

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**FILED**  
APR 30 2012  
Clerk of the Courts

**IN RE: AMENDMENT TO RULE 21, SECTION 4.07(c),  
RULES OF THE TENNESSEE SUPREME COURT**

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No. M2012-00878-SC-R12-RL - Filed: April 30, 2012

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**ORDER**

Rule 21, Section 4.07(c), Rules of the Tennessee Supreme Court, permits the Commission on Continuing Legal Education and Specialization to award attorneys one hour of Ethics and Professionalism credit “for every five billable hours of pro bono legal representation provided through court appointment, an organized bar association program or legal services organization, or of pro bono mediation services as required by Rule 31 or the Federal Court Mediation Programs established by the United States District Courts in Tennessee.” It has come to the Court’s attention that attorneys who provide such pro bono representation are being assessed a per-hour fee, pursuant to Rule 21, Section 8.03, for each hour of Ethics & Professionalism credit awarded under Section 4.07(c). Lawyers who volunteer to represent persons on a pro bono basis, including the representations covered by Section 4.07(c), are performing an invaluable service not only to their clients but also to the system of justice in Tennessee; for that reason, the Court has decided to amend Section 4.07(c) to exempt all credit hours awarded under that paragraph from the per-hour fee imposed by Rule 21, Section 8.

The Court hereby amends Rule 21, Section 4.07(c) by adding the new text indicated below by underlining:

**4.07.** The Commission may, in its discretion,  
award:

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(c) Ethics and professionalism credit at the rate of one hour of credit for every five billable hours of pro bono legal representation provided through court appointment, an organized bar association program or

legal services organization, or of pro bono mediation services as required by Tennessee Supreme Court Rule 31 or the Federal Court Mediation Programs established by the United States District Courts in Tennessee. Ethics and professionalism credits awarded pursuant to this paragraph shall be exempt from the per-hour fee imposed by section 8 of this rule. The change in the number of billable hours from eight (8) per one hour of credit to five (5) per one hour of credit shall lapse on December 31, 2014, unless renewed by the Court. The TCCLES shall study the effect of the change in recruitment of lawyers to undertake pro bono representation and report the effect of the change.

This amendment shall take effect January 1, 2012, nunc pro tunc.

IT IS SO ORDERED.

PER CURIAM