



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

10 CADILLAC DRIVE, SUITE 220
BRENTWOOD, TENNESSEE 37027
TELEPHONE: (615) 361-7500
(800) 486-5714
FAX: (615) 367-2480
E-MAIL: ethics@tbpr.org
Website: www.tbpr.org

RELEASE OF INFORMATION
RE: BARBARA SIMS ARTHUR, BPR# 4694
CONTACT: KRISANN HODGES
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

September 16, 2011

CHATTANOOGA LAWYER SUSPENDED

On September 13, 2011, Barbara Sims Arthur was suspended from the practice of law for eighteen (18) months by the Tennessee Supreme Court. Of the eighteen (18) months, Ms. Arthur will be required to serve six (6) months as an active suspension with the remainder to be served on probation subject to several conditions.

The Board of Professional Responsibility filed a Petition for Discipline, Supplemental Petition for Discipline, and a Second Supplemental Petition for Discipline against Ms. Arthur pursuant to Rule 9 of the Rules of the Supreme Court of Tennessee alleging that she was engaging in the unauthorized practice of law. On September 26, 2005, Ms. Arthur was administratively suspended in Tennessee for failing to pay registration fees. Ms. Arthur had also been suspended in Georgia for failure to pay similar fees on four prior occasions, thus making her ineligible to practice law anywhere from July 2008 until her reinstatement in Tennessee in April 2009. During the entire period of suspension, Ms. Arthur continued to file numerous bankruptcy cases and continued to represent clients.

A Hearing Panel determined that Ms. Arthur's conduct violated the following Disciplinary Rules and Rules of Professional Conduct: Disciplinary Rules 1-102(A)(1),(5), and (6) and Rule of Professional Conduct 5.5 (Unauthorized Practice of Law).

Ms. Arthur must comply with Section 18 of Rule 9, Rules of the Supreme Court, regarding the obligations and responsibilities of suspended attorneys.

Arthur 1837-0 rel.doc

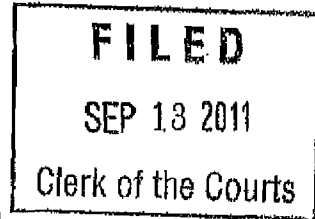
PLEASE NOTE

YOU MAY SUBSCRIBE TO RECEIVE INFORMATIONAL RELEASES, FORMAL ETHICS OPINIONS, NEWSLETTERS AND ANNUAL REPORTS ELECTRONICALLY BY SIGNING IN AT THE BOARD'S WEBSITE

www.tbpr.org/Subscriptions

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: BARBARA SIMS ARTHUR, BPR #4694
An Attorney Licensed to Practice Law in Tennessee
(Hamilton County)



No. M2011-01933-SC-BPO-BP - Filed: September 13, 2011
BOPR No. 2009-1837-0-KH

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed August 19, 2009 by the Board of Professional Responsibility ("Board") against Barbara Sims Arthur ("Respondent"); upon Respondent's Answer to the Petition for Discipline filed on September 10, 2009; upon a Supplemental Petition for Discipline filed on November 16, 2009; upon Respondent's Answer to the Supplemental Petition filed on December 3, 2009; upon a Second Supplemental Petition for Discipline filed on April 1, 2010; upon Respondent's Answer to the Second Supplemental Petition for Discipline filed on May 4, 2010; upon a hearing before the Hearing Panel held on May 5, 2010; upon Judgment of the Hearing Panel entered on July 20, 2010; upon a Motion to Alter or Amend filed by the Board on July 28, 2010; upon entry of an Order Amending Judgment on August 31, 2010; upon consideration and approval of the Board on September 10, 2010; upon a Petition for Certiorari filed by the Respondent on October 25, 2010; upon Order entered by the Hamilton County Chancery Court dismissing the petition for certiorari entered on February 22, 2011; upon notice of appeal filed by Respondent on March 21, 2011; upon Order of this Court entered on August 24, 2011 dismissing the appeal; and upon the entire record in this cause.

From all of which the Court approves the findings and conclusions of the Hearing Panel and adopts the Order Amending Judgment as the Court's Order.

It is therefore, **ORDERED, ADJUDGED** and **DECREED** by the Court that:

1. Respondent, Barbara Sims Arthur, is hereby suspended from the practice of law for eighteen (18) months pursuant to Supreme Court Rule 9, Section 4.2. However, pursuant to Supreme Court Rule 9, Section 8.5, the imposition of the suspension is itself suspended after six (6) months of actual

suspension, and the Respondent is thereafter placed on twelve (12) months of probated suspension, subject to the following conditions:

- (a) The Respondent shall remain in compliance with the rules governing practicing attorneys in Tennessee and Georgia. If the Respondent is no longer licensed in Georgia, she must ensure that she is not appearing to practice in Georgia by maintaining or establishing an office in Georgia or indicating in advertisements or otherwise that she is licensed in Georgia.
- (b) The Respondent shall stay current with all licensing fees and CLE requirements.
- (c) The Respondent shall engage a practice monitor who will ensure that safeguards are in place to ensure future compliance with licensing requirements.

2. Failure of the Respondent to comply with the terms of probation may result in a revocation of the probationary period and imposition of suspension for the remainder of the period pursuant to Supreme Court Rule 9, Section 8.5.

3. Respondent shall comply in all aspects with Supreme Court Rule 9, Section 18 regarding the obligations and responsibilities of suspended attorneys.

4. Pursuant to Supreme Court Rule 9, Section 24.3, the Respondent shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$5,850.45 and, in addition, shall pay to the Clerk of this Court the costs incurred herein, within ninety (90) days of the entry of this Order, for all of which execution may issue if necessary.

5. The Board shall cause notice of this suspension to be published as required by Supreme Court Rule 9, Section 18.10.

FOR THE COURT:



WILLIAM C. KOCH, JR., JUSTICE

I, Michael W. Catalano, Clerk, hereby certify that this is a true and exact copy of the original

filed in the cause.

This 3rd day of Feb, 20 11

CLERK OF COURT

By: 