



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

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RELEASE OF INFORMATION
RE: JAMES LESTER KENNEDY, BPR #005453
CONTACT: A. RUSSELL WILLIS
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

June 5, 2019

KNOX COUNTY LAWYER SUSPENDED

On June 5, 2019, the Supreme Court of Tennessee entered an order suspending James Lester Kennedy from the practice of law for a three (3) year period, pursuant to Tennessee Supreme Court Rule 9, Section 12.2, and directing payment to the Board for all costs in the disciplinary proceeding.

Mr. Kennedy knowingly made appearances in Knox County Probate Court and filed pleadings in cases pending in New York and Pennsylvania without informing the Court and opposing counsel of his one (1) year suspension on July 20, 2017. In addition to misleading courts and opposing counsel, Mr. Kennedy failed to provide substantive responses to the Board's requests for information regarding the disciplinary complaint. Mr. Kennedy's conduct violated Rules of Professional Conduct 5.5 (unauthorized practice of law); 3.3 (candor toward the tribunal); 8.1 (bar admissions and disciplinary matters) and 8.4(a), (c), (d) and (g) (misconduct).

Mr. Kennedy was suspended from the practice of law on July 20, 2017, and has not been reinstated by the Supreme Court. Until the entry of an order reinstating Mr. Kennedy's law license, he is precluded from practicing law; using any indicia of lawyer, legal assistant, or law clerk; or maintaining a presence where the practice of law is conducted.

Mr. Kennedy must notify all clients being represented in pending matters, as well as co-counsel and opposing counsel, of the Supreme Court's Order suspending his law license. Mr. Kennedy is required to deliver to all clients any papers or property to which they are entitled.

Mr. Kennedy must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 30.4, regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
06/05/2019
Clerk of the
Appellate Courts

IN RE: JAMES LESTER KENNEDY, BPR #005453
An Attorney Licensed to Practice Law in Tennessee
(Knox County)

No. M2019-00926-SC-BAR-BP
BOPR No. 2018-2906-2-AW

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline against James Lester Kennedy, filed August 27, 2018; upon the Board's Motion for Default Judgment and that Charges in Petition for Discipline Be Deemed Admitted filed December 11, 2018; upon the Hearing Panel's Order Granting Default Judgment entered on December 28, 2018; upon the hearing conducted on February 1, 2019; upon the Hearing Panel's Findings of Fact, Conclusions of Law and Judgment entered on February 25, 2019; upon service of the Findings of Fact, Conclusions of Law and Judgment by the Executive Secretary of the Board on February 26, 2019; upon the Board's Application for Assessment of Costs on February 26, 2019; upon the Hearing Panel's entry of its Findings and Judgment on Costs on March 19, 2019; upon consideration and approval by the Board on March 8, 2019; 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 recommendation of the Hearing Panel and adopts the Hearing Panel's Findings of Fact, Conclusions of Law and Judgment suspending Mr. Kennedy for three (3) years.

On July 20, 2017, Mr. Kennedy was suspended from the practice of law for one (1) year in case number M2017-01460-SC-BAR-BP. Mr. Kennedy has neither requested nor been granted reinstatement to the practice of law.

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

(1) James Lester Kennedy is suspended from the practice of law for three (3) years, 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) 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, § 31.3(d), Mr. Kennedy shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$511.66 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.

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

(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.

PER CURIAM