



**BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE**

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RELEASE OF INFORMATION
RE: JOANIE LUCIE ABERNATHY, BPR #011382
CONTACT: EILEEN BURKHALTER SMITH
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

January 13, 2023

WILLIAMSON COUNTY LAWYER CENSURED

On January 13, 2023, Joanie Lucie Abernathy, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Ms. Abernathy represented a client in a contentious divorce. She filed two motions to recuse the trial judge, both of which were denied. Meanwhile, the opposing party was awarded attorney fees by order in April 2018. Thereafter, funds were paid into court from the sale of a piece of marital property. The opposing party filed a motion to disburse the funds held by the court to satisfy the award of attorney fees. Ms. Abernathy opposed this motion. The court orally granted the opposing party's motion to disburse the funds, and the court ordered opposing counsel to prepare an order. After the motion had been orally granted, but before the order was entered, Ms. Abernathy filed a third motion to recuse the trial judge. The motion included arguments that had not been raised in the trial court and arguments that addressed issues previously raised in the earlier motions for recusal. The court of appeals denied the third motion to recuse and held that the motion was frivolous.

By these acts, Ms. Abernathy, has violated Rules of Professional Conduct 3.1 (meritorious claims and contentions), 3.4 (fairness to opposing party), and 8.4(d) (prejudice to the administration of justice) and is hereby Publicly Censured for these violations.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

Abernathy 69028-6 rel.doc