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JAMES F. BUTLER

CHANCELLOR OF THE CHANCERY COURT OF TENNESSEE

TWENTY-SIXTH JUDICIAL DISTRICT

MADISON COUNTY
CHESTER COUNTY
HENDERSON COUNTY

November 6, 2007

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Dear Mike:

I am writing to comment on one of the proposed new Rules of Procedure. The Rule that I am commenting on, or rather asking a question, is proposed Tennessee Rule 7-A relating to domestic relations cases. I understand the Rule and think it is a good clarification. Questions that come to mind are as follows:

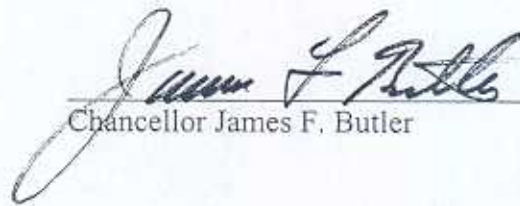
1. Under Rule 7 A.02, contempt type actions, or actions to modify previous orders which remain under the court's continuing jurisdiction, are commenced by filing a complaint along with a summons.
2. The current practice for filing a motion/petition for contempt is to pay a \$75.00 court cost with it.
3. To file a complaint for divorce with children, the cost is \$200.00 and without children, \$125.00. There is also a charge of \$22.00 for the summons, counter-complaints and cross-complaints cost \$100.00 court cost, which is paid at the time of the filing.
4. The litigation tax of \$57.50 is paid one time only, and since these will be filed under the same file number as the prior order, I assume there would be no new litigation tax to be paid.
5. However, questions may arise as to what the court cost should be on the filing of a complaint seeking one of the above types of relief. Is it the same as a motion for contempt as far as court cost, or is it a new complaint in a closed case which might trigger the higher fees?

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Please add this comment to the others, and hopefully, it will be clarified in the comment to the Rule.

With kindest personal regards, I remain

Very truly yours,



Chancellor James F. Butler

JFB/pc