



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

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RELEASE OF INFORMATION
RE: CHRISTOPHER WAYNE BARBER, BPR #20607
CONTACT: A. RUSSELL WILLIS
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

December 12, 2013

MONTGOMERY COUNTY LAWYER SUSPENDED

On December 9, 2013, Christopher Wayne Barber formerly of Clarksville, Tennessee, was suspended from the practice of law by Order of the Tennessee Supreme Court for three (3) years. Pursuant to the Order of Enforcement, two (2) years of the suspension shall be served as an active suspension, and the remaining year shall be served on probation subject to certain conditions including engagement of a practice monitor. Mr. Barber is required to pay restitution in the amount of \$2,500.00 and the cost and expense of the disciplinary proceedings. Mr. Barber is required to contact Tennessee Lawyers Assistance Program (TLAP), pay all outstanding Professional Privilege Taxes and complete all Continuing Legal Education (CLE) requirements.

The Board of Professional Responsibility filed a Petition for Discipline against Christopher Wayne Barber on January 4, 2013. The Hearing Panel determined that Mr. Barber practiced law while suspended and failed to notify his client of his suspension as required by Rule 9, Sections 18 and 32.5 and withdraw as attorney of record. The Hearing Panel further found Mr. Barber failed repeatedly to respond to his client regarding the status of the case and failed to respond to the Petition for Discipline.

The Hearing Panel found Mr. Barber violated Rules of Professional Conduct 1.3 (diligence), 1.4 (communication), 1.16 (declining or terminating representation), 5.5 (unauthorized practice of law), 3.3(h) (candor toward the tribunal), 8.1(b) (bar admission and disciplinary matters), and 8.4(a)(c)(d) and (g) (misconduct).

Mr. Barber must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 18 and 19, regarding the obligations and responsibilities of suspended attorneys.

Barber 2177-6 rel.doc

PLEASE NOTE

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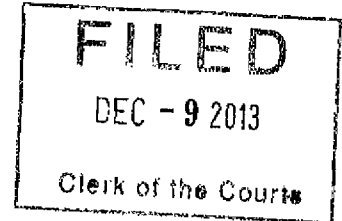
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IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: CHRISTOPHER WAYNE BARBER, BPR #020607

An Attorney Licensed to Practice Law in Tennessee
(Montgomery County)

No. M2013-02665-SC-BAR-BP
BOPR No. 2013-2177-6-AW



ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Christopher Wayne Barber on January 4, 2013; upon the Board's Motion for Default Judgment and that Charges in Petition for Discipline be Deemed Admitted filed on March 19, 2013; upon the Hearing Panel's Order Granting Default Judgment and that Charges in Petition for Discipline be Deemed Admitted entered April 22, 2013; upon the Final Judgment of the Hearing Panel entered August 7, 2013; upon the Order to Alter or Amend Final Judgment entered on September 6, 2013; upon service of the Judgment on Mr. Barber by the Executive Secretary for the Board of Professional Responsibility on September 6, 2013; upon the Board of Professional Responsibility's approval of the Final Judgment of the Hearing Panel and Amended Order on September 13, 2013; upon the expiration of the time for appeal and no appeal taken and upon the entire record in this cause.

On August 16, 2012, Mr. Barber was temporarily suspended by this Court pursuant to Tenn. Sup. Ct. R. 9, § 4.3 (Case No. M2012-01702-SC-BPR-BP). To date, Mr. Barber has not filed a petition for dissolution. In addition, Mr. Barber was suspended for CLE non-compliance on August, 31, 2011, and failure to pay his professional privilege tax on December, 3, 2010. To date, Mr. Barber has not been reinstated from either suspension.

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

It is, therefore, ordered, adjudged and decreed by the Court that:

1. Pursuant to Tenn. Sup. Ct. R. 9, § 4.2, Christopher Wayne Barber is suspended for three (3) years with two (2) years served as an active suspension.

2. Pursuant to Tenn. Sup. Ct. R. 9, § 8.5, the remaining one (1) year of the suspension shall be probated subject to the following conditions:

- a. Mr. Barber shall engage a Practice Monitor approved by Disciplinary Counsel.
- b. Mr. Barber shall meet with the Practice Monitor face to face at least once a month and by telephone at least weekly.
- c. Mr. Barber shall comply fully with the terms and conditions of his practice monitoring agreement.
- d. Mr. Barber shall authorize the Practice Monitor to discuss all matters with Disciplinary Counsel.
- e. Mr. Barber shall not violate any Rules of Professional Conduct (RPC) during his suspension or be the subject of an ethics complaint which the Board of Professional Responsibility concludes, in good faith, is a violation of the RPC, warranting revocation of probation and the imposition of one (1) additional year of active suspension.

3. Mr. Barber shall contact the Tennessee Lawyers Assistance Program for evaluation and, if recommended, enter into a monitoring agreement and comply with all terms and conditions of the agreement.

4. As a condition precedent to reinstatement, Mr. Barber shall make payment of restitution to Kim Johnson in the amount of \$2,500.00, or the Lawyers Fund for Client Protection, if applicable; submit to an evaluation by TLAP and comply with any recommended monitoring agreement; pay all outstanding Professional Privilege Taxes; and comply with all Continuing Legal Education requirements.

5. Mr. Barber shall comply in all aspects with Tenn. Sup. Ct. R. 9, § 18 and 19 regarding the obligations and responsibilities of suspended attorneys. Mr. Barber must meet all CLE requirements and all registration requirements prior to reinstatement.

6. The Court further finds that Mr. Barber was temporarily suspended by this Court pursuant to Tenn. Sup. Ct. R. 9, § 4.3 on August 16, 2012, for failure to respond to the Board of Professional Responsibility concerning a complaint of misconduct. Said temporary suspension is hereby dissolved.

7. Pursuant to Tenn. Sup. Ct. R. 9, § 18.5, this Order shall be effective ten (10) days after the date of entry.

8. Pursuant to Tenn. Sup. Ct. R. 9, § 24.3, Mr. Barber shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$1,571.59 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.

9. The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 18.10.

FOR THE COURT:

Cornelia A. Clark
CORNELIA A. CLARK, JUSTICE