

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

10/02/2026

Clerk of the
Appellate Courts

IN RE: REGULATORY REFORMS TO INCREASE ACCESS TO
QUALITY LEGAL REPRESENTATION

No. ADM2025-01403

ORDER

On September 16, 2025, the Tennessee Supreme Court published an order soliciting public comments on potential reforms to its regulation of the legal profession. Pursuant to its inherent authority to regulate the practice of law in Tennessee, the Court expressed interest in reassessing its regulatory approach to increase access to quality legal representation for all Tennesseans. *See Manookian v. Bd. of Pro. Resp.*, 685 S.W.3d 744, 801 (Tenn. 2024). The Court sought comments on the following seven issues:

- (1) Whether the Court should modify, reduce, or eliminate its reliance on American Bar Association (“ABA”) accreditation in setting minimum education requirements for applicants to the Tennessee Bar;
- (2) Whether there are any practicable alternatives to ABA accreditation that the Court should consider;
- (3) Whether there are less costly alternatives to the traditional three-year law school curriculum that would adequately prepare individuals for the practice of law;
- (4) Whether the Court should consider adopting alternative pathways for admission to the Tennessee Bar—for example, by allowing applicants to satisfy the minimum educational requirements or examination requirement in part by completing an apprenticeship or serving with a legal aid organization;
- (5) Whether the Court should consider modifying requirements for admission to the Tennessee Bar for those licensed in other states to promote interstate practice and mobility;

- (6) Whether any legal services currently provided by lawyers could be competently provided by paraprofessionals and, if so, what qualifications, limitations, or subject matter restrictions the Court should consider imposing; and
- (7) Whether the Court should modify, reduce, or eliminate regulations prohibiting non-lawyer ownership of law firms or fee sharing with non-lawyers.

The Court received almost 400 comments in response to its September 16, 2025 Order. Commenters included the Tennessee Board of Law Examiners, the Tennessee Access to Justice Commission, the Tennessee Bar Association, the Tennessee Attorney General, the Federal Trade Commission, the U.S. Attorney’s Office for the Middle District of Tennessee, the Council of the ABA Section of Legal Education and Admissions to the Bar, law school deans and professors, regional bar associations, non-profit entities, law firms, individual lawyers, and members of the public. The Court extends its sincere appreciation to these commenters.

I. ABA Accreditation

After carefully reviewing the comments submitted, the Court has decided to amend Tennessee Supreme Court Rule 7 to further reduce reliance on ABA accreditation. The general requirement of graduation from a law school “accredited by the ABA” in Rule 7, section 2.02, will be modified to instead require graduation from a law school “accredited by an Approved Accreditor,” with the term “Approved Accreditor” defined to mean an entity approved by the Tennessee Supreme Court to accredit or approve law schools. The Council of the ABA Section of Legal Education and Admissions to the Bar will remain an approved accreditor at this time, but the Court will consider adding additional or alternative accreditors to the list of Approved Accreditors in the future, including other state supreme courts. The Court will also amend Rule 7, section 2.02(d)—which allows graduates of law schools approved by an authority similar to the Tennessee Board of Law Examiners in the jurisdiction in which the law school is located to be considered for admission on a case-by-case basis—to eliminate the requirement that such graduates must have engaged in the active practice of law for three of the preceding five years. These amendments will be made by separate order as part of a broader set of revisions to Rule 7.

The Court will continue to allow the Tennessee Board of Law Examiners to approve Tennessee law schools that are not ABA accredited or seeking ABA accreditation and to allow graduates of such approved schools to seek admission to the Tennessee Bar pursuant to Rule 7, sections 2.03 and 17.01. The Tennessee Board of Law Examiners has approved the Nashville School of Law pursuant to this authority since 2001. As a result of this existing alternative to ABA accreditation and the case-by-case-exception in section 2.02(d), Tennessee has ranked third or fourth among jurisdictions in the number of graduates of non-ABA-accredited law schools taking the Bar exam for at least the past

decade.¹ Moreover, Tennessee consistently has the highest Bar passage rate for graduates of non-ABA-accredited law schools of any jurisdiction with more than 50 such graduates sitting for the exam.² The Court recognizes and appreciates the Nashville School of Law for its ongoing efforts to provide high-quality legal education to non-traditional students at an affordable tuition rate.

The Court will continue to study whether it is feasible to rely on objective metrics—such as bar passage rate and employment rate—in lieu of or in addition to accreditation to further promote innovation in legal education.

II. Other Issues

The Court will also establish taskforces to further explore the following issues: (1) alternative pathways to licensure, (2) interstate practice and mobility, and (3) the role of paraprofessionals in providing legal services. These taskforces are discussed in more detail below. The Court will not pursue regulatory reforms related to non-lawyer ownership of law firms or non-lawyer fee sharing at this time.

A. Alternative Pathways to Licensure Taskforce

The Court is interested in further exploring the feasibility of adopting alternative pathways for admission to the Tennessee Bar in an effort to increase access to legal representation. The Court intends to appoint a taskforce to study this issue and make recommendations to the Court. Alternative pathways and reforms to be examined include, but are not limited to, post-graduation apprenticeship-based pathways and other supervised legal practice models, especially in partnership with legal aid organizations, government agencies, and other providers of free or low-cost legal services, that are restricted to candidates who have narrowly missed Tennessee’s passing score for admission by examination. *See Arizona Lawyer Apprentice Program*, Arizona Supreme Court, Administrative Office of the Courts, <https://www.azcourts.gov/cld/Arizona-Lawyer-Apprentice-Program> (last visited Sept. 30, 2026).

Given the Court’s changes to its rules regarding ABA accreditation and adoption of the NextGen Bar exam beginning in 2027, the Court will postpone creation of this taskforce until the fall of 2027. At that time, the Court will enter an order appointing an Alternative Licensure Taskforce and providing additional directions regarding its activities.

¹ See the annual statistical reports for 2016 to 2025 published by the National Conference of Bar Examiners. Statistics, *The Bar Examiner*, <https://thebarexaminer.ncbex.org/statistics> (last visited Sept. 30, 2026).

² *Id.*

B. Interstate Practice and Mobility Taskforce

The Court will also establish an Interstate Practice and Mobility Taskforce to further examine existing barriers to interstate practice and mobility and recommend potential reforms to the Court. The Court will enter a separate order later this year appointing members of this taskforce and providing additional directions regarding its activities.

C. Limited Licensed Court Access Assistants Taskforce

Finally, the Court will establish a Limited Licensed Court Access Assistants Taskforce to examine existing rules and propose modifications to allow qualified non-lawyers to provide limited legal services and assistance to self-represented individuals. The Court will enter a separate order later this year appointing members of this taskforce and providing additional directions regarding its activities.

D. Non-lawyer Ownership and Fee Sharing

At this time, the Court has not identified sufficient need or support for reforms related to non-lawyer ownership of law firms or fee-sharing with non-lawyers. The Court may revisit this topic in the future as additional data regarding the success of these reforms becomes available.

E. Additional Access to Justice Efforts

The Court continues to value the recommendations and guidance of the Tennessee Access to Justice Commission (“ATJC”) in developing additional efforts to improve access to legal advice, information, and representation. The Court requests that the ATJC continue to monitor regulatory reform efforts in other jurisdictions and to suggest rule modifications and projects for the Court’s consideration. To facilitate these activities, the Court will enter an order modifying and updating Tennessee Supreme Court Rule 50. The Court specifically requests that the ATJC develop project proposals and other recommendations as set forth in section 2.01 of the revised Rule.

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

PER CURIAM