

FILED
JUL 27 2011
Clerk of the Courts

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

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

No. M2011-01596-SC-RL2-RL - Filed: July 27, 2011

ORDER

Tenn. Sup. Ct. R. 17 currently requires the completion of a uniform judgment document in all cases "except capital cases, see Tenn. Code Ann. § 39-13-204(f) and (g)." Because Tenn. Code Ann. § 40-35-209(f) requires the use of the uniform judgment document "for each criminal case . . .," and because trial courts customarily use the uniform judgment document in capital cases, the Court hereby amends the first sentence of Tenn. Sup. Ct. R. 17 by deleting the phrase quoted above. As amended, the first sentence shall conclude following "Tennessee Criminal Sentencing Reform Act of 1989." The foregoing amendment shall take effect upon the filing of this order. As a result of this amendment, the requirements of Tenn. Sup. Ct. R. 17 will now apply to capital cases.

In addition to adopting the foregoing amendment to the text of Tenn. Sup. Ct. R. 17, the Court has determined for the following two reasons that the uniform judgment document should be revised. First, statutory changes recently adopted by the General Assembly regarding sentencing in aggravated robbery cases require a revision of the uniform judgment document. Second, the Court concludes that other changes would improve the content of the uniform judgment document and would promote more consistency in the manner in which it is completed in the trial courts. Accordingly, the Court hereby adopts the revised uniform judgment document attached to this order. Because the District Attorneys General Conference and several counties will be required to reprogram computer systems which record case dispositions, the new uniform judgment document shall not take effect until November 1, 2011.

The Court hereby directs the Administrative Office of the Courts ("AOC") to provide the trial judges, court clerks, and affected agencies with a memorandum detailing the changes to the uniform judgment document. The AOC also shall provide them with an instruction manual regarding the uniform judgment document.

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

IT IS SO ORDERED.

FOR THE COURT:

Cornelia A. Clark
CORNELIA A. CLARK, CHIEF JUSTICE

IN THE CRIMINAL/CIRCUIT COURT OF

COUNTY, TENNESSEE

Case Number: _____ Count # _____ Counsel for the State: _____

Judicial District: _____ Judicial Division: _____ Counsel for the Defendant: _____

State of Tennessee vs. Defendant: _____ [] Retained [] Private Atty Appt [] Pub Def Appt [] Counsel Waived [] Pro Se

Date of Birth: _____ Sex: _____ Race: _____ SSN: _____

Indictment Filing Date: _____ TOMIS/TDOC # _____ State Control # _____

State ID # _____ County Offender ID # (if applicable) _____

JUDGMENT [] Original [] Amended [] Corrected

Comes the District Attorney General for the State and the defendant with counsel of record for entry of judgment.

On the _____ day of _____, 20____, the defendant:

Form with checkboxes: [] Pled Guilty, [] Dismissed/Nolle Prosequi, [] Pled Nolo Contendere, [] Pled Guilty - Certified Question Findings Incorporated by Reference. Includes sections for Indictment, Amended Offense, Conviction, and Sentence Imposed Date.

After considering the evidence, the entire record, and in the case of sentencing, all factors in Tennessee Code Annotated Title 40, Chapter 35, all of which are incorporated by reference herein, it is ORDERED and ADJUDGED that the conviction described above is imposed hereby and that a sentence and costs are imposed as follows:

Complex sentencing form with multiple sections: Sentence Reform Act of 1989 (Mitigated, Standard, Multiple, Persistent, Career, Repeat Violent), Concurrent with, Consecutive, and Pretrial Jail Credit Period(s).

Sentencing options form: Sentenced To: [] TDOC, [] County Jail, [] Workhouse. Sentence Length: _____ Years _____ Months _____ Days _____ Hours. Includes alternative sentences and drug court options.

Court Ordered Fees and Fines vs. Restitution form. Court Ordered Fees and Fines: [] Court Costs, [] Fine Assessed, [] Traumatic Brain Injury Fund, [] Drug Testing Fund, [] CICF, [] Sex Offender Tax. Restitution: Victim Name, Address, Total Amount, Per Month.

Special Conditions section with checkboxes: [] The Defendant having been found guilty is rendered infamous and ordered to provide a biological specimen for the purpose of DNA analysis.

Large empty rectangular box for additional notes or conditions.

Judge's Name _____ Judge's Signature _____ Date of Entry of Judgment _____
Counsel for State/Signature (optional) _____ Defendant/Defendant's Counsel/Signature (optional) _____