

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

09/24/2025

Clerk of the
Appellate Courts

IN RE: JONATHAN MARK BENFIELD, BPR NO. 018541

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

No. M2025-01262-SC-BAR-BP

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Jonathan Mark Benfield on January 26, 2024; upon the Board of Professional Responsibility's Motion for Default Judgment on March 27, 2024; upon entry of the Hearing Panel's Order granting Motion for Default on May 10, 2024; upon entry of the Hearing Panel's Findings of Fact, Conclusions of Law and Judgment on May 16, 2025; upon service of the Findings of Fact, Conclusions of Law and Judgment of the Hearing Panel on Mr. Benfield by the Executive Secretary of the Board on May 16, 2025; upon entry of the Hearing Panel's Findings and Judgment for the Assessment of Costs on June 6, 2025; upon service of the Findings and Judgment for the Assessment of Costs of the Hearing Panel on Mr. Benfield by the Executive Secretary of the Board on June 6, 2025; upon consideration and approval by the Board on June 13, 2025; upon expiration of the appeal period with no appeal taken and upon the entire record in this cause.

From all of which, the Court approves the Findings of Fact, Conclusions of Law and Judgment of the Hearing Panel and adopts the same as the order of this Court.

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

(1) Pursuant to Tenn. Sup. Ct. R. 9, § 12.4, Jonathan Mark Benfield is hereby publicly censured for his ethical violations in complaint # 74962-9-MB and 74907-9-MB.

(2) Mr. Benfield, in the remaining matter (complaint # 67187-9-KB), is suspended from the practice of law, pursuant to Tenn. Sup. Ct. R. 9, § 12.2, for six (6) years with five (5) years served as active suspension and the remainder on probation subject to certain conditions.

(3) Mr. Benfield shall provide restitution to his mother, Carolyn Benfield or his mother's Estate, in the amount of \$103,080.00. In the event Mr. Benfield has evidence of making any payment pursuant to the North Carolina judgment and/or confession of judgment in effect in Benfield v. Benfield, Docket No. 21 CVS 227, he shall provide that evidence to the Board, and, if confirmed by the Board, then his requirement for restitution shall be reduced accordingly.

(4) Mr. Benfield within thirty (30) days of this Order shall contact the Tennessee Lawyers Assistance Program (TLAP) for evaluation and cooperate fully with TLAP to complete the evaluation process in a timely manner. In the event TLAP determines that a monitoring agreement is appropriate, Mr. Benfield shall immediately execute said monitoring agreement and thereafter comply with the terms and conditions of the TLAP monitoring agreement. Pursuant to Tenn. Sup. Ct. R. 9, § 36.1, TLAP shall timely notify the Board of any failure by Mr. Benfield to establish contact with TLAP, cooperate with the evaluation process, execute any recommended monitoring agreement, or substantially comply with the terms and conditions of any executed monitoring agreement. Mr. Benfield shall execute the appropriate releases to allow TLAP to communicate with the Board regarding any monitoring agreement. Mr. Benfield shall also provide TLAP with a copy of the "Emergency Petition" he filed in disciplinary proceeding 2024-3374-9-DB.

(5) Mr. Benfield shall attend the Board's Ethics Workshops. If such Workshop is not offered by the Board during the period of suspension, then Mr. Benfield shall attend an additional 6 hours (above and beyond the annual fifteen-hour CLE requirement) of courses approved by the Tennessee Commission on Continuing Legal Education focusing on the enhancement of law practice and professionalism.

(6) As a condition of reinstatement Mr. Benfield shall apply for, take, and receive a passing score for the Multistate Professional Responsibility Examination (MPRE) or, alternatively, any ethics examination approved by the Tennessee Board of Law Examiners for the admission of new attorneys to the State Bar. Mr. Benfield shall provide his passing score to the Board. A passing score shall mean the score required of new Bar Applicants at the time of taking the exam.

(7) Mr. Benfield, after completing those requirements and after a successful application for reinstatement, shall serve the remainder of his suspension on probation. The grant of probation is subject to the following conditions:

- (a) During the period of suspension and probation, Mr. Benfield 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.

(b) Mr. Benfield shall engage a practice monitor for the entire period of probation at his own expense and in full compliance with all requirements contained in Tenn. Sup. Ct. 9, § 12.9 and meet monthly with the selected practice monitor. The practice monitor shall provide written reports of each monthly meeting to the Board.

(8) Prior to seeking reinstatement, Mr. Benfield must 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.

(9) Mr. Benfield 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.

(10) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Mr. Benfield shall pay to the Board of Professional Responsibility the expenses and costs incurred to date by the Board in this matter in the amount of \$3,470.50, which includes an assessment of \$100.00 for the cost of filing this matter, and pay this filing fee to the Board and shall pay to the Clerk of this Court the court costs incurred herein. All costs, fees and expenses awarded or assessed herein shall be paid within ninety (90) days of the entry of this Order for which execution, if necessary, may issue.

(11) In the event Mr. Benfield fails to meet or maintain any condition of probation, the probation may be revoked pursuant to Tenn. Sup. Ct. R. 9, § 14.2 (2014).

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

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

PER CURIAM