



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

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RELEASE OF INFORMATION
RE: TERENCE JOSEPH FAIRFAX, BPR #20729
CONTACT: ALAN D. JOHNSON
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

March 29, 2017

FORMER DAVIDSON COUNTY LAWYER DISBARRED

On March 29, 2017, the Tennessee Supreme Court disbarred former Davidson County lawyer, Terence Joseph Fairfax, from the practice of law and ordered that he pay restitution as a condition of reinstatement. Mr. Fairfax must pay the Board of Professional Responsibility's costs and expenses and court costs within ninety days.

On November 18, 2016, the Tennessee Supreme Court suspended Terrence Joseph Fairfax from the practice of law until further orders of the Court pursuant to Tennessee Supreme Court Rule 9, Section 22.3. Mr. Fairfax was suspended based upon his conviction on two (2) counts of felony theft in violation of TCA §39-14-103, in the Criminal Court of Davidson County, Tennessee, in the matter of State of Tennessee v. Terence Joseph Fairfax. Mr. Fairfax misappropriated funds from two trusts for which he served as Trustee.

The Supreme Court ordered the Board to institute a formal proceeding to determine the extent of final discipline to be imposed as a result of Mr. Fairfax's conviction. Mr. Fairfax entered a conditional guilty plea in which he admitted that he violated Tennessee Rules of Professional Conduct 8.4(a) (b) (c) and (d), Misconduct.

Mr. Fairfax must comply with Tennessee Supreme Court Rule 9, Section 28 regarding the obligations and responsibilities suspended attorneys.

Fairfax 2652-0 rel2.doc

FILED

03/29/2017

Clerk of the
Appellate Courts

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: TERENCE JOSEPH FAIRFAX, BPR #20729

An Attorney Licensed to Practice Law in Tennessee
(Akron, Ohio)

No. M2016-02295-SC-BAR-BP
BOPR No. 2016-2652-0-AJ-22.3

AMENDED ORDER OF ENFORCEMENT

This matter is before the Court upon Petition for Final Discipline filed against Terrence Joseph Fairfax, on November 22, 2016; upon entry of a Conditional Guilty Plea filed by Mr. Fairfax on January 30, 2017; upon an Order Recommending Approval of Conditional Guilty Plea entered on February 2, 2017; upon consideration and approval by the Board on March 10, 2017, 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.

On August 8, 2012, Mr. Fairfax was administratively suspended for failure to pay the annual registration fee and for non-compliance with IOLTA requirements. On August 26, 2016, Mr. Fairfax was temporarily suspended by this Court pursuant to Tenn. Sup. Ct. R. 9, § 12.3 (Case No. M2016-01744-SC-BAR-BP). To date, Mr. Fairfax has not requested, nor been granted reinstatement.

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

- (1) Pursuant to Tenn. Sup. Ct. R. 9, § 12.1, Terence Joseph Fairfax, is disbarred from the practice of law.
- (2) Mr. Fairfax shall comply in all aspects with Tenn. Sup. Ct. R. 9, § 28, and Tenn. Sup. Ct. R. 9, § 30.4 regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.
- (3) Further, the Order of Temporary Suspension entered on August 26, 2016, in Case No. M2016-01744-SC-BAR-BP is hereby dissolved.

- (4) Pursuant to Tenn. Sup. Ct. R. 9, § 12.7 as a condition precedent to any reinstatement, Mr. Fairfax agrees to pay restitution to Jeffrey Douglas Neal in the amount of \$102,136.34, and to Tracy Cisco in the amount of \$37,834.11, and to furnish proof of restitution to the Board of Professional Responsibility. In the event restitution is made by the Tennessee Lawyer's Fund for Client Protection (TLFCP), Mr. Fairfax agrees to reimburse TLFCP in the same amount.
- (5) Prior to seeking reinstatement, Mr. Fairfax must meet all CLE requirements and pay any outstanding registration fees including those due from the date of suspension to reinstatement.
- (6) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1, this Order shall be effective immediately.
- (7) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Mr. Fairfax shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$200.00 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.
- (8) 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

FILED

03/28/2017

Clerk of the
Appellate Courts

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: TERENCE JOSEPH FAIRFAX, BPR #20729

An Attorney Licensed to Practice Law in Tennessee
(Akron, Ohio)

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PER CURIAM