCLE transcript for 2002

Name: **Mrs. Melissa Campbell-Lanzo**  
 Bar ID: **ASB-8399-075M**  
 Status: **Regular Member**  
 Date Admitted: **09/30/1991**  
 Address:  
**744 McCallie Ave Ste 109**  
**Chattanooga, TN 37403-2584**

2001 Carryover Credits: **5.5** Ethics Carryover: **0.00**

Sponsor	Start Date	Description	Credits		
			CLE	Technology	Ethics
NBI (National Business Institute)	09/24/2002	Handling a Social Security Disability Case in Tennessee	6.0	0.0	0.0
Birmingham Bar Association Online	10/30/2002	Bankruptcy Practice Ethics 101	1.0	0.0	0.0

Total Credits: **7.5**

**Please Note:**

- CLE credit hours for approved seminars are posted when received from Sponsors. Carryover credit hours may vary depending on your membership status or exemption status.
- [Click Here](#) for mandatory CLE rules, the CLE calendar of upcoming seminars, or an application to apply for CLE credit approval(Uniform Application)

**Exemption Codes:**

- B - I reached the age of 65 during or before 2002
- C - I am:
  - A full-time judge
  - A member of the U.S. House or Senate
  - A member of the U.S. Armed Forces (Active Duty)
  - A member of the Alabama Legislature
  - Prohibited from the private practice of law by constitution, law or regulation
- D - I have received a waiver from the MCLE Commission
- E - I am receiving social security benefits and reached the age age 62 during or before 2002
- F - I am an out -of-state attorney meeting all requirements of Reg. 2.7

### on-line MCLE transcript for 2003

Name: Mrs. Melissa Campbell-Lanzo  
Bar ID: ASB-8399-075M  
Status: Regular Member  
Date Admitted: 09/30/1991  
Address:  
744 McCallie Ave Ste 109  
Chattanooga, TN 37403-2584

2002 Carryover Credits: 0.5 Ethics Carryover: 0.00

			CLE		
Sponsor	Start Date	Description	CLE	Reporting	Credits
Tennessee Law Institute	09/25/2003	The Annual Review Seminar	12.0	0.0	0.0

Page 1 of 1 Date: 12/3

#### Please Note:

- CLE credit hours for approved seminars are posted when received from Sponsors.
- Carryover credit hours may vary depending on your membership status or exemption status.
- [Click Here](#) for mandatory CLE rules, the CLE calendar of upcoming seminars, or an application to apply for CLE credit approval(Uniform Application)

#### Exemption Codes:

- B - I reached the age of 65 during or before 2003
- C - I am:
  - A full-time judge
  - A member of the U.S. House or Senate
  - A member of the U.S. Armed Forces (Active Duty)
  - A member of the Alabama Legislature
  - Prohibited from the private practice of law by constitution, law or regulation
- D - I have received a waiver from the MCLE Commission
- E - I am receiving social security benefits and reached the age age 62 during or before 2003
- F - I am an out -of-state attorney meeting all requirements of Reg. 2.7

**on-line MCLE transcript for 2004****Name: Mrs. Melissa Campbell-Lanzo****Bar ID: ASB-8399-O75M****Status: Regular Member****Date Admitted: 09/30/1991****Address:****744 McCallie Ave Ste 109****Chattanooga, TN 37403-2584****2003 Carryover Credits: 0.5 Ethics Carryover: 0.00**

Sponsor	Semin. Date	Description	Credits		
			CLE	Teaching	Ethics
Tennessee Law Institute	11/04/2004	The Annual Review Seminar	12.0	0.0	3.0

Total: 12.5

**Please Note:**

CLE credit hours for approved seminars are posted when received from Sponsors.

- Carryover credit hours may vary depending on your membership status or exemption status.
- [Click Here](#) for mandatory CLE rules, the CLE calendar of upcoming seminars, or an application to apply for CLE credit approval(Uniform Application)

**Exemption Codes:**

- B - I reached the age of 65 during or before 2004
- C - I am:
  - A full-time judge
  - A member of the U.S. House or Senate
  - A member of the U.S. Armed Forces (Active Duty)
  - A member of the Alabama Legislature
  - Prohibited from the private practice of law by constitution, law or regulation
- D - I have received a waiver from the MCLE Commission
- E - I am receiving social security benefits and reached the age age 62 during or before 2004
- F - I am an out -of-state attorney meeting all requirements of Reg. 2.7

### on-line MCLE transcript for 2005

Name: Mrs. Melissa Campbell-Lanzo  
 Bar ID: ASB-8399-075M  
 Status: Regular Member  
 Date Admitted: 09/30/1991  
 Address:  
 744 McCallie Ave Ste 109  
 Chattanooga, TN 37403-2584

2004 Carryover Credits: 0.5 Ethics Carryover: 0.50

Sponsor	Start Date	Description	Credits		
			CLE	Professional	Ethics
Tennessee Law Institute	09/01/2005	34th Annual Review Seminar	13.5	0.0	1.5

Total Credits: 13.5

**Please Note:**

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  - Carryover credit hours may vary depending on your membership status or exemption status.
- [Click Here](#) for mandatory CLE rules, the CLE calendar of upcoming seminars, or an application to apply for CLE credit approval(Uniform Application)

**Exemption Codes:**

- B - I reached the age of 65 during or before 2005
- C - I am:
  - A full-time judge
  - A member of the U.S. House or Senate
  - A member of the U.S. Armed Forces (Active Duty)
  - A member of the Alabama Legislature
  - Prohibited from the private practice of law by constitution, law or regulation
- D - I have received a waiver from the MCLE Commission
- E - I am receiving social security benefits and reached the age age 62 during or before 2005
- F - I am an out -of-state attorney meeting all requirements of Reg. 2.7

**on-line MCLE transcript for 2006****Name: Mrs. Melissa Campbell-Lanzo****Bar ID: ASB-8399-O75M****Status: Regular Member****Date Admitted: 09/30/1991****Address:****744 Mccalle Ave Ste 109****Chattanooga, TN 37403-2584****2005 Carryover Credits: 2.0 Ethics Carryover: 1.00**

Sponsor	Date	Description	Credits		
			CLE	Non-CLE	Ethics
Tennessee Law Institute	11/02/2006	Thirty-Fifth Annual Review Seminar	12.0	0.0	2.0

**Please Note:**

- CLE credit hours for approved seminars are posted when received from Sponsors.
- Carryover credit hours may vary depending on your membership status or exemption status.
- [Click Here](#) for mandatory CLE rules, the CLE calendar of upcoming seminars, or an application to apply for CLE credit approval(Uniform Application)

**Exemption Codes:**

- B - I reached the age of 65 during or before 2006
- C - I am:
  - A full-time judge
  - A member of the U.S. House or Senate
  - A member of the U.S. Armed Forces (Active Duty)
  - A member of the Alabama Legislature
  - Prohibited from the private practice of law by constitution, law or regulation
- D - I have received a waiver from the MCLE Commission
- E - I am receiving social security benefits and reached the age age 62 during or before 2006
- F - I am an out -of-state attorney meeting all requirements of Reg. 2.7

**on-line MCLE transcript for 2007****Name: Mrs. Melissa Campbell-Lanzo****Bar ID: ASB-8399-075M****Status: Regular Member****Date Admitted: 09/30/1991****Address:****744 McCallie Ave Ste 109****Chattanooga, TN 37403-2584****2006 Carryover Credits: 2.0 Ethics Carryover: 1.00**

Sponsor	Event Date	Description	Credits		
			General	Specialty	Ethics
Tennessee Law Institute	09/01/2007	The 36th Annual Review Seminar (2 Day Program - Various locations & dates)	14.0	0.0	2.0

**Please Note:**

- CLE credit hours for approved seminars are posted when received from Sponsors.
- Carryover credit hours may vary depending on your membership status or exemption status.
- [Click Here](#) for mandatory CLE rules, the CLE calendar of upcoming seminars, or an application to apply for CLE credit approval(Uniform Application)

**Exemption Codes:**

- **B** - I reached the age of 65 during or before 2007
- **C** - I am:
  - A full-time judge
  - A member of the U.S. House or Senate
  - A member of the U.S. Armed Forces (Active Duty)
  - A member of the Alabama Legislature
  - Prohibited from the private practice of law by constitution, law or regulation
- **D** - I have received a waiver from the MCLE Commission
- **E** - I am receiving social security benefits and reached the age age 62 during or before 2007
- **F** - I am an out -of-state attorney meeting all requirements of Reg. 2.7



**on-line MCLE transcript for 2008**Name: **Mrs. Melissa Campbell-Lanzo**Bar ID: **ASB-8399-075M**Status: **Regular Member**Date Admitted: **09/30/1991**

Address:

**744 McCallie Ave Ste 109****Chattanooga, TN 37403-2584**2007 Carryover Credits: **4.0** Ethics Carryover: **1.00**

Sponsor	Start Date	Description	Credits		
			CLE	Lawmaking	Ethics
NBI (National Business Institute)	10/20/2008	Nuts and Bolts of Bankruptcy Law	6.0	0.0	1.0
NBI (National Business Institute)	12/17/2008	The Probate Process From Start to Finish	6.7	0.0	1.0
Total to Date			12.7	0.0	2.0

**Please Note:**

- CLE credit hours for approved seminars are posted when received from Sponsors.
- Carryover credit hours may vary depending on your membership status or exemption status.
- [Click Here](#) for mandatory CLE rules, the CLE calendar of upcoming seminars, or an application to apply for CLE credit approval(Uniform Application)

**Exemption Codes:**

- B - I reached the age of 65 during or before 2008
- C - I am:
  - A full-time judge
  - A member of the U.S. House or Senate
  - A member of the U.S. Armed Forces (Active Duty)
  - A member of the Alabama Legislature
  - Prohibited from the private practice of law by constitution, law or regulation
- D - I have received a waiver from the MCLE Commission
- E - I am receiving social security benefits and reached the age age 62 during or before 2008
- F - I am an out -of-state attorney meeting all requirements of Reg. 2.7



## CRIMINAL COURT

STATE OF TENNESSEE

ELEVENTH JUDICIAL DISTRICT

REBECCA J. STERN  
JUDGE  
DIVISION II  
HAMILTON COUNTY

COURTS BUILDING  
CHATTANOOGA, TENNESSEE 37402  
(423) 209-7560  
FAX: (423) 209-7550

January 14, 2009

Tennessee Board of Bar Examiners  
401 Church Street  
Nashville, TN

RE: MELISSA CAMPBELL LANZO

To Whom It May Concern:

I am writing this letter on behalf of Melissa Campbell Lanzo. I have known Mrs. Lanzo for many years, and I am very impressed with her.

I know Mrs. Lanzo to be of the highest character. I would trust her in any situation. She has worked very hard to become a lawyer and is dedicated to the practice of law. She is definitely fit for the practice of law, and I highly recommend her to you.

Sincerely,

Judge Rebecca J. Stern

RJS:sle





EXECUTIVE ASSISTANT DISTRICT ATTORNEY  
NEAL PINKSTON

OFFICE MANAGER  
ED HOOVER



OFFICE OF DISTRICT ATTORNEY  
BILL COX

TELEPHONE  
423-209-7400

FACSIMILE  
423-209-7401

January 15, 2009

Tennessee Board of Law Examiners  
401 Church Street, Suite 2200  
Nashville, TN 37243-0740

Re: Melissa Lanzo

To Whom it May Concern:

I am writing in regard to Melissa Lanzo who has submitted an application for admission to practice law in Tennessee.

I have known Mrs. Lanzo for approximately twelve years and believe her to be an excellent candidate for admission to the Tennessee Bar. I believe Mrs. Lanzo to be honest, dedicated, compassionate, and sincere.

It is my opinion Mrs. Lanzo would be an asset to our legal community and I highly recommend her to you.

Sincerely,

Bill Cox  
District Attorney General

bc/tb

**CAVETT & ABBOTT, PLLC**

ATTORNEYS AT LAW

801 BROAD STREET, SUITE 428

CHATTANOOGA, TENNESSEE 37402

JOHN C. CAVETT, JR.

BARRY L. ABBOTT\*

\*ALSO LICENSED IN GEORGIA

TELEPHONE: 423-265-8804

TELEFAX: 423-267-5915

[www.cavett-abbott.com](http://www.cavett-abbott.com)

January 14, 2009

OF COUNSEL

BENJAMIN L. MCGOWAN

BRIAN L. O'SHAUGHNESSY

ALAN N. DUNN

WILLIAM G. COLVIN

Tennessee Board Of Law Examiners  
401 Church Street, Suite 2200  
Nashville, Tennessee 37243-0740

Re: Melissa Lanzo

To Whom It May Concern:

I am writing in support of the application of attorney Melissa Lanzo for admission to practice law in Tennessee.

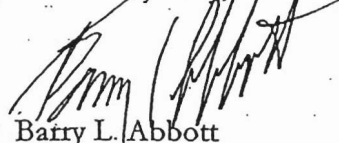
I have personally known Mrs. Lanzo for approximately 10 years in a professional capacity. I have collaborated with Mrs. Lanzo on several matters and we have evaluated individual cases together on numerous occasions. In all of my dealings with Mrs. Lanzo, I can comfortably say that I have never met a more professional, competent lawyer in my 17 years of practicing law. Mrs. Lanzo has always demonstrated the highest degree of integrity in all of her dealings with me. Her reputation in the legal community is that she is impeccably fair, honest, and sincere in all of her dealings with lawyers, judges and litigants. Mrs. Lanzo was always thoroughly prepared and knowledgeable of the facts and the law relating to matters that we have worked on together in all of my dealings with her.

Mrs. Lanzo presents honest thoughtful opinions and options to her clients and demonstrates great compassion for the legal difficulties incurred by them. She dedicates herself to zealous representation of her clients while always demonstrating the highest degree of professionalism with opposing attorneys.

Melissa Lanzo is well qualified to serve as a member of the Tennessee Bar. It is an honor for me to have the occasion to recommend that Melissa be admitted to practice in this state. Should you have any questions concerning my experience and dealings with Mrs. Lanzo, please feel free to contact me.

With kindest personal regards,

Yours very truly,



Barry L. Abbott

W. SCOTT MCGINNESS, JR.  
Vice-President  
Chattanooga

JIMMIE C. MILLER  
President  
Kingsport

JULIAN L. BIBB  
Secretary-Treasurer  
Nashville

MARLENE ESKIND MOSES  
Nashville

RICKY E. WILKINS  
Memphis

**BOARD OF LAW EXAMINERS  
OF TENNESSEE**

ADELE A. ANDERSON  
Executive Director

Telephone: (615) 741-3234  
Fax: (615) 741-5867  
Web Site: [www.tennessee.gov/lawexaminers](http://www.tennessee.gov/lawexaminers)

MAILING ADDRESS:

BOARD OF LAW EXAMINERS  
SUITE 2200  
401 CHURCH STREET  
NASHVILLE, TN 37243-0740

March 26, 2009

Melissa Campbell Lanzo  
701 B Godsey Lane  
Chattanooga, TN 37415

Dear Ms. Lanzo:

The Tennessee Board of Law Examiners has denied your application to practice law in Tennessee.

Section 2.02 of Rule 7 provides that an applicant must be a graduate "from a regularly organized law school which was accredited by the American Bar Association (ABA) at the time of applicant's graduation". You graduated from The Jones School of Law in August of 1990. The Jones School of Law was given provisional approval by the ABA in 2006. The Board has no authority to waive this section of Rule 7. The entire rule may be viewed at <http://state.tn.us/lawexaminers/docs/rul7.pdf>

Pursuant to Article 14 of Rule 7 you may petition the Tennessee Supreme Court for a review of the Board's decision.

This office will retain your filing fee pending a decision by the Court if you plan to appeal. If you do not plan to petition the Court, please let this office know as soon as possible so that a partial refund of fees paid may be issued.

Sincerely,



Adele Anderson  
Executive Director



W. SCOTT MCGINNESS, JR.  
Vice-President  
Chattanooga

JIMMIE C. MILLER  
President  
Kingsport

JULIAN L. BIBB  
Secretary-Treasurer  
Nashville

MARLENE ESKIND MOSES  
Nashville

RICKY E. WILKINS  
Memphis

**BOARD OF LAW EXAMINERS  
OF TENNESSEE**

ADELE A. ANDERSON  
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Web Site: [www.tennessee.gov/lawexaminers](http://www.tennessee.gov/lawexaminers)

MAILING ADDRESS:

BOARD OF LAW EXAMINERS  
SUITE 2200  
401 CHURCH STREET  
NASHVILLE, TN 37243-0740

May 28, 2009

Jerry H. Summers  
Summers & Wyatt, P.C.  
The James Building  
735 Broad Street., Suite 800  
Chattanooga, TN 37402

Re: Melissa Campbell Lanzo

Dear Mr. Summers:

The Board of Law Examiners has received your petition on behalf of Melissa Campbell Lanzo. Section 2.02 of Rule 7 of the Tennessee Supreme Court for Licensing of Attorneys states: Each applicant to take the examination must have completed a course of instruction in and graduated from a regularly organized law school which was accredited by the American Bar Association at the time of applicant's graduation..." The Jones School of Law was provisionally approved by the ABA in 2006. Your client, Ms. Lanzo graduated from the Jones School of Law in 1990, sixteen years before it received ABA accreditation. Her application for admission to the Tennessee Board of Law Examiners was denied by the Board per my letter of March 26, 2009.

Your petition presents no new information which would cause the Board to reconsider the denial of Ms. Lanzo's application for admission. Section 12.12 of the aforementioned rule prohibits the Board from waiving or modifying the Rule. Pursuant to Section 14.03 you have exhausted your remedy before the Board and you may now petition the Tennessee Supreme Court for a review of the Board's decision (Section 14.01).

If I can provide any further assistance please let me know.

Sincerely,



Adele Anderson  
Executive Director  
for the Board



**TO THE HONORABLE SUPREME COURT OF  
TENNESSEE SITTING AT KNOXVILLE**

<b>MELISSA CAMPBELL LANZO</b>	)	
	)	
<b>Petitioner</b>	)	<b>NO.</b> _____
<b>v.</b>	)	
	)	
<b>BOARD OF LAW EXAMINERS FOR THE STATE OF TENNESSEE</b>	)	
	)	
<b>Respondents</b>	)	

**PETITION FOR A WRIT OF CERTIOARI**

Pursuant to Section 14.01 of Rule 7 of the Tennessee Supreme Court, your petitioner, Melissa Campbell Lanzo, complainant in said cause respectfully represents:

I

That she is much aggrieved by a final ruling by the Respondents on May 28, 2009, denying her application to be granted a law license to practice in the State of Tennessee pursuant to her petition ruled under Section 2.02 under Rule 7 of the Tennessee Supreme Court for licensing of attorneys, and the denial of her Petition for Review under Section 14.01 of Article XIV of Rule 7 of the Supreme Court Rules and brings this action seeking to overturn the illegal, arbitrary and capricious actions of the Respondents.

II

That the substance of said case is as follows:

(1) The petitioner, Melissa Campbell Lanzo, is a duly licensed attorney in good standing in the State of Alabama and is a graduate of a provisionally accredited American Bar Association (ABA) law school, (to wit: Thomas Goode Jones School of Law) of Faulkner University in Montgomery, Alabama, having graduated in 1990;



(2) That the respondents are the duly appointed five (5) person Board of Law Examiners appointed by the Tennessee Supreme Court as part of the judicial branch of government to certify qualified applicants to practice law in the State of Tennessee pursuant to Rule 7 of the Rules of the Tennessee Supreme Court and are sued only in their official capacities;

(3) That petitioner was a sole practitioner in the State of Alabama during the years 1991 - 1997 and remains in good standing with the Alabama State Bar;

(4) That since 1997, she has resided in Hamilton County, Tennessee having married former Assistant District Attorney Stanley Lanzo and has worked as a paralegal in his office while continuing to practice law in the State of Alabama on a part-time basis;

(5) That she has complied with all of the Continuing Legal Education (CLE) requirements of the State of Alabama and that the vast majority of her CLE requirements have been satisfied by attending legal seminars in the State of Tennessee;

(6) That she is of good character and morals and received letters of endorsement from Judge Rebecca Stern of the Hamilton County Criminal Court, District Attorney General Bill Cox of Hamilton County, former Attorney General and Judge Gary Gerbitz of the Hamilton County Bar and Assistant District Attorney Bill Hall who is presently a prosecutor in Hamilton County, Tennessee;

(7) That the petitioner respectfully submits she is qualified to practice law in the State of Tennessee and that the relief that she originally sought was to be admitted by reciprocity and/or be allowed to stand for the Tennessee Bar Examination and upon successful completion to be admitted to the practice of law in the State of Tennessee;

(8) That she previously filed an application to practice law in Tennessee which was denied by letter on March 26, 2009 pursuant to Section 2.02 of Rule 7 of the Tennessee Supreme



Court by the Tennessee Board of Law Examiners because she was not a graduate from a regularly organized law school accredited by the ABA at the time of her graduation in August, 1990, as the Jones School of Law of Montgomery, Alabama was not given provisional approval by the ABA until 2006;

(9) That the petitioner, through counsel, respectfully filed a Petition to Rehear and the Tennessee Board of Law Examiners denied her request to be admitted to the Tennessee Bar around April 15, 2009;

(10) That the petitioner, through counsel, filed a petition for a hearing as an aggrieved party under Section 13.02 of Rule 7 of the Rules of the Tennessee Supreme Court which was further denied by the Tennessee Board of Law Examiners on May 28, 2009.

### III

Petitioner respectfully avers that said denial of her request to be admitted to the Bar of the State of Tennessee is erroneous because the law and facts are not as found by the respondents in these particulars:

(1) Section 2.02 of Rule 7 of the Supreme Court Rules is being arbitrary and discriminatorily applied to the petitioner, a resident of the State of Tennessee with an Alabama law license, in violation of the Equal Protection Clause of the 14<sup>th</sup> Amendment of the United States Constitution, Article I, Section 8 and Article XI, Section 8 of the Tennessee Constitution as Section 2.03 of Rule 7 allows graduates of non-accredited American Bar Association law schools in Tennessee to be eligible to take the Tennessee bar examination if the standards listed in Section 2.03 are met and the respondents find that the law school is effectively achieving its mission and objectives;

(2) The respondents' actions in denying the petitioner's request to be admitted to the

practice of law in Tennessee violated the privileges and immunities clause of IV, Section 2 of the Tennessee Constitution;

(3) Section 2.02 and 2.03 of Rule 7 of the Tennessee Supreme Court as applied to petitioner violates the right to travel clause of the equal protection clause of the 14<sup>th</sup> Amendment as it imposes an unconstitutional inhibition on interstate migration on petitioners whose education and training has resulted in her admission to the Bar of a sister state (Alabama).

(4) Petitioner contends that the respondents failed to give full faith and credit to the ruling of the Alabama Supreme Court that determined that she is qualified to practice law and that her legal education is equivalent to that provided by the equally non ABA accredited Nashville School of Law under the full faith and credit clause of IV in the United States Constitution.

(5) Petitioner should be granted a waiver of the requirements of Rules 2.02 and 2.03 of Rule 7 of the Tennessee Supreme Court under the court's discretionary power.

#### IV

Petitioner has given the respondents due notice of her intention, through counsel, to make this application, a copy of which notice is attached, and marked Exhibit A.

#### V

Premises considered, petitioner prays:

(1) That a Writ of Certioari be granted, that the errors in said cause be corrected, and justice done her;

(2) That the Clerk of the Court be directed by order to the administrator of the Tennessee Board of Law Examiners in Nashville, Tennessee, to certify and forward to the Tennessee Supreme Court a complete record of proceedings before the board in this matter pursuant to Article XIV, Section 14.01 under Rule 7 of the Rules of the Tennessee Supreme Court;

(3) That the response be directed to grant the petitioner a license to practice law in the State of Tennessee, if she meets the criteria for admission under Section 1.03 of Article I of Rule 7 of the Rules of the Tennessee Supreme Court;

(4) In the alternative, the petitioner be allowed to sit for the Bar Examination under Article IV, Section 4.01-4.07 of Rule 7 of the Rules of the Tennessee Supreme Court;

(5) That the petitioner, through counsel, be granted an oral argument in this cause;

(6) General relief.

This the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

Respectfully submitted,

SUMMERS & WYATT, P.C.

By: \_\_\_\_\_

Jerry H. Summers, BPR # 000534  
*Counsel for Petitioner*  
735 Broad Street, Suite 800  
Chattanooga, TN 37402  
Tel: 423/265-2385  
Fax: 423/266-5211

AFFIDAVIT

STATE OF TENNESSEE    )  
COUNTY OF HAMILTON   )

Melissa Campbell Lanzo, makes oath that the statements in her foregoing Petition for Writ of Certioari, are true of her own knowledge, except as to the matters therein stated to be on information and those matters she believes to be true.

\_\_\_\_\_  
Melissa Campbell Lanzo

Sworn to before me this the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

**EXHIBIT A**

**NOTICE OF INTENTION TO APPLY  
FOR WRIT OF CERTIORARI**

<b>MELISSA CAMPBELL LANZO</b>	)	
	)	
<b>Petitioner</b>	)	<b>NO. _____</b>
<b>v.</b>	)	<b>In the Supreme Court</b>
	)	<b>of Tennessee Sitting</b>
<b>BOARD OF LAW EXAMINERS FOR</b>	)	<b>at Knoxville</b>
<b>THE STATE OF TENNESSEE</b>	)	
	)	
<b>Respondents</b>	)	

The petitioner in the afore-styled cause, Melissa Campbell Lanzo, through counsel, will on June 23, 2009, between the hours of 10:00 a.m. - 12:00 p.m. in the Supreme Court Building in Knoxville, Tennessee will present to one of the Justices of the Tennessee Supreme Court, a Petition for Writ of Certiorari in the afore-styled cause.

This the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

Respectfully submitted,

SUMMERS & WYATT, P.C.

By: \_\_\_\_\_  
Jerry H. Summers, BPR # 000534  
*Counsel for Petitioner*  
The James Building  
735 Broad Street, Suite 800  
Chattanooga, TN 37402  
Tel: 423/265-2385  
Fax: 423/266-5211

**FIAT FOR WRIT OF CERTIORARI**

<b>MELISSA CAMPBELL LANZO</b>	)	
	)	
<b>Petitioner</b>	)	<b>NO. _____</b>
<b>v.</b>	)	<b>In the Supreme Court</b>
	)	<b>of Tennessee Sitting</b>
<b>BOARD OF LAW EXAMINERS FOR</b>	)	<b>at Knoxville</b>
<b>THE STATE OF TENNESSEE</b>	)	
	)	
<b>Respondents</b>	)	

TO THE CLERK OF THE TENNESSEE SUPREME COURT AT KNOXVILLE:

File this Petition for Writ of Certiorari, Brief, and Notice, and on proper bond therefore being given, the Writ of Certiorari is allowed as prayed for in this cause.

The Clerk of the Court is further directed to order that the Administrator of the Tennessee Board of Law Examiners in Nashville, Tennessee to certify and forward to the Tennessee Supreme Court a complete record of the proceedings before the Board in this matter pursuant to Article XIV, Section 14.01 under Rule 7 of the Rules of the Tennessee Supreme Court.

This the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

---

JUSTICE

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**FILED**  
SEP 17 2009  
Clerk of the Courts

**MELISSA CAMPBELL LANZO v. BOARD OF LAW EXAMINERS FOR  
THE STATE OF TENNESSEE**

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No. M2009-01493-SC-WR-BL - Filed: September 17, 2009

---

**ORDER**

The petitioner, Melissa Campbell Lanzo, an attorney in good standing with the State of Alabama, has sought admission to practice law in this state, either by reciprocity or by sitting for the Tennessee bar examination. Between 1991 and 1996, she practiced law in Montgomery, Alabama. Since 1997, she has served as a paralegal in a law office in Hamilton County. Because the law school she attended, the Thomas Goode Jones School of Law in Montgomery, Alabama, was not accredited by the American Bar Association at the time of her graduation in 1990, the Board of Law Examiners, which found no authority to grant relief under our rules, denied her request. On July 16, 2009, the petitioner filed a petition for writ of certiorari seeking to overturn the Board's decision, arguing that sections 2.02 and 2.03 of Tennessee Supreme Court Rule 7, the basis for the denial, violate the equal protection, privileges and immunities, and full faith and credit clauses of the United States Constitution, as well as the fundamental right to freely travel among the states. On August 14, 2009, the Board filed its response.

It is, of course, well-settled that "this Court has inherent, original and exclusive jurisdiction pertaining to the licensing of attorneys" in Tennessee. Ramsey v. Bd. of Prof'l Responsibility, 771 S.W.2d 116, 118 (Tenn. 1989). Our authority "to make rules governing the practice of law is traditional, inherent and statutory. Such power is indispensable to the orderly administration of justice." Barger v. Brock, 535 S.W.2d 337, 342 (Tenn. 1976). The United States Supreme Court has also held that "[a] State can require high standards of qualification, such as . . . proficiency in its law, before it admits an applicant to the bar." Schware v. Bd. of Bar Exam'rs of the State of N.M., 353 U.S. 232, 239 (1957). Any such qualification, however, "must have a rational connection with the applicant's fitness or capacity to practice law." Id.

While accepting as fact each of the allegations in the petition for writ of certiorari, the Court must conclude that the petitioner does not meet the requirements of Supreme Court Rule 7, section 2.02. For policy reasons, the Court declines to grant a waiver from this rule. The petition for writ of certiorari is, therefore, dismissed. This dismissal is without prejudice to a petition seeking a change in our rules governing admission to the State bar. Costs of this appeal are assessed to Melissa Campbell Lanzo.



PER CURIAM



Supreme Court - Middle Division  
100 Supreme Court Building  
401 7th Avenue North  
Nashville, TN 37219-1407  
(615)741-2681

Jerry H. Summers  
Summers & Wyatt, P.C.  
The James Building  
735 Broad Street, Suite 800  
Chattanooga, TN 37402-2913

**Date Printed:** 09/17/2009  
**Notice Date:** 09/17/2009  
**Case Style:** Melissa Campbell Lanzo v. Tennessee Board of Law Examiners  
**Case Number:** M2009-01493-SC-WR-BL  
**Action:** Date Filed: 09/17/2009 COURT ORDER FILED: Related to CLE Matters: Other - See Comment Below ::  
**Trial Court:** **Trial Court Number:**

The Appellate Court Clerk's Office has entered the above action in the Justice Information Tracking System. While accepting as fact each of the allegations in the petition for writ of certiorari, the Court must conclude that the petitioner does not meet the requirements of Supreme Court Rule 7, section 2.02. For policy reasons, the Court declines to grant a waiver from this rule. The petition for writ of certiorari is, therefore, dismissed. This dismissal is without prejudice to a petition seeking a change in our rules governing admission to the State bar. Costs of this appeal are assessed to Melissa Campbell Lanzo.

JSR

C: Talmage Mims Watts



FAULKNER UNIVERSITY'S

*Jones School of Law*

PROUDLY ANNOUNCES

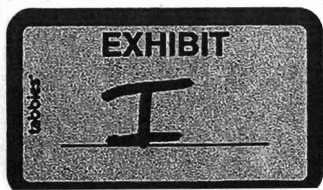
**FULL APPROVAL**

BY THE AMERICAN BAR ASSOCIATION



5345 Atlanta Highway, Montgomery, Alabama 36109  
334.386.7210 - [faulkner.edu/law](http://faulkner.edu/law)

2009





# Faulkner University

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Home > Admissions > Jones  
School of  
Law > General  
Information > Accreditation  
Statement

Faulkner University's Thomas Goode Jones School of Law is provisionally approved by the American Bar Association (ABA). The School of Law received provisional approval on June 11, 2006. Students at the School of Law and those who graduate while the school is provisionally approved are entitled to the same recognition given to students and graduates of fully approved law schools and provisional approval permits them to take the bar examination and practice in every state.

The ABA gives a provisionally approved law school two to five years to bring its legal education program into full compliance with the Standards. A new law school must be provisionally approved before it can be reviewed for full approval. The School of Law is determined to devote all necessary resources to not only meet the standards for full approval but to exceed those standards.

Questions regarding provisional approval may be directed to the Consultant to the Section of Legal Education and Admissions to the Bar of the American Bar Association, 321 N. Clark Street, Chicago, IL 60610 (312-988-6738).

Faulkner University is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to award associate, baccalaureate, master's and juris doctor degrees. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of Faulkner University.

Questions related to admissions, policies, programs, procedures and/or practices of Faulkner University should be directed to the university's relevant offices, catalogs, publications, or web sites.

# Faulkner University

---

Home > Admissions > Jones  
School of  
Law > General  
Information > Mission  
Statement

As part of the Faulkner University community, the School of Law shares Faulkner University's mission to glorify God by embracing academic excellence and emphasizing a strong commitment to integrity within a caring Christian environment.

In its efforts to fulfill this mission, the School of Law endeavors to:

- Provide an excellent legal education in which the faculty engages students in a challenging learning experience designed to promote the students' competent and ethical participation in the legal profession;
- Promote a Christian environment that encourages all members of the law school community to use their abilities to advance the legal profession and benefit society;
- Attract, develop, and retain a highly competent and diverse faculty devoted to teaching, community service, and scholarly research and writing;
- Attract a qualified and diverse student body;
- Provide students with meaningful resources and experiences such as individual academic advising and support, career counseling, clinical, externship and advocacy opportunities, designed to prepare them for their roles as competent and ethical members of the legal profession;
- Contribute to discussion of the relationship of faith, learning, and the law; and,
- Regularly reassess the program of legal education through on-going strategic planning to assure continual quality and improvement of the program.



FAULKNER UNIVERSITY  
THOMAS GOODE JONES SCHOOL OF LAW

Charles I. Nelson Dean and Professor of Law

September 28, 2009

Mr. Jerry H. Summers  
Summers & Wyatt, P.C.  
Attorneys at Law  
735 Broad Street, Suite 800  
Chattanooga, Tennessee 37402

Dear Mr. Summers:

I received your letter which arrived by fax while I was in Chicago last week.

To be perfectly honest, I believe that most states are going to use a bright line test of the date on which a school was approved. That is the easiest test to use and can easily be administered at the staff level. However, it is certainly not the fairest test since approval is the culmination of a much longer process. As an example, we applied for provisional approval in 2005. We had a site visit in February of 2006 and were approved later that summer. Although we were not approved until the summer, the site team that evaluated us concluded that we met the standards as of February. And, their recommendation was based on data that we submitted in 2005.

For that reason, a few states will allow students who graduated a year before provisional approval to take the bar. My own feeling is that that is an appropriate accommodation and it is probably the approach I would take.

The other one would be to say that any attorney who has been licensed for X years should be allowed to take the bar exam.

That probably does not help much but it is the only suggestion I have. All the best.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles I. Nelson".

Charles I. Nelson  
Dean and Professor of Law





FAULKNER UNIVERSITY  
THOMAS GOODE JONES SCHOOL OF LAW

Charles E. Nelson Dean and Professor of Law

June 17, 2009

To Whom It May Concern:

This document is intended to address Section 2.03 of the Rules of the Supreme Court of the State of Tennessee relating to the Licensing of Attorneys who graduated from a law school not accredited by the American Bar Association.

- (a) **Statement of Mission.** From the time Jones School of Law became a part of Faulkner University in 1984, it has had a mission statement which reads: The mission of the School of Law is to glorify God by embracing academic excellence and emphasizing a strong commitment to integrity within a caring Christian environment.

In its efforts to fulfill this mission, the School of Law endeavors to:

- Provide an excellent legal education in which the faculty engages students in a challenging learning experience designed to promote the students' competent and ethical participation in the legal profession;  
Promote a Christian environment that encourages all members of the law school community to use their abilities to advance the legal profession and benefit society;
- Attract, develop, and retain a highly competent and diverse faculty devoted to teaching, [community service, and scholarly research and writing];
- Attract a qualified and diverse student body;  
Provide students with meaningful resources and experiences such as individual academic advising and support, career counseling, [clinical, externship, and advocacy opportunities,] designed to prepare them for their roles as competent and ethical members of the legal profession;
- Contribute to discussion of the relationship of faith, learning, and the law; and,
- Regularly reassess the program of legal education through on-going strategic planning to assure continual quality and improvement of the program.

The primary changes to this mission statement since 1990 are bracketed above.

As part of its regular curriculum leading to the J.D. degree, the school has always required a course in Legal Ethics. It also required a course called Legal Seminar which explored the history of the law and the organization and functions of the courts. Finally, every student has been required to complete a course in Legal Research and Writing.

**(b) Organization and Administration**

Faulkner University is a non-profit, four-year college approved by the Southern Association of Colleges and Schools. It has always been governed by a Board of Trustees who are not members of the faculty. As a school within the university, Jones School of Law is governed by the same board.

The Dean of the School of Law is appointed by the President of the University with the consent of the Board of Trustees. The Dean and faculty of the School of Law has always established the academic and administrative policies of the School of Law. All requirements for graduation were established by the faculty and approved by the Board of Trustees.

The school is a 501(c)(3) non-profit organization. It does not compensate, now or in the past, faculty or administration based on the number of students.

Jones School of Law has always admitted students without regard to race, color, religion, national origin, sex or disability. It does exercise a preference for members of the Church of Christ in the hiring of faculty and staff but does not exclude others. All members of the faculty must be licensed attorneys.

- (c) The effectiveness of teaching in the School of Law has always been judged in two ways: (1) by student evaluations read by the Dean and by the faculty member; and (2) by peer review.

The number of faculty members employed by the School of Law has always been sufficient to cover all courses offered in the curriculum.

- (d) The School of Law occupied a building known as Greer Hall on the campus of Faulkner University where all classes were held in 1990. The building housed administration and faculty offices as well.

- (e) The law library in 1990 was administered by a full-time law librarian assisted by professional staff. Its holdings were devoted to supporting the needs of students and faculty. It contained all materials required for approval by the American Bar Association. It did not have computer research facilities in 1990 as that was relatively new.

- (f) The program of legal education was designed to prepare students for admission to the bar and for practice beyond admission. Graduates of the law school have regularly been admitted to the State Bar of Alabama and to practice before the Supreme Court of Alabama.

The subjects taught in the curriculum were core courses regularly taught in all law schools and complied with the requirements of Rule 7 §4.04 of the Tennessee Rules.

Every student was required to produce a written brief which qualified as a rigorous writing experience.

The number of credits required for graduation and the number of credit hours required have always complied with the ABA Standards for Approval of Law Schools.

Although the program of legal education in 1990 was a part-time program which used evening and weekend classes, the number of class hours has always complied with the ABA Standards for Approval of Law Schools.

Instruction in Appellate Advocacy, Trial Advocacy, Trial Techniques and Dispute Resolution have been part of the curriculum since the 1980s.

The school has always maintained strict standards of academic performance. Students who did not achieve and maintain a 2.0 average have been regularly dismissed from school with little or no opportunity to appeal.

- (g) From the time it became part of Faulkner University in the 1980s, the School of Law has required a bachelor's degree from an accredited university, and an LSAT score which reflected a strong probability that the student would be successful in the school of law.

All student applications must reflect good moral character and two references are required for admission.

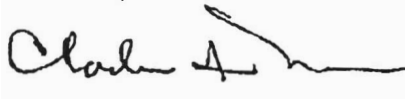
The law school does not, and has not, discriminated in admissions on the basis of race, color, religion, national origin, sex or disability.

- (h) Although not required in 1990, the law school has, for a number of years published all consumer information in its publications and, now, on its website. That information includes, but is not limited to, the following:

- A statement of the school's mission;
- Current admissions data;
- Tuition, fees, living costs, financial aid, and refund policies;
- Enrollment data and graduation rates;
- Composition, number and qualifications of faculty and administrators;
- A complete description of the educational program and curricular offerings;
- Library resources;
- Physical facilities; and
- Placement rates and bar passage data (published from 2000 forward).

- (i) **The first self-study was not developed until the school applied for approval by the American Bar Association in 2001. Since then, self-studies have been developed in 2005, 2006, 2007, 2008 and 2009. These self-studies are exhaustive reviews of every aspect of the law school in relation to the Standards for the Approval of Law Schools of the American Bar Association.**

Sincerely,



**Charles I. Nelson**  
Dean and Professor of Law



# ALABAMA STATE BAR

415 Dexter Avenue • Post Office Box 671 • Montgomery, Alabama 36101  
Telephone: 334/269-1515 • Fax: 334/261-6310  
www.alabar.org

**STATE OF ALABAMA**

**COUNTY OF MONTGOMERY**

*I, Keith B. Norman, Secretary of the Alabama State Bar and custodian of its records, hereby certify that Melissa Campbell-Lanzo has been duly admitted to the Bar of this State and is entitled to practice in all of the courts of this State including the Supreme Court of Alabama, which is the highest court of said state.*

*I further certify that Melissa Campbell-Lanzo was admitted to the Alabama State Bar September 30, 1991.*

*I further certify that the said Melissa Campbell-Lanzo is presently a member in good standing of the Alabama State Bar, having met all licensing/dues requirements for the year ending September 30, 2009.*

*IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Alabama State Bar on this the 3rd day of February, 2009.*

*Keith B. Norman*  
Keith B. Norman, Secretary





**UNITED STATES DISTRICT COURT**

**MIDDLE DISTRICT OF ALABAMA**

**OFFICE OF THE CLERK**

**POST OFFICE BOX 711**

**MONTGOMERY, ALABAMA 36101-0711**

**RA P. HACKETT**  
CLERK

**TELEPHONE**  
**(334) 954-3600**

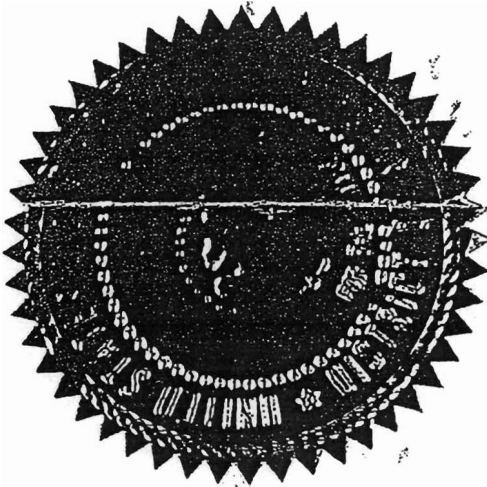
**CERTIFICATE OF GOOD STANDING**

I, **DEBRA P. HACKETT**, Clerk of the United States District Court, Middle District of Alabama,

**DO HEREBY CERTIFY** that **Melissa Leigh Campbell-Lanzo** was duly admitted to practice in said Court on **July 18, 1997** and is in good standing as a member of the bar of said Court.

Dated at Montgomery, Alabama, on January 12, 2009.

**DEBRA P. HACKETT,**  
**CLERK**



By:

  
Deputy Clerk