



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

10 CADILLAC DRIVE, SUITE 220
BRENTWOOD, TENNESSEE 37027
TELEPHONE: (615) 361-7500
(800) 486-5714
FAX: (615) 367-2480
E-MAIL: ethics@tbpr.org
Website: www.tbpr.org

RELEASE OF INFORMATION
RE: JAMES LESTER KENNEDY, BPR #5453
CONTACT: ALAN D. JOHNSON
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

July 20, 2017

KNOX COUNTY LAWYER SUSPENDED

On July 20, 2017, the Supreme Court of Tennessee entered an order suspending James Lester Kennedy from the practice of law for a period of one (1) year, pursuant to Tennessee Supreme Court Rule 9, Section 12.2. Mr. Kennedy must pay the Board's costs and expenses within ninety days of the entry of the Order.

Mr. Kennedy served as the executor of an estate that was opened in 1987. In 2009, approximately twenty-two (22) years after the estate was opened, the beneficiaries discovered that the estate had not been closed; that Mr. Kennedy had ignored repeated orders by the Court to appear and settle; and in 2000, the Court had retired the case due to inactivity. After repeated failures to comply with court orders to provide an accounting, the Court found Mr. Kennedy in contempt and removed him as executor.

The hearing panel found that Mr. Kennedy's conduct violated Tennessee Rules of Professional Conduct 1.1, (competence), 1.3 (diligence), 3.4 (fairness to opposing party and counsel) and 8.4 (misconduct).

Mr. Kennedy must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 18 and 30, regarding the obligations and responsibilities of suspended attorneys and may not return to the active practice of law until an order of reinstatement has been entered by the Supreme Court.

Kennedy 2618rel.doc

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

07/20/2017

Clerk of the
Appellate Courts

IN RE: JAMES LESTER KENNEDY, BPR #005453

An Attorney Licensed to Practice Law in Tennessee
(Knox County)

No. M2017-01460-SC-BAR-BP

BOPR No. 2016-2618-2-AJ

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against James Lester Kennedy on August 18, 2016; upon Motion for Default Judgment and that Allegations Contained in the Petition for Discipline be Deemed Admitted filed on October 24, 2016; upon Order Granting Motion for Default entered on November 9, 2016; upon Order of the Hearing Panel entered on March 13, 2017; upon service of the Order on Mr. Kennedy by the Executive Secretary of the Board on March 13, 2017; upon Judgment on Board of Professional Responsibility's Application for Assessment of Costs entered on April 3, 2017; upon service of the Judgment on Board of Professional Responsibility's Application for Assessment of Costs on Mr. Kennedy by the Executive Secretary of the Board on April 4, 2017; upon consideration and approval by the Board on May 17, 2017; 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 Judgment as the Court's Order.

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

(1) James Lester Kennedy is suspended from the practice of law for one (1) year, pursuant to Tenn. Sup. Ct. R. 9, § 12.2.

(2) Prior to seeking reinstatement, Mr. Kennedy must have met 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.

(3) Additionally, Mr. Kennedy 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.

(4) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1 (2014), this Order shall be effective upon entry.

(5) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d) (2014), Mr. Kennedy shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$1,256.09 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 (2014).

PER CURIAM