

IN THE SUPREME COURT OF TENNESSEE

AT NASHVILLE

**IN RE: ORDER AMENDING PROVISIONAL RULE 37
RULES OF THE SUPREME COURT OF TENNESSEE**

WORKERS' COMPENSATION APPELLATE MEDIATION

Filed February 20, 2002

ORDER

The Court hereby amends Provisional Rule 37, Rules of the Tennessee Supreme Court, filed June 20, 2001, and amended September 4, 2001, as follows:

By deleting section (f) in its entirety and substituting the following therefor:

(f) Confidentiality. Mediation shall be conducted in accordance with Section 10(d) of Rule 31, and Section 7 of the Standards of Professional Conduct for Rule 31 Neutrals, Appendix A of Rule 31, with regard to confidentiality of mediation.

By deleting subsection (j)(1) in its entirety and substituting the following therefor:

Upon completion or termination of the mediation, the Rule 31 Mediator shall file a final report with the Clerk of the Appellate Courts for the grand division in which the case is filed. The final report shall be made on a form prescribed by the Administrative Office of the Courts that includes an indication of (i) whether all parties appeared and participated in the Rule 37 mediation; (ii) whether the case was completely settled, partially settled, or not settled; and (iii) whether the Rule 31 Mediator requests that the costs of the mediation services be charged as court costs. The final report shall not contain any detail of the nature or substance of the mediation or any agreement reached therein.

FOR THE COURT:

JANICE M. HOLDER, JUSTICE