

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

08/16/2019

Clerk of the
Appellate Courts

IN RE: PETITION TO AMEND TENNESSEE SUPREME COURT
RULE 25, SECTION 5.03

No. ADM2019-01434

ORDER

Upon the recommendation of the Tennessee Lawyers' Fund for Client Protection (TLFCP), the Court is considering amending Tennessee Supreme Court Rule 25, Section 5.03, which would allow the Board to communicate their vote by telephone, facsimile, regular mail and electronic means. The proposed amendment is set out in underline in the attached Exhibit A to this Order.

The Court hereby publishes the proposed amendment for public comment and solicits written comments from the bench, the bar, and the public. The deadline for submitting written comments is September 16, 2019. Written comments may be emailed to appellatecourtclerk@tncourts.gov or mailed to:

James M. Hivner, Clerk,
Re: Tenn. Sup. Ct. R. 25, section 5.03
Tennessee Appellate Courts,
100 Supreme Court Building,
401 7th Avenue North,
Nashville, TN 37219-1407.

The Clerk shall provide a copy of this order, including the exhibit, to LexisNexis and to Thomson Reuters. In addition, this order, including the exhibit, shall be posted on the Tennessee Supreme Court's website.

It is so ORDERED.

PER CURIAM

EXHIBIT A

RULE 25: TENNESSEE LAWYERS' FUND FOR CLIENT PROTECTION.

Section 5. Board Meetings.

5.01. The Board shall meet as frequently as necessary to carry out its duties, but no less than once per year.

5.02. The Chairperson shall call a meeting at any reasonable time, or upon the request of at least three members of the Board.

5.03. A quorum for any meeting of the Board shall be five members. Unless otherwise permitted by this Rule, an affirmative vote of five members of the Board shall be necessary to authorize any action. If time restraints are such that a regular or special meeting of the Board is impractical, Disciplinary Counsel shall circulate to the members of the Board in writing the reasons for the recommendation of a particular action supported by a factual report. Board members may communicate their vote for or against the recommendation by telephone, facsimile, regular mail, or electronic means. Any member of the Board may request that Disciplinary Counsel convene a telephone conference of the Board, whereupon such conference must be convened with at least a quorum so conferring.

5.04. Minutes of meetings shall be taken and permanently maintained by the Board.

5.05. Meetings by telephone conference are permitted.

5.06. When the Board is hearing a claim, approval of a claim shall require the affirmative vote of a majority of members present. See Section 10.08 for the procedures for hearing claims.