

HOUSE BILL 141

By Lundberg

AN ACT to amend Tennessee Code Annotated, Title 16, to create task forces to review and submit any necessary recommendations on implementing e-filing in Tennessee's court system and revising Tennessee's statutes on appointment of counsel for indigent defendants.

WHEREAS, the Tennessee Supreme Court is currently in the process of developing and implementing an e-filing option for all documents filed with the appellate courts; and

WHEREAS, the General Assembly finds that Tennessee needs to move forward as expeditiously as possible to provide litigants and their counsel the option to e-file documents in Tennessee's court system and especially in Tennessee's trial courts; and

WHEREAS, the General Assembly believes the process for providing the appointment of counsel for indigent parties should be reviewed to determine if such appointments can be made in a more efficient and effective manner; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 16, Chapter 1, is amended by adding the following language as a new section:

(a)

(1) By no later than July 1, 2015, the speaker of the senate, the speaker of the house of representatives, and the chief justice of the supreme court shall establish an advisory task force to review and propose a process to implement e-filing of documents in the court system, and to recommend any necessary changes to statutes and any funding required to effectuate e-filing in Tennessee's courts.

(2)

(A) The task force shall consist of nine (9) members. Three (3) members shall be appointed by the speaker of the senate, three (3) members shall be appointed by the speaker of the house of representatives, and three (3) members shall be appointed by the chief justice of the supreme court.

(B) The task force members shall include:

(i) Three (3) attorneys licensed in Tennessee who are not currently full-time judges;

(ii) Two (2) persons who are not licensed attorneys or current circuit court clerks or clerk and masters;

(iii) Two (2) Tennessee trial court judges; and

(iv) Two (2) Tennessee circuit court clerks or clerk and masters.

(3) The task force shall report its findings and recommendations to the governor, the speaker of the senate, the speaker of the house of representatives, the chief justice of the supreme court, and the administrative office of the courts by no later than December 5, 2015. The task force shall strive to recommend a process that would achieve the option of e-filing in Tennessee's trial courts by no later than July 1, 2016.

(b)

(1) By no later than July 1, 2015, the speaker of the senate, the speaker of the house of representatives, and the chief justice of the supreme court shall establish an advisory task force to review and propose any necessary revisions to statutes on appointment of counsel for indigent parties.

(2)

(A) The task force shall consist of nine (9) members. Three (3) members shall be appointed by the speaker of the senate, three (3)

members shall be appointed by the speaker of the house of representatives, and three (3) members shall be appointed by the chief justice of the supreme court.

(B) The members shall include:

- (i) Three (3) attorneys licensed to practice in Tennessee;
- (ii) Three (3) persons who are not licensed attorneys; and
- (iii) Three (3) trial judges.

(C) The speakers and chief justice may, in making these appointments, consult with and solicit the recommendations of all interested parties and organizations.

(3) The task force shall report its findings and recommendations, including any necessary changes to statutes, to the governor, the speaker of the senate, the speaker of the house of representatives, the chair of the senate judiciary committee, the chair of the civil justice committee of the house of representatives, the chief justice of the supreme court, and the administrative office of the courts by no later than December 5, 2015.

(c)

(1) The administrative office of the courts shall provide support services to each task force created under this section.

(2) The members of each task force shall serve without compensation but shall be entitled to reimbursement of any travel expenses incurred. All reimbursement for travel shall be in accordance with the provisions of the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

(3) Each task force shall cease to exist upon completion of the task force's report and recommendations.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.