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Testimony from:

Shoshana Weissmann, Fellow, R Street Institute

In SUPPORT of Amending Tennessee Rule 7 to allow part-time lawyers to be admitted to practice law

July 25, 2022

James M. Hivner, Clerk, Tennessee Appellate Courts
100 Supreme Court Building
401 Seventh Avenue North
Nashville, TN 37219-1407

Dear Mr. Hivner,

We at the R Street Institute, a nonprofit, nonpartisan public policy organization focused on advancing limited, effective government in a variety of areas, write in support of the Network of Enlightened Women's petition asking the Court to amend Tennessee Rule 7 (Docket No. ADM2022-00522).

Among R Street's policy missions is ensuring that occupational licensing regulations serve their goal to protect the public and minimize harm caused by preventing people from working or keeping labor supply out of the workforce. Unfortunately, we are concerned that, as written, Rule 7 violates these principles.

The Tennessee Supreme Court, unlike most other state supreme courts, requires that in order to be admitted to practice law in the state without examination, the lawyer must have practiced full-time for five of the seven previous years.¹ As the Network of Enlightened Women notes, "The American Bar Association Model Rule on Admission by Motion does not mandate full-time work."² Furthermore, if the applicant meets the other requirements, in particular that the applicant maintains "good standing in all jurisdictions where admitted" and "is not currently subject to lawyer discipline or the subject of a pending disciplinary matter in any other jurisdiction," the additional requirement of full-time work fails to serve a purpose and may ultimately punish working parents.³

Thank you very much for your consideration,



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¹ “Rule 7: Licensing of Attorneys,” Tennessee State Courts, last accessed July 21, 2022.
<https://www.tncourts.gov/rules/supreme-court/7>.

² “Submit a Comment to the Supreme Court of Tennessee,” Network of Enlightened Women, last accessed July 21, 2022. <https://enlightenedwomen.org/qualified-but-barred/petition-tennessee-supreme-court>; “Model Rules of Professional Conduct,” American Bar Association, last accessed July 21, 2022.
https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct.

³ “Rule 7: Licensing of Attorneys.” <https://www.tncourts.gov/rules/supreme-court/7>.