

Petition for Reinstatement from Administrative Suspension (more than one year before filing) Tenn. Sup. Ct. R. 9, § 10.6(d)(2) Instructions

The following sample petition for reinstatement is for use by an attorney who wishes to be reinstated from an administrative suspension in effect for more than one year prior to the date of filing. This petition must be filed with the Tennessee Supreme Court Clerk's Office with a copy provided to the Board of Professional Responsibility pursuant to Tenn. Sup. Ct. R. 9, § 10.6(d)(2). The following form is a sample; if you find that the sample petition does not completely meet your needs, please feel free to use it as a guide.

File the original, signed copy of the petition for reinstatement with the Clerk of the Court by mail (or in person) at the following address:

James M. Hivner, Esq.
Supreme Court Clerk
ATTN: Lisa Marsh, Chief Deputy Clerk
Supreme Court Building
401 7th Avenue North Suite 100
Nashville, TN 37219-1407

You must include a filing fee of \$100.00 when you forward the original petition to the Clerk of the Court. You must serve a copy of the petition on the Board at our offices by mail, email or fax. Our mailing address is 10 Cadillac Drive, Suite 220, Brentwood, TN 37027; emails should be sent to registration@tbpr.org, and our fax number is 615-367-2480.

Here is what you may expect:

- Petitions are processed in the order in which they are filed with the Court.
- When Board Staff receive your petition for reinstatement, a reinstatement fee invoice of \$200.00 will be added to your invoice cart. You are required to pay the reinstatement fee as soon as possible after the petition is filed either through the attorney portal or by check.
- We will process your petition as expeditiously as possible.
 - We are required to respond to your petition for reinstatement.
 - We will not contact the Supreme Court Clerk to inquire about when the order of reinstatement will be entered.
 - When the order is entered, we will forward a copy to you by email.
- Board staff will make inquiry concerning the attorney's compliance with requirements for payment of fees to the Board, payment of professional privilege tax, and completion of mandatory CLE requirements or fees required by the Tennessee Commission on Continuing Legal Education. We are required to report our findings to the Court as a part of our response.
- If you are delinquent in payment of any fees owed to the Board, taxes owed to the Tennessee Department of Revenue, or CLE compliance or fees owed to the Tennessee Commission on Continuing Legal Education, you will be required to clear the deficiency before the Court will grant your petition for reinstatement.
- When your petition is granted by the Court, if the reinstatement is to active practice, we will issue a current BPR Card and forward it to you by mail.
- Should you have any questions, please don't hesitate to call or email the registration department (email us at registration@tbpr.org)

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: _____, **BPR #** _____
(Insert Attorney's name and BPR # above)

An Attorney Licensed to Practice Law in Tennessee
(_____)
(Insert County/City, State above)

Docket No. _____
BOPR Docket No. _____

**PETITION FOR REINSTATEMENT
PURSUANT TO TENN. SUP. CT. R. 9, § 10.6(d)(2)**

Pursuant to Tenn. Sup. Ct. R. 9, § 10.6(d)(2), _____
petitions for reinstatement to the practice of law by submitting the following:

1. Petitioner was suspended from the practice of law by Order of the Supreme Court on _____ for failure to pay registration fees and/or IOLTA noncompliance.

2. Petitioner has fulfilled the requirements of Tenn. Sup. Ct. R. 9, § 28, and documentation demonstrating compliance is attached hereto as Exhibit A.

3. As of the filing of this petition, Petitioner has done the following:

a) Paid all delinquent registration fees on _____;

b) Filed the delinquent IOLTA mandatory statement on _____;

c) Petitioner acknowledges the requirement to pay a \$200.00 reinstatement fee to the Board of Professional Responsibility upon the filing of this petition and will timely pay the required reinstatement fee;

d) Or, demonstrated that the Suspension Order was entered in error as shown in the attached affidavit (attach affidavit and other supporting documentation as needed).

4. Other than the current suspension for failure to pay registration fees/failure to submit a registration statement, Petitioner is not suspended from the practice of law for any other reason as of the filing of this petition.

5. Petitioner acknowledges that this Court may require proof of competency and learning in the law for any attorney who has remained suspended

for more than five (5) years pursuant to Tenn. Sup. Ct. R. 9, § 30.3(i). Petitioner has taken the following steps to remain competent and learned in the law (attach affidavit or supporting documentation reflecting continuing legal education courses attended).

6. A copy of this petition for reinstatement has been served on the Office of Disciplinary Counsel, 10 Cadillac Drive, Suite 220, Brentwood, Tennessee 37027.

WHEREFORE, having been suspended for more than one (1) year due to failure to pay registration fees or due to failure to submit a registration statement, Petitioner seeks reinstatement to the practice of law.

Respectfully submitted:

Attorney's signature above, printed name and BPR # below

_____, BPR # _____

Address: _____

VERIFICATION

I, _____, being first duly sworn, make oath and state that the information provided in this Petition for Reinstatement is true to the best of my information, knowledge, and belief.

Attorney's signature above, printed name and BPR # below

_____, BPR # _____

Sworn to and subscribed before me on this the ____ day of _____,
20_____.

Notary Public

My commission expires: _____

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the Petition for Reinstatement Pursuant to Tenn. Sup. Ct. R. 9, § 10.6(d)(2) upon the Board of Professional Responsibility, at the Office of Disciplinary Counsel, 10 Cadillac Drive, Suite 220, Brentwood, Tennessee 37027, on this the ____ day of _____, 20_____.

Attorney's signature above, printed name and BPR # below

_____, BPR # _____

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: _____, BPR # _____
An Attorney Licensed to Practice Law in Tennessee
(_____)
Insert City and State above

**EXHIBIT A TO PETITION FOR REINSTATEMENT
AFFIDAVIT IN COMPLIANCE WITH
TENN. SUP. CT. R. 9, § 28**

Comes now the undersigned attorney, petitioner in the foregoing Petition for Reinstatement and states under penalty of perjury as follows:

Petitioner's law license was suspended by the Tennessee Supreme Court on _____. Because the suspension was entered more than thirty (30) days ago, I hereby submit the following showing compliance with Tenn. Sup. Ct. R. 9, § 28 regarding notice to clients, adverse parties, and other counsel:

I have notified or caused to be notified by registered or certified mail with return receipt requested all clients I represented in a pending matter, all co-counsel in pending matters, and all opposing counsel in pending matters or adverse parties. I have attached to this affidavit proof of service on all parties requiring notice pursuant to Tenn. Sup. Ct. R. 9, § 28.

At the time of my suspension and at all times since the suspension, I had no clients, co-counsel, opposing counsel or adverse parties requiring notification of the suspension pursuant to Tenn. Sup. Ct. R. 9, § 28.

I, _____, being first duly sworn, make oath and state that the information provided in this Petition for Reinstatement is true to the best of my information, knowledge, and belief.

Attorney's signature above, printed name and BPR # below

_____, BPR # _____

Sworn to and subscribed before me on this the ____ day of _____, 2021.

Notary Public

My commission expires:

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: _____, **BPR #** _____
An Attorney Licensed to Practice Law in Tennessee
(_____)
Insert City and State above

**EXHIBIT A TO PETITION FOR REINSTATEMENT
AFFIDAVIT IN COMPLIANCE WITH
TENN. SUP. CT. R. 9, § 30.3(i)**

Comes now the undersigned attorney, petitioner in the foregoing Petition for Reinstatement and states under penalty of perjury as follows:

Petitioner's law license was inactive or suspended by the Tennessee Supreme Court on _____. Because the suspension or inactive status change was entered more than five years ago, I hereby submit that I have taken the following steps to remain competent and learned in the law (list any steps showing competence and attach supporting documentation reflecting continuing legal education courses attended).

I, _____, being first duly sworn, make oath and state that the information provided in this Petition for Reinstatement is true to the best of my information, knowledge, and belief.

Attorney's signature above, printed name and BPR # below

_____, BPR # _____

Sworn to and subscribed before me on this the ____ day of _____, 202__.

Notary Public

My commission expires:

Exhibit B

(Required if suspended/inactive over five years)