Petition for Reinstatement - Nonpayment and/or IOLTA Noncompliance Instructions

The following sample petition for reinstatement is for use the following a summary suspension for nonpayment of registration fees and/or IOLTA noncompliance if the suspension occurred more than one (1) year before date of filing. Petitions for reinstatement of a law license suspended for more than one year 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 (for suspensions over one year) with the Clerk of the Court by mail (or in person) at the following address:

James M. Hivner, Esq.
Supreme Court Clerk
ATTN: MaryBeth Lindsey, Deputy Clerk
100 Supreme Court Building
401 7th Avenue North
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 may serve the copy on the Board at our offices at 10 Cadillac Drive, Suite 220, Brentwood, TN 37027. You may also email a copy of the petition to registration@tbpr.org.

Here is what you may expect:

- Petitions are processed in the order in which they are filed with the Court.
- We are required to respond to your petition for reinstatement.
- We will process the petition as quickly as possible.
 - o Please do not ask Board staff to expedite your petition.
 - We will not contact the Supreme Court Clerk to inquire about when the order of reinstatement will be entered.
 - We will send an email to you as soon as is practical after the Supreme Court Clerk notifies
 the Board that the Court has entered the reinstatement order (we will send notice by email
 and by mail).
- Board staff will make inquiry concerning the attorney's compliance with requirements for payment of fees to the Board, filing the IOLTA statement, payment of professional privilege tax and mandatory CLE requirements.
- If you are delinquent in payment of any fees owed to the Board, professional privilege tax owed to the Tennessee Department of Revenue, or CLE compliance or fees owed to the Tennessee Commission on Continuing Legal Education, the Board will note that deficiency in our response to your petition. We will serve a copy of the Board's response on you and you will be required to clear the deficiency before the Court will grant your petition for reinstatement.
- You are required to show compliance with Tenn. Sup. Ct. R. 9, § 28. A sample affidavit or declaration is provided.
- Should you have questions, please don't hesitate to call or email the registration department (email registration@tbpr.org).

IN THE SUPREME COURT OF TENNESSEE AT NASHVILLE

IN RI	E:		9 :	BPR #			
An A	ttorney l	Licen	sed to Practi	ce Law in '	Tennesse	ee	
	(_		Insert City and State above)			
			Insert City and State above	ze			
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PURSUAN			FOR REINS			6(d)(2)	
Pur	suant		Tenn. Setitions for r	_			
law by submitt	ing the fo	-				1	
1. Peti the Supreme Co fees and/or fail	ourt on _			for failu	re to pay 1	registra	
2. Peti 9, § 28 and doc as <u>Exhibit A</u> .			filled the req emonstrating	=		_	
3. As following (selec		_	of this peti y):	tion, Petit	ioner ha	s done	the
a)	Paid	all ;	delinquen	t regist	tration	fees	on
b)	Filed	the ;	delinquent	registrat	ion stat	tement	on
c)	Paid	the	required	reinstat	tement	fees	on

- 4. Other than the current suspension for failure to pay registration fees/failure to submit a registration statement, I am not suspended from the practice of law for any other reason as of the filing of this petition.
- 5. A copy of this petition for reinstatement has been served on the Office of Disciplinary Counsel, 10 Cadillac Drive, Suite 220, Brentwood, Tennessee, 37027.

due to failure to pay registration	suspended for more than one (1) year fees or due to failure to submit a seeks reinstatement to
	Respectfully submitted:
	Petitioner (Signature of attorney above)
	, BPR #
	(Printed name above)
	Complete Mailing address is required:

DECLARATION OF PETITIONER

Because of the COVID-19 p	oandemic, I,
state that I do not have access to a	Notary Public and therefore make this
declaration under penalty of perju	ury and further state on my oath that
the information set forth in this	petition for reinstatement is true and
correct to the best of my informa	tion, knowledge, and belief, and have
signed the same with my	own hand this day of
, 2020.	
	(Signature of attorney above)
	, BPR #
	(Printed name above)

IN THE SUPREME COURT OF TENNESSEE AT NASHVILLE

IN RE:	, BPR #			
An Attorney Licensed to	o Practice Law in Tennessee			
(y and State above			
Insert Cit	y and State above			
EXHIBIT A TO PETITION FOR REINSTATEMENT DECLARATION IN COMPLIANCE WITH TENN. SUP. CT. R. 9, § 28				
Comes now the undersigned attorney, petition tates under penalty of perjury as follows:	ner in the foregoing Petition for Reinstatement and			
	Tennessee Supreme Court on thirty (30) days ago, I hereby submit the following \$ 28 regarding notice to clients, adverse parties, and			
receipt requested all clients I repending matters, and all oppose	notified by registered or certified mail with return represented in a pending matter, all co-counsel in sing counsel in pending matters or adverse parties. Vit proof of service on all parties requiring notice 9, § 28.			
	n and at all times since the suspension, I had no counsel or adverse parties requiring notification of nn. Sup. Ct. R. 9, § 28.			
DECLARATIO	N OF PETITIONER			
and further state on my oath that the informa	state that I do not be make this declaration under penalty of perjury ation set forth in this <i>Declaration in Compliance</i> correct to the best of my information, knowledge, with my own hand this day of			
	(Signature of attorney above) . BPR $\#$			
	(Printed name above)			