



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

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RELEASE OF INFORMATION
RE: ERIC JOHN MONTIERTH, BPR #031679
CONTACT: ANDREW B. CAMPBELL
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

October 13, 2023

ROANE COUNTY LAWYER SUSPENDED

Effective October 13, 2023, the Supreme Court of Tennessee suspended Eric John Montierth from the practice of law for two years with 18 months active suspension retroactive to September 23, 2022, pursuant to Tennessee Supreme Court Rule 9, Section 12.2, with the remainder served on probation. The suspension is conditioned upon incurring no new complaints of misconduct that relate to conduct occurring during the period of suspension and probation, engagement of a practice monitor, evaluation by Tennessee Lawyers Assistance Program, payment of Board costs and payment of restitution to four clients in the aggregate amount of \$15,500.00.

Mr. Montierth 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. Montierth is required to deliver to all clients any papers or property to which they are entitled.

Mr. Montierth failed to communicate with clients adequately about closing his practice, failed to transition his clients to other lawyers, and failed to refund unearned fees. Mr. Montierth advised a number of his clients that their cases, files and fees had been transferred to another law firm, when—in fact—no such transfers had occurred. This conduct caused injury to his clients.

Mr. Montierth executed a Conditional Guilty Plea acknowledging his conduct violated Tennessee Rules of Professional Conduct 1.3 (diligence), 1.4 (communication), 1.5 (fees), 1.16 (termination of representation), 3.4 (fairness to opposing party and counsel), 8.1(b) (disciplinary matters), 8.4(a) (violation of the Rules of Professional Conduct), and 8.4(d) (prejudice to the administration of justice).

Mr. Montierth must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 30, regarding the obligations and responsibilities of suspended attorneys.