

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

<b>FILED</b> 01/08/2020 Clerk of the Appellate Courts
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**IN RE: WHITNEY SUZANNE BAILEY, BPR #026785**  
An Attorney Licensed to Practice Law in Tennessee  
(Hawkins County)

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**No. M2019-02300-SC-BAR-BP**  
BOPR No. 2018-2941-1-WM

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**ORDER OF ENFORCEMENT**

This matter is before the Court upon a Petition for Discipline filed against Whitney Suzanne Bailey on November 27, 2018; upon Answer to Petition for Discipline filed by Ms. Bailey on February 14, 2019; upon entry of a Conditional Guilty Plea filed by Ms. Bailey on October 28, 2019; upon an Order Recommending Approval of Conditional Guilty Plea entered on November 7, 2019; upon service of the Order Recommending Approval of Conditional Guilty Plea by the Executive Secretary of the Board dated November 7, 2019; upon consideration and approval by the Board on December 13, 2019; and upon the entire record in this cause.

From all of which the Court approves the Order of the Hearing Panel and adopts the Hearing Panel's Order Recommending Approval of Conditional Guilty Plea as the Court's Order.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT THAT:

(1) Whitney Suzanne Bailey is suspended from the practice of law for two (2) years, pursuant to Tenn. Sup. Ct. R. 9, § 12.2, with forty-five (45) days active suspension and the remainder on probation, subject to the following conditions of probation:

- (a) Within the first thirty (30) days of this suspension, Whitney Suzanne Bailey shall obtain an evaluation with the Tennessee Lawyers Assistance Program (TLAP) and follow any and all recommendations of TLAP. Further, Ms. Bailey shall give TLAP permission to communicate with the Board regarding any monitoring agreement.
- (b) Ms. Bailey, at her cost, shall engage a practice monitor who shall be selected and approved in accordance with Tenn. Sup. Ct. R. 9, §

12.9(c). The practice monitor shall meet with Ms. Bailey monthly and assess her case load, timeliness of tasks, adequacy of communication with her clients, and her accounting procedures. The practice monitor shall provide a monthly written report of Ms. Bailey's progress to Disciplinary Counsel.

- (c) During the period of active suspension and probation, Ms. Bailey shall incur no new complaints of misconduct that relate to conduct occurring during the period of suspension and probation and which results in the recommendation by the Board that discipline be imposed.
- (d) Ms. Bailey shall attend the Board of Responsibility's three (3) hour trust accounting workshop.

(2) In the event Ms. Bailey fails to meet any condition of probation, the probation may be revoked pursuant to Tenn. Sup. Ct. R. 9, § 14.2.

(3) Prior to seeking reinstatement, Ms. Bailey must have met all CLE requirements; have remitted all outstanding registration fees and outstanding professional privilege taxes, including those due from the date of this suspension until the date of reinstatement; and have remitted all court costs and Board costs in this matter.

(4) Additionally, Ms. Bailey shall comply in all aspects with Tenn. Sup. Ct. R. 9, §§ 28 and 30.4, regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

(5) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1, this Order shall be effective upon entry.

(6) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Ms. Bailey shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$800.00 and 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.

(7) The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 28.11.

PER CURIAM