

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

March 26, 1998

Cecil W. Crowson
Appellate Court Clerk

IN RE: AMENDMENT TO RULE 27,
RULES OF THE SUPREME COURT OF TENNESSEE
JUDICIAL PERFORMANCE AND EVALUATION
PROGRAM

ORDER

Rule 27 of the Rules of the Supreme Court of Tennessee, pertaining to the Judicial Performance and Evaluation Program, is hereby amended as follows:

Section 2.07 is amended by deleting the existing language and replacing it with the following language:

2.07. The committee shall provide the Judicial Evaluation Commission with the appellate judge survey results which shall be used by the Commission to evaluate appellate judges and publish a final report on each appellate judge except where the appellate judge has been in office less than one (1) year before the filing deadline of a declaration of candidacy for either an unexpired term or for a full eight (8) year term.

Section 5.01 is amended by adding the following language to the end of that section:

The Judicial Evaluation Commission has no power to waive or modify any provision of this Rule.

Section 5.04 is amended by adding the following language as a second paragraph:

If, because of gubernatorial appointment, an appellate judge holds office less than one (1) year before the filing deadline of a declaration of candidacy for either an unexpired term or a full eight (8) year term, and evaluation surveys are not available from the committee, the Judicial Evaluation Commission shall conduct an evaluation and make a retention recommendation using an approved self-reporting form, the judge's application, and other reliable information.

Section 6.03 (4) is amended by deleting the existing language and replacing it with the following language:

(4) The committee shall provide the Judicial Evaluation Commission with a tabulation of all survey responses with regard to all appellate judges, except appellate judges in office less than one (1) year. The Judicial Evaluation Commission shall treat the tabulations of the survey responses used in preparing its evaluation and final report pursuant to Tenn. Code Ann. § 17-4-201 as confidential.

Entered the 26th day of March, 1998.

FOR THE COURT:

E. Riley Anderson
Chief Justice