



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

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RELEASE OF INFORMATION
RE: JORDAN JONES HAYS, BPR #031177
CONTACT: BRITTANY LAVALLE
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

February 19, 2020

TENNESSEE LAWYER CENSURED

Jordan Jones Hays of Staunton, Virginia was publicly censured by Order of Reciprocal Discipline entered by the Supreme Court of Tennessee on February 19, 2020. Ms. Hays received a public reprimand issued by the Virginia State Bar Disciplinary Board on August 7, 2019 for falsely communicating with two of her clients and later, their counsel.

On December 20, 2019, this Court entered a Notice of Reciprocal Discipline directing Ms. Hays to inform this Court, within thirty (30) days of receipt of the Notice, why the discipline imposed by the Virginia State Bar Disciplinary Board should not be imposed by this Court. Ms. Hays did not file a response with the Court as ordered.

Ms. Hays must pay the Board's costs and expenses and the court costs within ninety (90) days of the entry of the order.

Hayes 3059-0 rel.doc

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
02/19/2020
Clerk of the
Appellate Courts

IN RE: JORDAN JONES HAYS, BPR #031177
An Attorney Licensed to Practice Law in Tennessee
(Staunton City, Virginia)

No. M2019-02231-SC-BAR-BP
BOPR No. 2019-3059-0-BL-25

ORDER OF RECIPROCAL DISCIPLINE

This matter is before the Court pursuant to Tenn. Sup. Ct. R. 9, § 25, upon a Notice of Submission filed by the Board of Professional Responsibility (“Board”) containing a certified copy of *In the Matter of: Jordan Jones Hays VSB Docket No. 19-080-113789* Agreed Disposition Memorandum Order Public Reprimand with Terms entered August 7, 2019, by the Virginia State Bar Disciplinary Board reprimanding Jordan Jones Hays.

On December 20, 2019, this Court entered a Notice of Reciprocal Discipline requiring Ms. Hays to inform this Court within thirty (30) days of receipt of the Notice why reciprocal discipline should not be imposed in Tennessee pursuant to Tenn. Sup. Ct. R. 9, § 25.4 or, in the absence of a response demonstrating the grounds set forth in Tenn. Sup. Ct. R. 9, § 25.4, the Supreme Court of Tennessee will impose a similar discipline with identical terms and conditions based upon the public reprimand issued by the Virginia State Bar Disciplinary Board. Ms. Hays filed a Petition to Surrender Law License with the Supreme Court of Tennessee on November 8, 2019.

After careful consideration of the record in this matter, the Court finds, based upon the particular facts of this case, that none of the elements in Tenn. Sup. Ct. R. 9, § 25.4, exist. Accordingly, it is appropriate to enter an Order of Reciprocal Discipline.

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

- (1) Jordan Jones Hays shall be publicly censured pursuant to Tenn. Sup. Ct. R. 9, § 12.4 consistent with the discipline entered by the Virginia State Bar Disciplinary Board, attached to this Order as Exhibit A.

- (2) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3, Ms. Hays shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$100.00 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.
- (3) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1, this Order shall be effective upon entry.
- (4) 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

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

**IN THE MATTER OF
JORDAN JONES HAYS**

VS B DOCKET NO. 19-080-113789

FILED
02/19/2020
Clerk of the
Appellate Courts

**AGREED DISPOSITION MEMORANDUM ORDER
PUBLIC REPRIMAND WITH TERMS**

On August 7, 2019 this matter was heard by the Virginia State Bar Disciplinary Board upon the joint request of the parties for the Board to accept the Agreed Disposition signed by the parties and offered to the Board as provided by Part Six, § IV, ¶ 13-6 H of the Rules of the Supreme Court of Virginia. The panel consisted of Yvonne S. Gibney, Chair, Mary L. Daniel, Carolyn V. Grady, Kamala H. Lannetti, and Stephen A. Wannall, Lay Member. The Virginia State Bar was represented by Paulo E. Franco, Jr., Assistant Bar Counsel. Respondent Jordan Jones Hays was present. The Chair polled the members of the Board as to whether any of them were aware of any personal or financial interest or bias which would preclude any of them from fairly hearing the matter to which each member responded in the negative. Court Reporter Tracy J. Stroh, Chandler and Halasz, P.O. Box 9349, Richmond, Virginia 23227, telephone (804) 730-1222, after being duly sworn, reported the hearing and transcribed the proceedings.

WHEREFORE, upon consideration of the Agreed Disposition, the Certification, Respondent's Answer, Respondent's Disciplinary Record, the arguments of the parties, and after due deliberation,

It is **ORDERED** that the Disciplinary Board accepts the Agreed Disposition and the Respondent shall receive a Public Reprimand with Terms, as set forth in the Agreed Disposition, which is attached and incorporated in this Memorandum Order. The Board takes notice that Respondent transferred to Associate status as of July 30, 2019.

It is further **ORDERED** that the sanction is effective August 7, 2019.

It is further **ORDERED** that:

Exhibit A

The Clerk of the Disciplinary System shall assess costs pursuant to ¶ 13-9 E. of the Rules.

It is further ORDERED that an attested copy of this Order be mailed to the Respondent by certified mail, return receipt requested, at P.O. Box 3146, Staunton, VA 24402 last address of record with the Virginia State Bar, a copy by regular mail to Respondent's alternate address of record, 1440 Dogwood Road, Staunton, VA 24401 and a copy hand-delivered to Paulo E. Franco, Jr. Assistant Bar Counsel, Virginia State Bar, Suite 700, 1111 E. Main Street, Richmond, VA 23219.

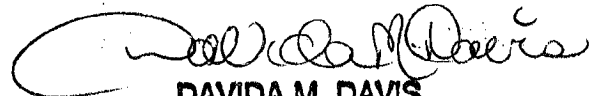
Enter this Order this 7th day of August, 2019
VIRGINIA STATE BAR DISCIPLINARY BOARD

Yvonne S. Gibney

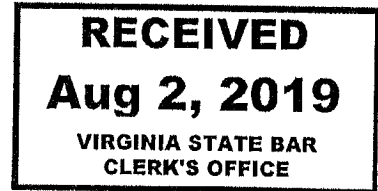
Digitally signed by Yvonne S. Gibney
Date: 2019.08.07 16:22:42 -04'00'

Yvonne S. Gibney, Second Vice Chair

A COPY TESTE:



DAVIDA M. DAVIS
CLERK OF THE DISCIPLINARY SYSTEM



VIRGINIA :

BEFORE THE DISCIPLINARY BOARD
OF THE VIRGINIA STATE BAR

IN THE MATTER OF
JORDAN JONES HAYS

VS B Docket No. 19-080-113789

**AGREED DISPOSITION
(PUBLIC REPRIMAND WITH TERMS)**

Pursuant to the Rules of the Supreme Court of Virginia, Part 6, Section IV, Paragraph 13-6.H., the Virginia State Bar, by Paulo E. Franco, Jr., Assistant Bar Counsel and Jordan Jones Hays, Respondent, hereby enter into the following Agreed Disposition arising out of the referenced matter.

I. STIPULATIONS OF FACT

1. At all times relevant, Respondent was an active member in good standing with the Virginia State Bar.

2. Respondent was admitted to practice law in the Commonwealth of Virginia on October 31, 2013.

3. Respondent was first admitted to practice law in the state of Tennessee in 2012.

4. In 2013, Respondent joined the Raynor Law Office, P.C. in Charlottesville and was named an associate after becoming an active member of the Virginia State Bar.

5. While she worked as an associate at the Raynor Law Firm, Respondent practiced in the area of family law.

6. In 2015, the law firm of Timberlake, Smith, Thomas & Moses, P.C. in Staunton, Virginia hired Respondent as an associate primarily practicing family law.

7. Prior to joining Timberlake Smith, Respondent had never tried a case or ever been responsible for her own billing.

8. Respondent reported to and was supervised by Rosalie Fessier, a partner at Timberlake Smith.

9. According to Respondent, her caseload started out at around ten to fifteen cases, and steadily grew to about 50 open matters.

10. In 2017, two of the files that Respondent handled were for clients named Jonathan Lihos and Philip Corbeil. Mr. Lihos was local in Virginia but Mr. Corbeil lived in Massachusetts.

11. Sometime in 2018, Respondent's paralegal, April Wilson, fielded phone calls from Mr. Lihos and Mr. Corbeil.

12. Based on the statements the clients made and the status of the work that Respondent had done, Ms. Wilson became suspicious that the clients were being given false and inaccurate updates of their cases.

13. Ms. Wilson advised Ms. Fessier of her concerns.

14. In the Lihos matter, Respondent was engaged to assist him in custody, visitation, and support matters. During the pendency of that representation, Mr. Lihos asked Respondent to assist him in obtaining a divorce.

15. Ms. Fessier discovered that Respondent had made numerous false and misleading statements to Mr. Lihos about the status of his case.

16. By way of example and not limitation, Respondent had advised Mr. Lihos that she had completed filings and had obtained a trial date.

17. At the time Respondent advised Mr. Lihos of the work she had allegedly done on his behalf; those statements were false.

18. With respect to Mr. Corbeil's case, Respondent falsely communicated to him that she docketed a judgment with the court and had filed a motion to modify custody and visitation.

19. During the time that Mr. Corbeil was represented locally by Respondent, he had counsel in Massachusetts named Andrea Dunbar.

20. Over the course of the representation, Respondent falsely advised Ms. Dunbar that there had been a delay caused by the court clerk's office in getting a hearing.

21. According to Ms. Dunbar, Respondent led her to believe that she was doing work to move Mr. Corbeil's case forward.

22. During her investigation of these matters, Ms. Fessier discovered evidence that she concluded were steps Respondent had taken to conceal her misconduct.

23. Ms. Fessier also discovered that Respondent had billed her clients for work that she never performed.

24. As a result of the concerns raised in Lihos matter, Ms. Fessier undertook an audit of Respondent's files and confronted her about her findings.

25. Respondent tendered her resignation in writing prior to a meeting that Ms. Fessier had requested to discuss the concerns she had with Respondent's handling of the Lihos and Corbeil files.

26. During the pendency of this investigation, Respondent was cooperative with Assistant Bar Counsel and the Virginia State Bar Investigator.

27. Respondent has shown remorse for her actions and has admitted to the Misconduct as set forth herein.

28. Respondent states that she was overwhelmed and not prepared to handle the demands of her caseload while working at Timberlake, Smith, Thomas & Moses.

29. Respondent further represents that she intends to change her status with the Virginia State Bar to Associate as she has been accepted into a graduate degree program at James Madison University and intends to leave the active practice of law in the fall of 2019.

30. At this time, she has limited her practice to acceptance of court appointments as *guardian ad litem*.

31. In the event that Respondent decides to return to the active practice of law she recognizes that she will be bound by the terms and alternative sanction set forth in this Agreed Disposition.

II. NATURE OF MISCONDUCT

Such conduct by the Respondent constitutes misconduct in violation of the following provisions of the Rules of Professional Conduct:

RULE 1.3 Diligence

(a) A lawyer shall act with reasonable diligence and promptness in representing a client.

(b) A lawyer shall not intentionally fail to carry out a contract of employment entered into with a client for professional services, but may withdraw as permitted under Rule 1.16.

(c) A lawyer shall not intentionally prejudice or damage a client during the course of the professional relationship, except as required or permitted under Rule 1.6 and Rule 3.3.

* * * *

RULE 1.4 Communication

(a) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

(b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

* * * *

RULE 4.1 Truthfulness In Statements To Others

In the course of representing a client a lawyer shall not knowingly:

(a) make a false statement of fact or law;

* * * *

RULE 8.4 Misconduct

It is professional misconduct for a lawyer to:

(b) commit a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness or fitness to practice law;

(c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation which reflects adversely on the lawyer's fitness to practice law.

* * * *

III. PROPOSED DISPOSITION

Accordingly, Assistant Bar Counsel and the Respondent tender to the Disciplinary Board for its approval the agreed disposition of **PUBLIC REPRIMAND with TERMS** as representing an appropriate sanction if this matter were to be heard through an evidentiary hearing by a panel of the Disciplinary Board. The terms with which the Respondent must comply are as follows:


1. In the event that Respondent returns to the active practice of law, she shall be in full compliance with the Rules of the Supreme Court of Virginia regarding membership obligations, MCLE obligations (if any), and shall have paid all administrative fees and costs associated with this matter.
2. Upon her return to the active practice of law, Respondent shall be on a period of probation for two years from the date the Virginia State Bar designates her license as active ("Probation Period").
3. If Respondent is found to be in violation of Rule 8.4 during the Probation Period, she agrees that as an alternative sanction her license to practice law shall be suspended for a period of six months. Such suspension shall be in addition to any additional discipline Respondent may receive and such additional discipline shall be consecutive

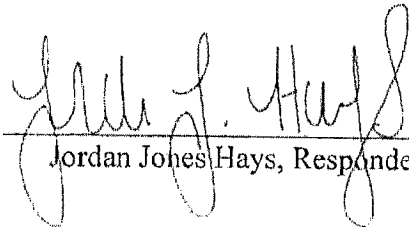
and not concurrent in the event that the discipline received in the underlying case involves suspension of her license.

4. If Respondent is found to be in violation of any other rule of the Virginia Rules of Professional Conduct during the Probation Period, she agrees that as an alternative sanction her license to practice law shall be suspended for a period of thirty days. Such suspension shall be in addition to any additional discipline Respondent may receive and such additional discipline shall be consecutive and not concurrent in the event that the discipline received in the underlying case involves suspension of her license.
5. Compliance with terms set forth herein shall be determined by the Disciplinary Board of the Virginia State Bar in accordance with Part 6, Section IV, Paragraph 13-18.O of the Rules of the Supreme Court of Virginia.

If the Agreed Disposition is approved, the Clerk of the Disciplinary System shall assess costs pursuant to ¶ 13-9.E of the Rules.

THE VIRGINIA STATE BAR

By: 
Paulo E. Franco, Jr., Assistant Bar Counsel


Jordan Jones Hays, Respondent