



**IN DISCIPLINARY DISTRICT II  
OF THE  
BOARD OF PROFESSIONAL RESPONSIBILITY  
OF THE  
SUPREME COURT OF TENNESSEE**

**IN RE: DEBRA FANNIN GRAHAM, Respondent  
BPR #15493, An Attorney  
Licensed to Practice  
Law in Tennessee  
(Anderson County)**

**FILE NO. 26016-2-SG**

---

**PUBLIC CENSURE**

---

The Respondent represented the Complainant in post divorce proceedings. The Complainant complains that the Respondent failed to advise him of a September 5, 2001 hearing on a Petition for Contempt filed against the Complainant. On September 4, 2001, the Respondent faxed Judge Davis a letter stating that "neither my client or myself have received any type of Petition or Notice of Hearing. I have a matter scheduled in Anderson County General Sessions Court, which, would prevent me from appearing." The September 5, 2001 hearing was held without the Respondent or the Complainant being present.

On September 5, 2001, the Court entered the following Order finding in part:

- 1). That notice was properly provided to the Respondent of the Petition for Contempt;
- 2). That proper notice of the Show Cause Order was provided to the Respondent as well as a copy of the Show Cause Order;
- 3). That no return by the postal authority of the Petition or the Show Cause Order was made to the Petitioner, the Petitioner's counsel or the court.

The Respondent states when she received the September 5, 2001 Order, she met with the Complainant on November 1, 2001, to discuss the Order. The Respondent further states she advised the Complainant that she would not represent the Complainant further until his \$1,380.00 balance was paid, and a new retainer for the new contempt petition was paid. The Respondent states the Complainant did not wish to pay any additional fees and therefore did not want the Respondent to set aside the Order. The Respondent provided the Board with a copy of the Respondent's November 1, 2001 letter to the Complainant which confirms the Respondent's position. The Complainant denies ever receiving the Respondent's November 1, 2001 letter. The Complainant states after he learned about the Order, while at the courthouse, he contacted the Respondent. At the November 1, 2001 meeting the Complainant states the Respondent told him the Respondent would take care of the Order. The Respondent's own billing statement reflects the Respondent met with the Complainant on March 21, 2002 "re: status".

The Respondent's actions and inactions violate DR 1-102(A)(1)(5)(6);  
DR 6-101(A)(3) and DR 7-101(A)(1)(2)(3)(4) of the Code of Professional Responsibility. For  
these actions and inactions, the Board of Professional Responsibility **publicly censures** the  
Respondent.

*Charles E. Carpenter*

---

Charles E. Carpenter, Chairman  
Board of Professional Responsibility  
of the Supreme Court of Tennessee

DATE: *July 17, 2003*

---