

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: AMENDMENT TO SUPREME COURT RULE 37

Filed: January 18, 2005

ORDER

Supreme Court Rule 37(c) is a standing order of reference under which workers' compensation appeals are ordered to appellate mediation. Rule 37 was not intended to apply to interlocutory appeals in workers' compensation cases, filed pursuant to Rule 9, Tenn. R. App. P., nor was it intended to apply to extraordinary appeals in workers' compensation cases, filed pursuant to Rule 10, Tenn. R. App. P. Because Rule 37, as currently written, could be interpreted to apply to such appeals, the Court hereby amends the first paragraph¹ of Rule 37(c) to read as follows:

(c) **Standing Order of Reference.** This subsection shall be considered a standing Order of Reference to mediation. Provisional Rule 37 shall apply to all workers' compensation appeals as of right filed in the three Grand Divisions. Subject to the limiting provisions in subdivision (1) below, all workers' compensation appeals to which Provisional Rule 37 applies are ordered to mediation. Provisional Rule 37 does not apply to interlocutory appeals pursuant to Rule 9, Tenn. R. App. P., or to extraordinary appeals pursuant to Rule 10, Tenn. R. App. P.

This amendment shall be effective upon the filing of this order.

IT IS SO ORDERED.

FOR THE COURT:

FRANK F. DROWOTA, III, CHIEF JUSTICE

¹ This amendment affects only the first paragraph of Rule 37(c). Subparagraphs 37(c)(1) - (3) are not affected by the amendment and remain in force.