



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

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RELEASE OF INFORMATION
RE: R. SADLER BAILEY, BPR #11230
CONTACT: KRISANN HODGES
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

August 18, 2014

MEMPHIS LAWYER SUSPENDED

On August 18, 2014, R. Sadler Bailey, of Memphis, Tennessee, was suspended for sixty (60) days by Order of the Tennessee Supreme Court.

The Board of Professional Responsibility filed a Petition for Discipline against Mr. Bailey alleging that he committed ethical misconduct by engaging in disruptive behavior during trial proceedings. After a full hearing, a Hearing Panel determined that Mr. Bailey engaged in an intentional pattern of abusive and disruptive comments directed at the trial court. Further, he failed to comply with the trial court's instructions regarding objections during opening argument. Mr. Bailey continued to criticize and demean the trial court to such a degree that the trial court ultimately granted a mistrial based upon his contentious conduct towards the court. The Hearing Panel determined that Mr. Bailey's conduct was unacceptable trial advocacy causing actual injury to the legal system and the profession. The Hearing Panel recommended that Mr. Bailey should be suspended for sixty (60) days for violations of Rules of Professional Conduct 3.4(c), Fairness to Opposing Party and Counsel; 3.5(e), Impartiality and Decorum of the Tribunal; and 8.4(a) and (d), Misconduct.

Mr. Bailey appealed the Hearing Panel's recommendation to the Chancery Court of Shelby County. The Chancery Court affirmed the finding that Mr. Bailey had violated the Rules of Professional Conduct; however, the Chancery Court reduced the disciplinary sanction to a public censure. The Board appealed the Chancery Court's decision to the Tennessee Supreme Court. The Tennessee Supreme Court also affirmed the finding that Mr. Bailey violated the Rules of Professional Conduct; however, the Court determined that the Chancery Court erred by reducing the sanction. The Court determined that the Hearing Panel's decision to impose a sixty (60) day suspension was not arbitrary and capricious, and that it was fully supported by the evidence.

Mr. Bailey must comply with Tennessee Supreme Court Rule 9, Sections 18 (2006) and 30.4 (2014), regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement. Further, he is ordered to pay the expenses and costs of this matter.

Bailey 1774-9 rel.doc

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