

**JUN 22 2022**

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF TENNESSEE

**IN RE:**

**ORDER REGARDING  
LBR 2090-1 AFFECTING  
ATTORNEY ADMISSIONS**

**ADMINISTRATIVE ORDER 22-3**

This Court has amended its local rules, effective June 22, 2022. One change involves LBR 2090-1 regarding admission to practice. The prior rules required admission before the United States District Court for the Middle District of Tennessee (“District Court”) but did not specifically require that an attorney be licensed in Tennessee. That was because the District Court rules, with limited exceptions, already required admission to the Tennessee bar to be admitted to practice in District Court.

The District Court modified its rules in a manner that did not require a Tennessee license to practice in criminal cases but generally retained the requirement in civil cases. For a period of time, the change in wording and restructuring of the District Court rules resulted in an anomaly where an attorney could practice in this Court by being admitted in the District Court but not licensed in Tennessee even though that attorney would not be allowed to practice before the District Court in a civil case. This Court has now corrected that inconsistency with the changes in its local rules.

To mitigate any hardship arising from any attorney who relied upon the prior version of this Court’s local rules during the time that the discrepancy with the District Court local rules existed, the Court orders as follows:

1. Any attorney who is admitted to practice before the United States District Court for the Middle District of Tennessee but is not a member of the bar of the State of Tennessee and who became attorney of record in a bankruptcy case or proceeding between June 19, 2018, and the

effective date of this Court's change in LBR 2090-1 shall be allowed to continue to practice before this Court in those cases and proceedings until such time as they are completed and closed.

2. Any attorney who relied upon the above-described inconsistency between the District Court local rules and this Court's local rules to the extent that such reliance has substantially altered the attorney's practice or affected client rights may file a motion with the Court seeking a waiver from the requirement that such attorney be a member of the Tennessee bar. The Court may, for cause, grant such a waiver upon such conditions as it determines appropriate but only after notice and a hearing. (Any such motion should be filed as a miscellaneous proceeding and served upon the United States Trustee, the Chapter 13 Trustee, and all Chapter 7 panel trustees.) The Clerk of the Court will schedule an *en banc* hearing before the Court and provide such notice of the hearing as directed by the Court.)

IT IS SO ORDERED.

Dated: 6/22/2022

  
MARIAN F. HARRISON, CHIEF JUDGE

  
RANDAL S. MASHBURN, JUDGE

  
CHARLES M. WALKER, JUDGE