

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

IN RE: Tiffany Marcilynne Johns, BPR NO. 27860
Respondent, an attorney licensed
to practice law in Tennessee
(Williamson County)

FILE NO. 35409-5-ES

PUBLIC CENSURE

The above complaint was filed against Tiffany Marcilynne Johns, an attorney licensed to practice law in Tennessee, alleging certain acts of misconduct. Pursuant to Tenn. Sup. Ct. R. 9, the Board of Professional Responsibility considered these matters at its meeting on December 6, 2013.

Respondent represented a party in a child custody matter in Kentucky. Respondent was admitted *pro hac vice* in Kentucky, and filed a motion to have the matter transferred to Tennessee where the parties' divorce had been finalized. At a hearing on July 2, 2012, Respondent falsely told the Kentucky Judge that Respondent had spoken with a Kentucky Court of Appeals Judge about the applicability of the Uniform Child Custody Jurisdiction and Enforcement Act in Kentucky. At a hearing on July 25, 2012, Respondent falsely told the Kentucky Judge that Respondent had spoken with a "female justice, her law clerk" of the Kentucky Court of Appeals on the matter.

After Respondent filed a petition to terminate the opposing party's parental rights in Tennessee, Respondent called the Tennessee Judge and left a message inquiring whether the Uniform Child Custody Jurisdiction and Enforcement Act would apply to the matter.

Finally, in response to a direct question from the Kentucky Judge, Respondent told the Judge that a hearing was set in the Tennessee matter on a particular date. In fact, no hearing had been docketed with the court clerk, and the opposing party had not been served with notice of the hearing or the petition.

By the aforementioned acts, Tiffany Marcellyne Johns has violated Rules of Professional Conduct Rule 3.3(a) (candor to the tribunal) and 3.5(b) (*ex parte* communication with tribunal).

FOR THE BOARD OF
PROFESSIONAL RESPONSIBILITY



J. Russell Parkes, Chair

1/22/14
Date