



BOARD OF PROFESSIONAL RESPONSIBILITY
of the
SUPREME COURT OF TENNESSEE

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RELEASE OF INFORMATION
RE: CHARLES F. GALBREATH, NO. 2779
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BOARD OF PROFESSIONAL RESPONSIBILITY

December 31, 2003

NASHVILLE ATTORNEY SUSPENDED BY SUPREME COURT

Charles F. Galbreath, a Nashville attorney, was suspended from the practice of law for thirty days by Judgment of the Supreme Court of Tennessee entered December 29, 2003. Pursuant to Section 18.5 of Supreme Court Rule 9, the suspension will become effective ten days from the date of the Judgment.

Mr. Galbreath's suspension arose out of disciplinary complaints lodged against him by two Chancellors of the Chancery Court for Davidson County. A hearing was conducted by a Hearing Committee of the Board of Professional Responsibility on October 17, 2001. The Judgment of the Hearing Panel entered November 2, 2001, suspended Mr. Galbreath for thirty days. Mr. Galbreath appealed to the Circuit Court for Davidson County. The Circuit Court entered an Order dated September 18, 2002, affirming the thirty-day suspension. Mr. Galbreath then appealed to the Supreme Court.

The first complaint was filed by the Chancellor of the court in which Mr. Galbreath had been sued arising out of a proposed sale of real property. Mr. Galbreath counterclaimed against the lending bank and its attorney. The Chancellor held that Mr. Galbreath's counterclaim was frivolous and in violation of Tennessee Rule of Civil Procedure 11 and assessed fees and sanctions against Mr. Galbreath. Mr. Galbreath then made oral and written motions for the Chancellor to recuse himself, all of which were denied. In an effort to get the Chancellor to recuse himself, Mr. Galbreath then wrote letters to another judge, the Chancellor, and to a Justice of the Supreme Court, all copied to the Chancellor, making various threats to report the Chancellor to the Court of the Judiciary or to discuss the matters regarding the judges on the radio show which Mr. Galbreath hosts. The Chancellor then recused himself from the case. In the second complaint, Mr. Galbreath called the Chancellor "honey" in open court during a court proceeding. The Supreme Court found that Mr. Galbreath's conduct violated the Code of Professional Responsibility in that he engaged in conduct which was prejudicial to the administration of justice and adversely reflected upon his fitness to practice law, and that he engaged in undignified and discourteous conduct which was degrading to the tribunal. The Court found the fact that Mr. Galbreath had been disciplined by the Board of Professional Responsibility on three prior occasions and his failure to acknowledge the wrongful nature of his conduct to be aggravating factors.

The Court further ordered that Mr. Galbreath pay the costs of the disciplinary proceedings and comply in all respects with Supreme Court Rule 9 regarding the obligations and responsibilities of a suspended attorney. Mr. Galbreath may resume the practice of law upon the expiration of the period of suspension.

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