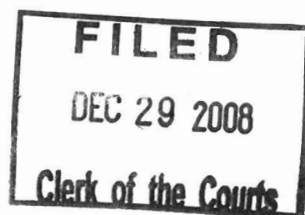


IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE



IN RE: AMENDMENT TO RULE 31, SECTION 17,
RULES OF THE TENNESSEE SUPREME COURT

ORDER

Tenn. Sup. Ct. R. 31 established the Alternative Dispute Resolution Commission (“ADR Commission”) and governs the alternative dispute resolution proceedings specified in the rule. The ADR Commission proposes amending Tenn. Sup. Ct. R. 31, § 17, to increase (from ten to fifteen years) the permissible amount of time between the receipt of mediation training and the date of a person’s application to be listed as a “Rule 31 Mediator.” The ADR Commission proposes the following amendments (changes indicated by overstriking and underscoring):

[Amend the first paragraph of Tenn. Sup. Ct. R. 31, § 17 to read:]

Section 17. Rule 31 Mediators. No person shall act as a Rule 31 Mediator without first being listed by the ADRC. To be listed, Rule 31 Mediators must pay application fees set by the ADRC and must comply with the qualifications and training requirements set forth in this section. All training must have been approved by the ADRC as set forth in section (f) below and must have been completed within the ten ~~ten~~ fifteen years immediately preceding the application seeking Rule 31 Mediator listing.

[Amend Tenn. Sup. Ct. R. 31, § 17(d)(1) to read:]

(1) Upon petition to and acceptance by the ADRC, the following persons may be qualified as Rule 31 Mediators without first complying with the qualification and training requirements set forth in Section 17(a), (b), or (c): (i) graduates of accredited law schools who have passed a law school mediation course which awards at least three semester hours credit and which includes the curriculum components set forth in this Rule or their substantial equivalent as determined by the ADRC and who have four years of practical work experience; (ii) trained mediators who substantially comply with the qualifications set forth for Rule 31 Mediators in general civil cases or Rule 31 Mediators in family cases as may be determined by the ADRC with the assistance of the AOC Programs Manager, provided that their training be the substantial equivalent of that required under this Rule and that the training has been completed within ~~ten~~ fifteen years prior to the application. If a trained mediator has complied with the qualifications for approval as a mediator by another state and such approval has been granted, and if the mediator is in good standing in such state at the time of the application for approval in Tennessee, the

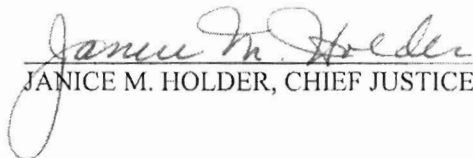
ADRC may, upon review of the qualifications of the applicant, waive such training requirements as required by Section 17.

The Court hereby publishes the proposed amendments for public comment and solicits written comments from judges, lawyers, bar organizations, members of the public, and any other interested parties. The deadline for submitting written comments is Monday, March 2, 2009. Written comments should be addressed to:

Michael W. Catalano, Clerk
100 Supreme Court Building
401 Seventh Avenue North
Nashville, TN 37219-1407

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

FOR THE COURT:



JANICE M. HOLDER, CHIEF JUSTICE