

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: TENNESSEE RULES OF PROFESSIONAL CONDUCT

No. M2003-00354-SC-OT-RL - Filed April 29, 2003

**ORDER AMENDING TENNESSEE SUPREME COURT RULE 8,
TENNESSEE RULES OF PROFESSIONAL CONDUCT**

In orders entered on August 27 and September 17, 2002, the Court granted the petition of the Tennessee Bar Association (“TBA”) to amend Rule 8, Tenn. Sup. Ct. R., by repealing the Code of Professional Responsibility (setting out the ethics rules applied to Tennessee lawyers) and replacing the Code with the new Rules of Professional Conduct. Pursuant to the Court’s orders, the Rules of Professional Conduct took effect on March 1, 2003.

On January 31, 2003, prior to the effective date of the Rules, the TBA filed a “Petition for Reconsideration or Clarification” concerning certain provisions of the Rules of Professional Conduct. On February 12, 2003, the Court invited the bench, bar, and public to comment on the TBA’s proposed amendments to the Rules. The comment period expired on March 14, 2003; in the interim, the Court received numerous written comments from judges, lawyers, bar organizations, and members of the public. On April 2, 2003, the TBA filed a response to the written comments that had been filed with the Court.

Upon due consideration of the TBA’s petition, the written comments submitted to the Court, and the TBA’s response to those comments, the Court concludes that certain provisions of the Rules of Professional Conduct should be amended. Accordingly, Rule 8, Tenn. Sup. Ct. R., is hereby amended as set out in the attached Appendix to this Order:

These amendments to the Rules of Professional Conduct shall take effect on June 1, 2003, and shall have prospective application only, applying to all relationships existing on, and conduct taken from, that date forward.

The Court expresses appreciation to the Tennessee Bar Association for its continuing contributions to the Court’s transition from the Code of Professional Responsibility to the Rules of Professional Conduct. The Court also acknowledges the important contributions made by the judges, lawyers, bar organizations, and members of the general public in submitting written

comments about the proposed amendments; their comments were of great assistance to the Court in considering the amendments proposed in the TBA's petition.

Because the Tennessee Bar Association and others have provided an invaluable service to the bench and bar of this State, any costs associated with this petition are hereby waived.

IT IS SO ORDERED.

FOR THE COURT:

FRANK F. DROWOTA, III, CHIEF

JUSTICE