



**BOARD OF PROFESSIONAL RESPONSIBILITY**  
of the  
**SUPREME COURT OF TENNESSEE**

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**RELEASE OF INFORMATION**  
**RE: CHARLES GORDON, BPR #1532**  
**CONTACT: WILLIAM W. HUNT, III**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

January 29, 2004

**POWELL, TENNESSEE ATTORNEY CENSURED**

On January 26, 2004, the BOPR issued a public censure as to Charles Gordon, an attorney who practices in Powell, Tennessee. In April 2001, Jessica Stubbs hired Mr. Gordon to handle her mother's estate. Apparently it was a small estate with few if any complications. Mr. Gordon quoted a fee of \$200 which Ms. Stubbs paid him. Mr. Gordon met Ms. Stubbs at the Clerk's Office when they filed the Petition to open the estate. Ms. Stubbs states that Mr. Gordon told her the estate had to remain open for four months.

Ms. Stubbs heard nothing from him after the passage of four months. She, therefore, commenced calling him several times. Each time he told her that there had been no court date set. On November 8, 2001, Ms. Stubbs called Mr. Gordon and asked that he cease representing her. She asked for a refund of the fee. He told her that he had earned half of the fee since he had prepared the petition and "attended a probate meeting to start the estate." Ms. Stubbs agreed and told Mr. Gordon she would be by his office the next day to pick up the file and the \$100.

When Ms. Stubbs came by Mr. Gordon's office as scheduled, she was given a check for \$100. However, Mr. Gordon did not have a file for her. He told her the file was "missing." As a result Ms. Stubbs had to work to resurrect the file, including checking with possible creditors of her mother to see if any money was still owed them.

As a lay person Ms. Stubbs did not know how to handle and close an estate. She thought she did all that was necessary, but received a notice from the Probate Court that she had failed to appear at a Court hearing. She called the Clerk and discovered that Mr. Gordon had never withdrawn from representing her. He had received notice of a hearing and failed to advise Ms. Stubbs.

Ms. Stubbs then spoke several times with Mr. Gordon and asked that he formally withdraw from representing the estate. As of February 28, 2003, when this complaint was filed he never did so. After receiving this complaint, Mr. Gordon called the clerk and discovered that

the matter simply needed a closing order which he then submitted to the Court. The estate is now closed.

Mr. Gordon neglected this case, failed to withdraw upon request, failed to give his client her file upon request, failed to adequately communicate with his client, and failed to notify his client of a hearing. The Board found Mr. Gordon to have violated DR 1-102(A)(5) and (6); 2-110(A); 6-101(A); 7-101(A), and 9-102(B)(4), which were the ethical rules for attorneys that were in effect during Mr. Gordon's representation of this estate.

TH:mw

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