

FILED

08/02/2019

Clerk of the
Appellate Courts

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: EDWARD LEE KERSHAW, BPR #016775

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

No. M2019-01262-SC-BAR-BP

BOPR No. 2018-2846-1-WM

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Edward Lee Kershaw on April 2, 2018; upon Response to Petition for Discipline filed by Mr. Kershaw on May 1, 2018; upon the Findings and Judgment of the Hearing Panel entered on September 20, 2018; upon the Hearing Panel's Order for Assessment of Costs entered on October 15, 2018; upon a Petition for Panel Hearing Review and Appellate Brief for Edward Lee Kershaw filed on November 16, 2018; upon a Memorandum and Order entered by the Chancery Court of Greene County on May 10, 2019; upon Finding and Judgment For Assessment of Costs entered by the Chancery Court of Greene County on June 5, 2019; upon expiration of the appeal period with no appeal taken; and upon the entire record in this cause.

On July 23, 2019, Mr. Kershaw filed a response to the Board of Professional Responsibility's protocol memorandum. On July 31, 2019, the Board of Professional Responsibility filed a reply to Mr. Kershaw's response. After due consideration, the Court approves the Memorandum and Order of the Chancery Court of Greene County and adopts the Chancery Court's Memorandum and Order as the Court's Order.

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

(1) Mr. Edward Lee Kershaw is suspended from the practice of law for four (4) months with thirty (30) days to be served as an active suspension, pursuant to Tenn. Sup. Ct. R. 9, § 12.2, and the remaining three (3) months to be served on probation, pursuant to Tenn. Sup. Ct. R. 9, § 14.1, subject to the following conditions of probation:

(a) Mr. Kershaw shall contact the Tennessee Lawyers Assistance Program (TLAP) for evaluation. If TLAP determines that a

monitoring agreement is appropriate, Mr. Kershaw shall comply with the terms and conditions of the TLAP monitoring agreement.

- (b) During the period of suspension and probation, Mr. Kershaw shall incur no new complaints of misconduct that relate to conduct occurring during the period of suspension and probation and which results in the recommendation by the Board that discipline be imposed.

(2) In the event Mr. Kershaw fails to meet any condition of probation, the probation may be revoked pursuant to Tenn. Sup. Ct. R. 9, § 14.2 (2014).

(3) Prior to seeking reinstatement, Mr. Kershaw 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.

(4) Additionally, Mr. Kershaw 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.

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

(6) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(f) (2014), Mr. Kershaw shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$4,524.94 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.

(7) 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