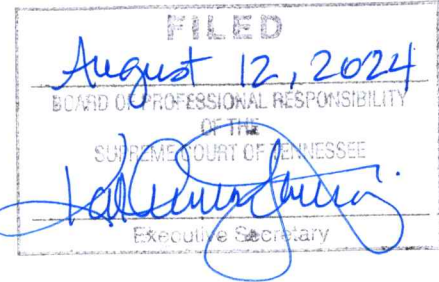


IN THE DISCIPLINARY DISTRICT III
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE



IN RE: ARTHUR C. GRISHAM,
Respondent.

DOCKET NO. 2024-3400-3-AW-12.3

REPORT AND RECOMMENDATIONS OF THE HEARING PANEL AFTER HEARING
PURSUANT TO TENNESSEE SUPREME COURT RULE 9, § 12.3(d)

On July 19, 2024, the Hearing Panel of the Board of Professional Responsibility comprised of Stacey Edmonson, Chair; Charles Grant; and Laurie McNulty heard this matter in Chattanooga, Tennessee for the purpose of making a report and recommendation to the Supreme Court. Russell Willis represented the Board of Professional Responsibility and Mr. Arthur C. Grisham acted pro se. After review of the pleadings, the testimony of the witness, and the exhibits entered at the hearing, the panel makes the following report and recommendations regarding the temporary suspension of Mr. Grisham's law license.

Procedural History

On March 19, 2024, Disciplinary Counsel, Tiffany D. Tant-Shafer of the Board of Professional Responsibility sent a Notice of Petition for Temporary Suspension via Regular Mail, Certified Mail, and email to Mr. Grisham. (see Exhibit 3). The catalyst for this Notice was a

complaint received by the Board of Responsibility wherein the Respondent failed to respond to the complaint as required. On April 29, 2024, the Supreme Court filed an Order of Temporary Suspension temporarily suspending the Respondent from the practice of law pursuant to Tenn. Sup. Ct. R.9, § 12.3. (see Exhibit 1). On May 20, 2024, the Respondent mailed a letter to the Clerk of the Appellate Court which along with a “Response to Notice of Order of Temporary Suspension” which was received on May 23, 2024, by the Board. (see Exhibit 2). Attached to the Response was a letter dated December 26, 2023, which was the purported response to the original complaint allegedly submitted months prior while Mr. Grisham was out of town visiting his son in Florida. Based on the pleadings, exhibits, and testimony at the hearing, the December 26, 2023, letter was not submitted to anyone on that date. The Board of Professional Responsibility filed a response to Mr. Grisham’s May 20, 2024, pleading on May 31, 2024. On June 11, 2024, the Supreme Court filed an Order which concluded “that factual disputes warrant a hearing under Tenn. Sup. Ct. R. 9, § 12.3(d).” Based upon the Order of June 11, 2024, the hearing panel was appointed, and this matter was heard on July 19, 2024.

Factual Conclusions

Based on the entirety of the proof submitted at the hearing, the panel makes the following findings of fact.

1. A complaint was filed against the Respondent with the Board of Professional Responsibility.
2. Mr. Grisham did not respond to the complaint until after the Order for Temporary Suspension was entered. Even though his intention may have been to do so, the proof shows that he did not respond until May 20, 2024.

3. Mr. Grisham inaccurately advised the Court that he had submitted the letter in December 2023 in his response to the Order of Temporary Suspension.
4. Mr. Grisham's practice for dealing with documents based on his testimony is that he creates the document in Word Perfect; he then prints and signs the document which is then scanned into his computer creating a PDF document; and after the PDF document is saved, he goes back and deletes the original Word Perfect document file.
5. Mr. Grisham's knowledge of computer programs is lacking. Mr. Grisham's testimony indicated a lack of understanding regarding creation dates and modification dates in both his creation of Word-Perfect documents and PDF documents.
6. The testimony of Mr. Grisham was that he was suffering from some medical ailments around the time of the May 20, 2024, response.
7. Mr. Grisham acknowledged at the hearing that he made a misrepresentation to the Court in his May 20, 2024, response regarding the submission of the letter to the Board in December 2023. Further, prior to the hearing, Mr. Grisham contacted Disciplinary Counsel and advised him of the same.
8. Disciplinary Counsel acknowledges that for the purpose of answering the original complaint that the letter in question would be sufficient as an answer to the original complaint.
9. Mr. Grisham has been temporarily suspended for 3 months as of the filing of this report and recommendation.

Recommendation of the Panel

Based on the proof before the panel, Mr. Grisham has responded to the complaint filed against him with the Board of Professional Responsibility. The lack of timeliness on his part in

that response has lost him the privilege to practice law for 3 months. Since the Respondent was candid with the panel and admitted his misrepresentation in his pleading both to the panel and to disciplinary counsel, the panel recommends reinstatement as the temporary suspension was based on the failure to respond to the complaint and that has been cured by the May 20, 2024 letter.

Respectfully submitted,



Stacey B. Edmonson, 021163
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/s/ Charles K. Grant by permission SBE

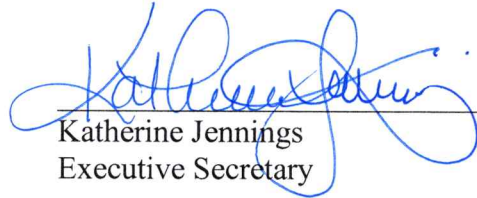
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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been sent to Arthur C. Grisham, via email at his registered address of art@grisham-atty.com, and to Russ Willis, Disciplinary Counsel, at rwillis@tbpr.org, on this the 12th day of August, 2024.


Katherine Jennings
Executive Secretary