

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

01/14/2026

Clerk of the
Appellate Courts

**IN RE: PROPOSED AMENDMENTS TO TENNESSEE RULES OF
APPELLATE PROCEDURE**

No. ADM2025-01108

ORDER

The Court adopts the attached amendments effective July 1, 2026, subject to approval by resolution of the General Assembly. The rules amended are as follows:

**RULE 20B PUBLIC ACCESS TO APPELLATE COURT FILINGS AND
PRIVACY PROTECTION**

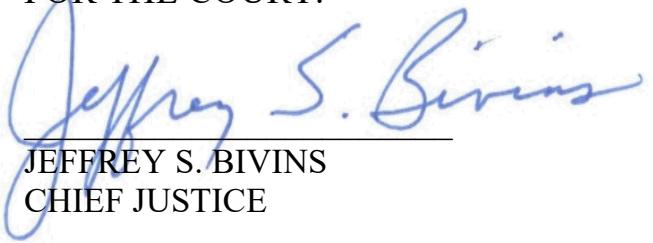
The text of the new rule is set out in the attached Appendix.

RULE 27 CONTENT OF BRIEFS

The text of the amendment is set out in the attached Appendix.

IT IS SO ORDERED.

FOR THE COURT:



JEFFREY S. BIVINS
CHIEF JUSTICE

APPENDIX

AMENDMENTS TO THE RULES OF APPELLATE PROCEDURE

**[Deleted text is indicated by overstriking,
and new text is indicated by underlining.]**

TENNESSEE RULES OF APPELLATE PROCEDURE

RULE 20B

PUBLIC ACCESS TO APPELLATE COURT FILINGS AND PRIVACY PROTECTION

[Add Rule 20B as indicated below:]

Rule 20B. Public Access to Appellate Court Filings and Privacy Protection.

- (1) Applicability.** This Rule governs electronic access by the public to Filings in Tennessee Appellate Courts and applies to Filings made on or after July 1, 2026.
- (2) Definitions. For this Rule, the following definitions apply:**

 - (a) “Appellate Court(s)” or “Court(s)”** mean the Tennessee Supreme Court, the Tennessee Court of Appeals, and the Tennessee Court of Criminal Appeals.
 - (b) “Certificate of Redaction Compliance”** means a written statement dated and signed by the filer or submitter of a Filing certifying that the Filing complies with the omission and redaction requirements of this Rule.
 - (c) “Clerk”** means the clerk of the Appellate Courts.
 - (d) “Confidential Information”** means information that is protected from public disclosure or is required to be kept confidential by Tennessee law, federal law, or court rule or order. Confidential Information includes but is not limited to:

- (i) personal identification numbers such as Social Security numbers, driver's license numbers, taxpayer identification numbers, and passport numbers;
- (ii) financial account numbers, credit and debit card numbers, and passwords securing those accounts and cards;
- (iii) home addresses and contact information of informants, victims, witnesses, and persons protected under restraining or protection orders;
- (iv) dates of birth;
- (v) names of persons known to be minors;
- (vi) case numbers of confidential, expunged, or sealed records in cases other than the one in which the Filing is made;
- (vii) information identifying a person receiving mental health or substance-use-disorder services;
- (viii) information identifying victims of sexual offenses;
- (ix) medical information the confidentiality of which is protected by Tennessee or federal law; and
- (x) records of students in education institutions the confidentiality of which records is protected by Tennessee or federal law.

(e) "Filing" means any paper filed or submitted, whether electronically or otherwise, in an Appellate Court and includes appendices, exhibits, and attachments filed or submitted with the Filing.

(f) “Number(s)” means a numeral, a combination of numerals, an alphanumeric, or other symbol that identifies a person or entity.

(3) Required Omission or Redaction of Confidential Information.

- (a) Unless the Court orders otherwise, all Confidential Information must be omitted or redacted from a Filing before the Filing is filed or submitted in an Appellate Court.
- (b) When legal counsel makes the Filing on behalf of the person or entity counsel represents, counsel is responsible for omitting and redacting Confidential Information. When the Filing is made by a person or entity not represented by legal counsel, that person or entity is responsible for omitting and redacting Confidential Information.
- (c) Whenever possible, Confidential Information should be omitted from a Filing, so that Confidential Information is simply not included in the Filing at all.
- (d) When it is necessary to include Confidential Information, that Information must be redacted before the Filing is filed or submitted.
- (e) The Court may order redaction of additional information in a redacted Filing or may limit or prohibit public access to a Filing. Any such order must comply with the applicable law governing public access to judicial records and must set forth specific findings and conclusions that justify non-disclosure. Any person or entity making a redacted Filing who believes that information other than Confidential Information should be redacted before the Filing is made electronically accessible to the public may not redact that other information without first moving for and

obtaining from the Court in which the Filing is being made an order permitting redaction of that other information.

- (f) A person or entity making a redacted Filing must also file an unredacted version of the Filing under seal. That unredacted, sealed version of the Filing must be maintained in the record. The words “Redacted Filing” must appear on the cover page of the version of the Filing that has been redacted pursuant to this Rule. The words “Unredacted Filing Under Seal” must appear on the accompanying unredacted, sealed version.
- (g) If the Court has ordered that a Filing be made under seal without redaction, the Court may later unseal the Filing and order that the Filing be redacted and that the redacted version be accessible to the public.
- (h) Redaction is not required for:

 - (i) Filings made under seal pursuant to a court order;
 - (ii) Filings to which public access is otherwise prohibited, such as Filings in appeals involving the termination of parental rights or in appeals from juvenile court;
 - (iii) a financial-account number that identifies property allegedly subject to forfeiture in a forfeiture proceeding;
 - (iv) the record of an administrative or agency proceeding; or
 - (v) the official record of a state-court proceeding.

(4) Certification of Redaction Compliance.

- (a) The person or entity responsible for omitting and redacting Confidential Information must certify in writing that the Filing complies with this Rule. Certification is made by attaching to or including in the Filing a signed, dated Certificate of Redaction Compliance identifying the Filing by case style and number and verifying that all documents in the Filing comply with the omission and redaction requirements of this Rule.
- (b) When a Filing is accompanied by a signed Certificate of Redaction Compliance, neither the Court nor the Clerk is required to review the Filing to confirm that the required omissions and redactions have been properly made.
- (c) On motion by a party, an interested person or entity, or on its own, the Court may order remedies for failure to comply with the omission and redaction requirements and may impose sanctions if it finds certification of redaction compliance was not made in good faith.

(5) Redacting Confidential Information.

- (a) Redaction is the process of permanently and completely obscuring or removing Confidential Information in a Filing before it is filed or submitted so that the Confidential Information is not accessible from the Filing.
- (b) Redaction may be accomplished manually or by use of technology, such as redaction software.
- (c) Whatever redaction method is used must protect the confidentiality of the redacted information and ensure that all Confidential Information, including all metadata,

has been completely and permanently obscured or removed and cannot be restored or accessed. Redacted Filings must make clear when and where information has been redacted, as appropriate, for example by replacing the redacted information with blackout boxes or bars, asterisks, an individual's initials, a generic descriptor (e.g. SS#), or ellipses.

(6) Electronic Access to Filings.

- (a) As of July 1, 2026, the Clerk must offer access to Filings accompanied by a Certificate of Redaction Compliance through a system that allows members of the public to search electronically for, inspect, and copy a Filing, but the Clerk must not make public access available for (i) Filings made under seal, (ii) Filings in appeals involving the termination of parental rights, (iii) Filings in appeals from juvenile court cases, or (iv) Filings otherwise protected by statute, court rule, or court order.
- (b) Electronic access by the public may be temporarily suspended if the Clerk determines that public demand for electronic access is adversely affecting the Appellate Courts' systems or operations.

(7) Liability. This Rule does not create any right of action against the Appellate Courts or the Clerk or their respective members, employees, or agencies, nor does it affect any immunity or defense to which a Court or the Clerk, or their respective members, employees, or agencies may be entitled.

Advisory Commission Comment [2026]

As explained in Tennessee Supreme Court Rule 34, the public has a statutory right to inspect public records maintained by the courts of this State unless the record is expressly excepted from inspection under the Public Records Act, Tennessee Code Annotated § 10-7-504, or unless otherwise provided by state or federal law, including rules of court. Briefs and other papers filed in or submitted to the Tennessee Appellate Courts are public records maintained by the Courts. This Rule provides for and governs electronic access by the public to those briefs and other filings to allow public access to the fullest extent possible while still protecting confidential information in those public records.

Under the Rule, the filer or submitter of a document – be it an attorney representing a party, a party, or a non-party – is responsible for redacting all confidential material from documents filed with or submitted to an Appellate Court. The Clerk's office does not review documents for compliance with the redaction requirements of this Rule except to ensure that every Filing is accompanied by a properly made and signed Certificate of Redaction Compliance.

TENNESSEE RULES OF APPELLATE PROCEDURE

RULE 27

CONTENT OF BRIEFS

[Amend Rule 27 as indicated below:]

Advisory Commission Comment [2026]

Regarding requests for appellant attorney's fees, see *Killingsworth v. Ted Russell Ford, Inc.*, 205 S.W.3d 406, 410 (Tenn. 2006) (appellants must include the request in the "Statement of Issues" in their brief); and *Charles v. McQueen*, 693 S.W.3d 262, 283-284 (Tenn. 2024) (appellees do not need to list the request in a "Statement of Issues" in their brief but must "present the request to the appellate court by raising it in the body of the brief, adequately developing the argument, and specifying that relief in the brief's conclusion").