



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

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RE: GRACE INGRID GARDINER, BPR #023269
CONTACT: ALAN D. JOHNSON
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

August 31, 2021

KNOX COUNTY LAWYER SUSPENDED

On August 30, 2021, the Supreme Court of Tennessee entered an order suspending Grace Ingrid Gardiner from the practice of law for a period of three (3) years with four (4) months active suspension pursuant to Tennessee Supreme Court Rule 9, Section 12.2, and the remainder on probation pursuant to Tennessee Supreme Court Rule 9, Section 14.1. Ms. Gardiner must pay the Board for all costs in the disciplinary proceeding in the amount of \$2,391.03.

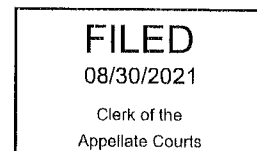
A Hearing Panel found that during representation of clients in Bankruptcy Court, Ms. Gardiner failed to comply with Rules of the Bankruptcy Court, including the following: 1) obtaining original "wet" signatures of clients on petitions and schedules; 2) permitting her name to be signed to a retainer agreement before she met the client; 3) presenting an agreed order continuing a hearing bearing the signature of the Chapter 13 Trustee who had not agreed to the continuance; 4) failing to take reasonable measures to ensure that her assistant complied with the Rules of the Bankruptcy Court; and 5) presenting to the Court a document bearing the forged signature of her client.

Ms. Gardiner violated Rules of Professional Conduct 1.1 (competence), 1.3 (diligence), 3.3 (candor toward the tribunal), 5.3 (responsibilities regarding nonlawyer assistants) and 8.4 (misconduct).

Ms. Gardiner must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 30.4, regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

Gardiner 2789 rel.doc

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE



IN RE: GRACE INGRID GARDINER, BPR #023269
An Attorney Licensed to Practice Law in Tennessee
(Knox County)

No. M2021-00944-SC-BAR-BP
BOPR No. 2017-2789-2-AJ

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Grace Ingrid Gardiner on November 9, 2017; upon Ms. Gardiner's Answer to Petition for Discipline filed on January 19, 2018; upon final hearing held on January 26 and 27, 2021; upon Judgment of the Hearing Panel entered on March 31, 2021; upon service of the Judgment of the Hearing Panel by the Executive Secretary of the Board on Ms. Gardiner's attorney on April 1, 2021; upon the Board's Application for Assessment of Costs filed on April 15, 2021; upon the Hearing Panel issuing its Findings and Judgment for Assessment of Costs on May 4, 2021; upon service of the Hearing Panel's Findings and Judgment for Assessment of Costs by the Executive Secretary of the Board on Ms. Gardiner and her attorney on May 4, 2021; upon consideration and approval by the Board on June 11, 2021; 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 Order of the Hearing Panel and adopts the Hearing Panel's Order as the Court's Order.

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

(1) Ms. Gardiner is suspended from the practice of law for three (3) years, pursuant to Tenn. Sup. Ct. R. 9, § 12.2, with four (4) months to be served as active suspension and the remainder on probation, subject to the following conditions of probation:

- (a) If Ms. Gardiner practices in any bankruptcy court during her probationary period, she shall, at her cost, engage a practice monitor who shall be selected and approved in accordance with Tenn. Sup. Ct. R. 9, § 12.9(c). The practice monitor shall meet with her on a monthly basis to review basic bankruptcy procedures. The practice monitor shall send monthly reports of these

meetings to the Board. Ms. Gardiner shall select three potential practice monitors and submit the names to the Board for final approval of a practice monitor.

- (b) Ms. Gardiner shall complete at least three hours of continuing legal education in 2021 regarding the rules and practice for Federal Courts and Federal Administrative Courts, including how documents are filed and prepared.
- (c) During the period of active suspension and probation, Ms. Gardiner 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. In the event that Ms. Gardiner violates or otherwise fails to meet said conditions of probation, Disciplinary Counsel shall be authorized to file a petition to revoke Ms. Gardiner's probation pursuant to Tenn. Sup. Ct. R. 9, § 14.2. Upon a finding that revocation is warranted, Ms. Gardiner shall serve the deferred period of suspension.

(2) Ms. Gardiner 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.

(3) Prior to seeking reinstatement, Ms. Gardiner must meet all CLE requirements; 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.

(4) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1, this Order shall be effective immediately.

(5) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3, Ms. Gardiner shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$2,391.03 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.

(6) 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