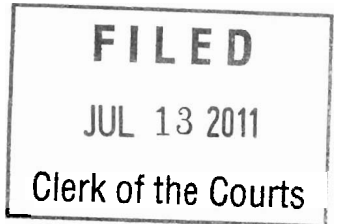


IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE



**IN RE: RULE 13, SECTION 2(e)(1),
RULES OF THE TENNESSEE SUPREME COURT**

No. M2011-01501-SC-RL2-RL - Filed: July 13, 2011

ORDER

It has come to the Court's attention that Rule 13, § 2(e)(1), Rules of the Tennessee Supreme Court, should be amended to delete from the second sentence the words "in accordance with Tennessee Code Annotated section 40-14-207(a)(2)." That reference to section 40-14-207(a)(2) was rendered obsolete by the General Assembly's repeal of the statute.

Accordingly, Rule 13, § 2(e)(1) is hereby amended to read as follows:

(e)(1) Notwithstanding the provisions of section (2)(d), an amount in excess of the maximum, subject to the limitations of section (2)(e)(3), may be sought by filing a motion in the court in which representation is provided. The motion shall include specific factual allegations demonstrating that the case is complex or extended. The court shall enter an order which evidences the action taken on the motion. The following, while neither controlling nor exclusive, indicate the character of reasons that may support a complex or extended certification:

(A) The case involved complex scientific evidence and/or expert testimony;

(B) The case involved multiple defendants and/or numerous witnesses;

(C) The case involved multiple protracted hearings;

(D) The case involved novel and complex legal issues.

(E) If the motion is granted, an order shall be forwarded to the Director of the AOC (herein “director”) certifying the case as complex or extended. The order shall either recite the specific facts supporting the finding or incorporate by reference and attach the motion which includes the specific facts supporting the finding. To qualify for payment under this section, the order certifying the claim as extended or complex must be signed contemporaneously with the court's approval of the claim. *Nunc pro tunc* certification orders are not sufficient to support payment under this section.

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

IT IS SO ORDERED.

PER CURIAM