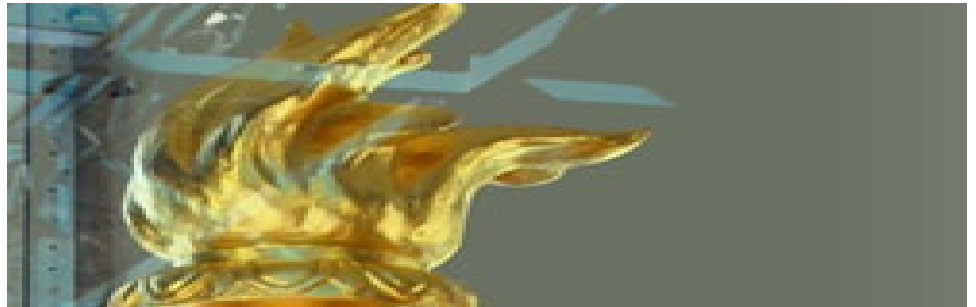


BOARD NOTES

published by the
Board of Professional Responsibility
of the
Supreme Court of Tennessee

Spring 2024



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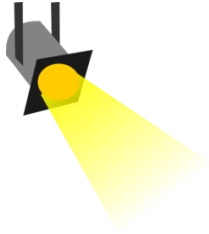
Greeting from Jennifer S. Hagerman

Chair, Board of Professional Responsibility

It is my privilege to serve as the Chair of the Board of Professional Responsibility and to work alongside so many dedicated and talented attorneys and staff in carrying out the important mission of the Board. As Justice Page noted in his Greeting in the Fall 2023 Board Notes, legal work can be stressful at times but it can also be immensely rewarding. Many of us were drawn to the legal profession because it offers opportunities to help others, whether it be an individual or a company, face difficult situations, address unfortunate problems or even avoid such circumstances. While many attorneys often think only of the disciplinary role of the Board, the Board also offers help to attorneys and citizens throughout Tennessee. Last fiscal year, for example, Ethics Counsel and Disciplinary Counsel responded to 2,150 phone calls and internet inquiries from attorneys seeking ethical guidance. We strongly encourage any attorney with questions regarding ethical compliance to seek assistance from the Board and, hopefully, avoid a difficult circumstance.

We are very grateful to Justice Page for his service as the current Tennessee Supreme Court liaison to the Board. Justice Page previously served as the liaison from approximately Fall 2016 through Fall 2019, and we appreciate his willingness to return to the role. While he will certainly be missed when he retires in August, we wish him all the best in his next chapter and thank him for his excellent work both with the Board and, most notably, on the Tennessee Supreme Court.

The Board appreciates the opportunity to serve the fine lawyers of Tennessee, and we hope that the information contained within this edition of Board Notes will be of assistance to all the groups we serve.



Board of Professional Responsibility's 2024 Ethics Workshop

The Board of Professional Responsibility is excited to announce the 2024 Ethics Workshop will be held on Friday, November 1, 2024 at Belmont University Law School. The Workshop will again be offered in a hybrid format, with attendees having the option to attend in person or via livestream. As always, attendees will have the opportunity to earn 6.5 dual CLE credits. Tickets will go on sale early August 2024. Once ticket sales are posted, an email will be sent to Tennessee attorneys with instructions to register. Additional details about the Workshop's program and registration will be available on the Board's website in the coming months.

Accepting Referrals from Intermediary Organizations

Steven J. Christopher¹

The Tennessee Rules of Professional Conduct contain requirements for lawyers who generate business through intermediary organizations. The term “intermediary organizations” in Tennessee’s ethical rules refers to a wide spectrum of organizations created to assist prospective clients in locating lawyers with requisite competence and experience in particular fields of practice. Intermediary organizations have become an attractive option for consumers seeking legal services, and for lawyers seeking innovative and nontraditional means of obtaining legal work. This article will summarize the ethical concerns that have been raised when lawyers accept referrals from intermediary organizations, and practice suggestions for how lawyers can work with intermediary organizations in compliance with their ethical responsibilities.

The Tennessee Rules of Professional Conduct contain the following definition of an intermediary organization:

An intermediary organization is a lawyer-advertising cooperative, lawyer referral service, lawyer matching service, online marketing platform, prepaid legal insurance provider, or other similar organization that engages in referring consumers of legal services to lawyers or facilitating the creation of lawyer-client relationships between consumers of legal services and lawyers willing to provide assistance for which the organization does not bear ultimate responsibility. A tribunal appointing or assigning lawyers to represent parties before the tribunal or a government agency performing such functions on behalf of a tribunal is not an intermediary organization under this Rule.²

The definition broadly encompasses a number of different types of organizations that facilitate the creation of lawyer-client relationships and operate under a business model where the lawyer who receives the referral, rather than the referring organization, bears ultimate responsibility for the underlying lawyer-client

¹ Deputy Chief Disciplinary Counsel of Investigations at the Tennessee Board of Professional Responsibility of the Supreme Court of Tennessee.

² TENN. SUP. CT. R. 8, Rule 7.6(a). The Tennessee Rules of Professional Conduct, codified at Rule 8 of the Tennessee Supreme Court Rules, will be cited as RPC __.

relationship that arises.³ The Comments to RPC 7.6 confirm that the definition includes both non-profit organizations and for-profit organizations.⁴ RPC 7.6(a) identifies common types of organizations that fall within its scope, but the inclusion of the term “other similar organization” confirms that this list is not intended to be exhaustive.⁵

While the definition is broad, it expressly excludes the circumstance where a tribunal appoints or assigns counsel in a legal proceeding or where a government agency does so on behalf of a tribunal.⁶ The practice of insurance carriers providing insurance defense counsel for their insureds is additionally excluded in the Comments to RPC 7.6.⁷

Ethical Concerns Raised by Intermediary Organizations

Tennessee’s present codification of RPC 7.6 provides express confirmation that attorneys may accept referrals from intermediary organizations. The Comments to RPC 7.6 further acknowledge the functional role played by intermediary organizations in facilitating the creation of attorney-client relationships.⁸ However,

³ Id.

⁴ RPC 7.6, Comment [1].

⁵ Id.

⁶ Id.

⁷ RPC 7.6, Comment [1]. This exclusion is also implicit in the definition, as insurance carriers ultimately bear liability for their insureds.

⁸ RPC 7.6, Comment [1] provides that “lawyers and nonlawyers alike have formed a variety of organizations designed to bring clients and lawyers together and to provide a vehicle through which the lawyers can be fairly compensated, and the clients can afford the services they need.”

Tennessee and other state jurisdictions have also expressed recurring concerns about the ethical problems that can arise when lawyers work with intermediary organizations.⁹

A principal ethical concern is the issue of fee sharing.¹⁰ Model Rule 5.4(a) generally prohibits a lawyer from sharing fees with a nonlawyer unless one of the exceptions identified at Model Rule 5.4(a)(1)-(4) is applicable.¹¹ Tennessee and a majority of jurisdictions follow the Model Rule's general prohibition.¹² Tennessee's RPC 5.4 contains an exception to the general prohibition at RPC 5.4(a)(6) permitting a lawyer to pay an intermediary organization a referral fee calculated by reference to a reasonable percentage of the fee paid to the lawyer by the client referred to the lawyer by the non-profit intermediary organization, but this exception is limited to non-profit intermediary organizations.¹³ The exception to RPC 5.4(a) found at RPC 5.4(a)(4) is also potentially applicable to non-profit intermediary organization referrals, as it provides that a

⁹ As discussed *infra*, the American Bar Association's Model Rules (hereinafter, the "Model Rules") and the majority of state jurisdictions do not use the term "intermediary organization" and instead employ different terminology. However, while Tennessee's ethical rules differ from the Model Rules and the majority of state jurisdictions in its present methodology, Tennessee's present rules reflect the same ethical concerns that have been raised by the ABA and state jurisdictions.

¹⁰ See, e.g., Va. Legal Ethics Op. 1885 (November 8, 2018); N.C. Ethics Op. 2004-1 (2004); R.I. Sup. Ct. Ethics Advisory Panel Op. No. 2005-01; N.Y. State Bar Ass. Comm. on Prof. Ethics Op. 1132 (August 8, 2017); Sup. Ct. of Ohio Board of Prof. Conduct Op. 2016-3 (2016).

¹¹ Model Rule 5.4(a) exempts from its general prohibition (1) an agreement by a lawyer with the lawyer's firm for provision of payment of money after the lawyer's death to the lawyer's estate; (2) a lawyer's purchase of the practice of a deceased, disabled, or disappeared lawyer; (3) a lawyer or law firm inclusion of nonlawyer employees in a compensation or retirement plan; and (4) a lawyer's sharing of a court-awarded legal fee with a nonprofit organization.

¹² RPC 5.4(a).

¹³ RPC 5.4(a)(6). The Model Rules and a majority of other jurisdictions include an analogous exception in their Rule 5.4.

lawyer may share a court-awarded fee with a non-profit organization that employed, retained, *or recommended* employment of the lawyer in the matter [emphasis added].

A closely related ethical concern is the potential for the intermediary organization to direct or regulate the lawyer's professional judgment in their representation of referred clients.¹⁴ Such interference with a lawyer's professional judgment is prohibited by Model Rule 5.4(c), followed by Tennessee and the majority of state jurisdictions. Such a concern is understandable given the dynamic between intermediary organizations and lawyers. Lawyers who rely heavily on referrals to generate business are potentially susceptible to improper directives and regulation from the intermediary organization and may be willing to continue a relationship in spite of acknowledged ethical problems due to a concern for loss of the revenue stream.¹⁵

Legal authorities have also raised concern that accepting referrals from intermediary organizations would potentially violate the jurisdiction's ethical prohibition of lawyers compensating a person who is not an employee of the lawyer for the purpose of recommending the lawyer's services.¹⁶ This general prohibition is found at Model Rule 7.2(b), followed by the majority of jurisdictions, including Tennessee in its present RPC 7.3(f). Jurisdictions have addressed this issue by codifying an exemption to their jurisdiction's ethical rule for

¹⁴ See Sup. Ct. of Ohio Bd. of Prof. Conduct Op. 2016-3; Pa. Formal Op. 2016-200 (2016); D.C. Legal Ethics Op. 369 (2015).

¹⁵ See Supreme Court of Ohio Board of Prof. Conduct Op. 2016-3. The Ohio Board stated that in the typical referral arrangement, "[t]he company, not the lawyer, defines the type of services offered, the scope of the representation, and the fees charged. The model is antithetical to the core components of the client-lawyer relationship because the lawyer's exercise of independent professional judgment on behalf of the client is eviscerated."

¹⁶ See, e.g., Ariz. Ethics Op. 10-01 (2010); D.C. Ethics Op. 369 (2015); Ill. Ethics Op. 15-04 (2015); Neb. Ethics Op. 14-01 (2014); Or. Ethics Op. 2005-79 (2005); R.I. Ethics Op. 95-5 (1995).

intermediary organizations and/or placing restrictions on an attorney's acceptance of referrals regarding this prohibition.¹⁷

Regulation of Intermediary Organizations in Tennessee Prior to December 15, 2021

Tennessee's methodology for regulating the relationship between intermediary organizations and lawyers significantly changed following entry of a Tennessee Supreme Court order on December 15, 2021, effective January 1, 2022. Prior to entry of the Tennessee Supreme Court's order, intermediary organizations which sought to do business in Tennessee were subject to regulatory requirements governed by Rule 44 of the Tennessee Supreme Court Rules (hereinafter, "Rule 44"). Lawyers who worked with registered intermediary organizations were also subject to requirements governed by the prior codification of RPC 7.6.¹⁸ In its December 15, 2021 order, the Tennessee Supreme Court deleted Rule 44 and made corresponding revisions to RPC 7.6.

¹⁷ The Model Rule contains an exemption for the "usual charges of a legal service plan or a not for profit or qualified lawyer referral service" at Model Rule 7.2(b)(2), and Tennessee contains an analogous exemption for intermediary organizations at RPC 7.3(2), providing that an attorney may "pay the usual charges of an intermediary organization as permitted by RPC 7.6."

¹⁸ The definition of an "intermediary organization" in Rule 44 and in the prior RPC 7.6 was similar, but not identical, to the present definition in the revised RPC 7.6. An intermediary organization was defined as "a lawyer-advertising cooperative, lawyer referral service, prepaid legal insurance provider, or a similar organization the business or activities of which include the referral of its customers, members, or beneficiaries to lawyers for the performance of fee-generating legal services or the payment for or provision of legal services to the organizations' customers, members, or beneficiaries in matters for which the organization does not bear ultimate responsibility. A tribunal appointing or assigning lawyers to represent parties before the tribunal or a government agency performing such functions on behalf of a tribunal is not an intermediary organization under this rule." TENN. SUP. CT. R. 44 (2021) and RPC 7.6(a) (2021).

Rule 44 designated regulation of intermediary organizations to the Tennessee Board of Professional Responsibility of the Supreme Court of Tennessee (hereinafter, the “Board”).¹⁹ Organizations that fell within the definition of an intermediary organization were required to make application to the Board for approval as a registered intermediary organization prior to doing business in Tennessee. Registered intermediary organizations were required to submit additional documentation on an annual basis to remain approved as an intermediary organization.²⁰ Approved organizations that failed to comply with the requirements created by Rule 44 were subject to revocation of their status as a registered organization.²¹

Tennessee’s RPC 7.6 prior to entry of the Tennessee Supreme Court’s December 15, 2021 order prohibited lawyers from seeking or accepting referrals from an organization falling within the definition unless the organization was registered with the Board as an approved intermediary organization.²² Lawyers were additionally prohibited from seeking or accepting referrals from an organization, even if approved by the Board, if the organization was owned or controlled by the lawyer or law firm with which the lawyer is associated, the organization was engaged in the unauthorized practice of law, or the organization engaged in marketing activities that were false or misleading.²³

¹⁹ TENN. SUP. CT. R. 44(A)(2021).

²⁰ Id.

²¹ Id. at 44(F)(1).

²² RPC 7.6(b)(iv).

²³ RPC 7.6(b)(i)-(iii).

The Present Model

The Tennessee Supreme Court's December 15, 2021 order deleting Rule 44 did not create another regulatory scheme governing the conduct of intermediary organizations. Consequently, effective January 1, 2022, intermediary organizations in Tennessee are no longer subject to regulation by the Board or other state regulatory authority regarding their status as an intermediary organization.

The Tennessee Supreme Court's December 15, 2021 order made significant amendments to RPC 7.6. The present RPC 7.6, like the former RPC 7.6, is intended to permit lawyers to continue to receive referrals from intermediary organizations, while creating safeguards to address the potential ethical problems associated with such referrals.

The deletion of Rule 44 and amendments to RPC 7.6 shift the principal responsibility of vetting intermediary organizations from the Board to the lawyers who accept referrals.²⁴ As amended, RPC 7.6 requires Tennessee lawyers who do business with an intermediary organization to make "reasonable efforts" to ensure that the organization's practices are compliant with the lawyer's ethical responsibilities.²⁵ This obligation is imposed on lawyers prior to entering into a referral relationship with an intermediary organization, as well as on an ongoing basis after entering into the relationship, requiring sufficient investigation of the organization's practices and procedures to ensure compliance with RPC 7.6 and other ethical rules.²⁶ This obligation is inclusive of lawyers who were already receiving referrals from an intermediary organization prior

²⁴ Tennessee's deletion of Rule 44 and amendments to its RPC 7.6 followed a model adopted earlier in the year in North Carolina. North Carolina deleted their equivalent to Rule 44 that provided direct regulation of intermediary organizations and made changes to its RPC 7.4 that mirror Tennessee's changes to its RPC 7.6.

²⁵ The reasonable efforts that are required to be taken are defined with particularity at RPC 7.6(b).

²⁶ Id.

to the December 15, 2021 amendments to RPC 7.6, as RPC 7.6(b) imposes this obligation on an ongoing basis “while participating in an intermediary organization.”²⁷

If a lawyer’s initial review of an intermediary organization that it is considering establishing a relationship with reveals noncompliance with the circumstances defined at RPC 7.6(b), or otherwise is noncompliant with the lawyer’s ethical obligations, the lawyer is prohibited from commencing work with the intermediary organization.²⁸ The lawyer may, but is not required to, seek to correct the noncompliance.²⁹ If a lawyer, after undertaking a relationship with an intermediary organization discovers that the intermediary organization’s work violates any of the obligations defined at RPC 7.6(b) or otherwise violates the lawyer’s professional obligations, and the lawyer is not able to correct the noncompliance, the lawyer must withdraw from participation.³⁰

Requirements for Intermediary Organizations Suitable for Tennessee Lawyers

RPC 7.6(b) identifies six specific ethical requirements integral to the lawyer’s analysis of whether their work with an intermediary organization is compliant with their ethical duties. The first requirement prohibits the lawyer from working with an intermediary organization that directs or regulates the lawyer’s professional judgment in the manner in which the lawyer represents the referred client.³¹ This prohibition corresponds

²⁷ Id. Note that the lawyer’s obligation is limited to making “reasonable efforts.” Reasonably is defined at RPC 1.0(h) as denoting the conduct of a reasonably prudent and competent lawyer.

²⁸ RPC 7.6(c).

²⁹ Id.

³⁰ Id.

³¹ RPC 7.6(b)(1).

to and confirms the applicability of RPC 5.4(c), which generally prohibits a lawyer from permitting a person who recommends their services to direct or regulate the lawyer’s professional judgment.

The second requirement imposed by RPC 7.6 prohibits lawyers from working with an intermediary organization that engages in solicitation in noncompliance with RPC 7.3.³² A solicitation is defined as a “targeted communication initiated by or on behalf of a lawyer that is directed to a specific person and that offers to provide, or reasonably can be understood as offering to provide, legal services for a particular matter.”³³ RPC 7.3 prohibits, for example, lawyers from soliciting by “live person to person contact” when a significant motive for doing so is the lawyer’s pecuniary gain, unless the person contacted is a lawyer, a person who routinely uses for business purposes the type of legal services offered by the lawyer, is pursuant to a court-ordered class action notification, or who has a family, close personal, or prior professional relationship with the lawyer.³⁴

RPC 7.6(b) further requires lawyers to limit their work to intermediary organizations that provide specified transparency to referred clients.³⁵ The intermediary organization must disclose the function of the referral arrangement between the lawyer and the intermediary organization.³⁶ The intermediary organization must make additional information available to clients upon request, including its methodology for selecting

³² RPC 7.6(b)(2).

³³ RPC 7.3(a).

³⁴ RPC 7.3(b). “Live person to person contact” is defined as “in-person, face-to-face, live telephone and other real-time visual or auditory person-to-person communications where the person is subject to a direct personal encounter without time for reflection.” RPC 7.3, Comment [2].

³⁵ RPC 7.6(b)(3)-(4).

³⁶ RPC 7.6(b)(4).

and including lawyers in its referral arrangement, the payment structure for lawyer participation, and the allocation of the client's payment between the lawyer and the intermediary organization.³⁷

The requirements defined at RPC 7.6(b) additionally require lawyers to work with intermediary organizations that limit payments by the lawyer to the intermediary organization to a reasonable sum representing a "proportional share of the organization's administrative and advertising costs," when the intermediary organization is a for-profit organization.³⁸ For non-profit intermediary organizations only, the lawyer may pay the organization a referral fee calculated by reference to a reasonable percentage of the fee paid to the lawyer by the client referred to the lawyer by the intermediary organization.³⁹ This requirement corresponds to RPC 7.3(f)(2), which confirms that while a lawyer is normally prohibited from compensating, giving, or promising anything of value to a person who is not an employee or lawyer in the same law firm for the purpose of recommending or securing the services of the lawyer or the lawyer's law firm, an exception and safe harbor is applicable for lawyers to pay the usual charges of an intermediary organization pursuant to RPC 7.6.⁴⁰

³⁷ RPC 7.6(b)(3).

³⁸ RPC 7.6(b)(5). This principle regarding non-profit intermediary organizations is further codified at RPC 5.4(a)(6). While attorneys are generally prohibited from sharing fees with non-lawyers, an exception exists where a lawyer is permitted to pay to a non-profit intermediary organization a referral fee calculated by reference to a reasonable percentage of the fee paid to the lawyer by the client referred to the lawyer by the non-profit intermediary organization. RPC 5.4(a)(6).

³⁹ Id.

⁴⁰ RPC 7.3(f)(2). See also RPC 7.3, Comment [10].

The final requirement imposed by RPC 7.6(b), is that the intermediary organization may not be owned, controlled, or directed by the lawyer, a law firm with which the lawyer is associated, or a lawyer with whom the lawyer is associated in a firm.⁴¹

The Six Requirements Defined at RPC 7.6(b) Are Not Exhaustive

The requirements itemized at RPC 7.6(b) do not provide an exhaustive list of the reasonable efforts that must be taken by the lawyer to confirm that their work with the intermediary organization is consistent with their ethical obligations. RPC 7.6(c) states that “if a lawyer discovers the intermediary organization’s noncompliance with the lawyer’s professional obligations *or any of the conditions in paragraph RPC 7.6(b)* [emphasis added], the lawyer shall either withdraw or seek to correct the noncompliance. Rather than limiting their review of the intermediary organization to the requirements defined at RPC 7.6(b), the lawyer must instead more broadly evaluate whether any other ethical requirements will be violated in their acceptance of referrals from the organization.

This scope of the lawyer’s review beyond the requirements specified in RPC 7.6(b) is not only required by the language of RPC 7.6(c), but is also implicit in RPC 8.4(a), which prohibits a lawyer from violating the Rules of Professional Conduct through a third-party, and by RPC 5.1(a), which requires a lawyer to create and maintain firm protocols that comply with their ethical obligations.

While an extreme example, consider a lawyer who agrees to receive referrals from an intermediary organization and subsequently discovers that the intermediary organization is providing knowingly false information regarding the lawyer’s credentials. The intermediary organization’s practice would not fall within the scope of any of the criteria defined at RPC 7.6(b). However, if the lawyer requests that the intermediary

⁴¹ RPC 7.6(b)(6).

organization correct the false information and the intermediary organization refuses to do so, continued work with the intermediary organization would subject the lawyer to potential disciplinary action for violation of the Rules of Professional Conduct through a third-party, as the false statements fall within the scope of several ethical rules, including RPC 7.1 (prohibiting a lawyer from making false or misleading communications regarding their services) and RPC 8.4(c)(conduct involving dishonesty, fraud, deceit, or misrepresentation).

Tennessee’s Current Model Is Distinct From the ABA Model Rules and the Majority of Jurisdictions

Tennessee’s present system differs from the Model Rules and from most state jurisdictions. The Model Rules do not contain a rule corresponding to Tennessee’s 7.6 or use the term “intermediary organization.” The ABA’s regulation of attorney referrals through intermediary organizations is principally found at Model Rule 7.2(b)(2), which largely mirrors Tennessee’s present RPC 7.3(f)(2). Model Rule 7.2(b) provides that a lawyer “shall not give anything of value to a person for recommending the lawyer’s services” but contains an exception at 7.2(b)(2) that a lawyer may pay the usual charges of a legal service plan or a not-for-profit or qualified lawyer referral service.⁴² The definitions of a “legal service plan” and “lawyer referral service” in the ABA Model Rules, taken together, largely encompass Tennessee’s definition of an “intermediary organization.”⁴³ However, a “qualified lawyer referral service” in the Model Rules is one that is approved by

⁴² Model Rule 7.2(b); Model Rule 7.2, Comment [6].

⁴³ The Model Rules define a “legal service plan” as a prepaid or group legal service plan or a similar delivery system that assists people who seek to secure legal representation. A “lawyer referral service” is defined as “any organization that holds itself out to the public as a lawyer referral service. Such referral services are understood by the public to be consumer-oriented organizations that provide unbiased referrals to lawyers with appropriate experience in the subject matter of the representation and afford other client protections, such as complaint procedures or malpractice insurance requirements.” ABA Model Rule 7.2, Comment [6].

an appropriate regulatory authority as affording adequate protections to the public.⁴⁴ The Model Rules thereby contemplate that lawyers in a state jurisdiction will work with for-profit referral organizations pursuant to a state regulatory scheme similar to Tennessee’s former Rule 44. This is additionally reflected in the ABA’s promulgation of the Model Supreme Court Rules Governing Lawyer Referral Services and Model Lawyer Referral and Information Service Quality Assurance Act, cited in Comment [6] to Model Rule 7.2, which contains proposed requirements for referral services.⁴⁵

The majority of state jurisdictions follow Model Rule 7.2(b)(2), either verbatim or with minor changes in verbiage.⁴⁶ Other than North Carolina, research did not reveal any state jurisdiction that uses the term “intermediary organization” or that has adopted a corresponding rule to Tennessee’s RPC 7.6.⁴⁷

Some Practice Suggestions

Tennessee lawyers who work with or are considering initiating a relationship with an organization that potentially falls within the scope of RPC 7.6 should first determine if the organization is an “intermediary organization” covered by RPC 7.6. Lawyers working in law practices where subordinate lawyers or support staff generate business through outside sources should carefully instruct subordinates to refrain from entering into a referral relationship without proper managerial review. If a referral relationship is established between

⁴⁴ Model Rule 7.2(b)(2); Model Rule 7.2, Comment [6].

⁴⁵ Model Rule 7.2, Comment [6].

⁴⁶ See, e.g., Alaska RPC 7.2(b)(2); Ariz. RPC 7.2(b)(2); Ark. RPC 7.2(c); Cal. RPC 7.2(b)(2); Colo. RPC 7.2(b)(2); Conn. RPC 7.2(c)(2); Del. RPC 7.2(b)(2); Haw. RPC 7.2(b)(2); Idaho RPC 7.2(c)(2); Ill. RPC 7.2(b)(2); Ind. RPC 7.2(b)(2); Iowa. RPC 7.2(b)(2); Me. RPC 7.2(b)(2); Mass. RPC 7.2(b)(2); Minn. RPC 7.2(b)(2); Mont. RPC 7.2(b)(2); Neb. RPC 7.2(b)(2); N.M. RPC 7.2(b)(2); Ohio RPC 7.2(b)(3); Okla. RPC 7.2(b)(2); Pa. RPC 7.2(c)(2); S.D. RPC 7.2(d)(2); Vt. RPC 7.2(b)(2).

⁴⁷ N.C. RPC 7.4.

a subordinate lawyer or support staff person and an intermediary organization in noncompliance with Tennessee’s ethical rules, this could lead to disciplinary action against the subordinate lawyer, as well as any lawyer with supervisory and/or managerial authority to the extent that the creation of the relationship arose out of a failure to provide proper oversight.⁴⁸

If the organization is deemed to fall outside the definition, the lawyer should consider whether accepting referrals from the organization would violate any ethical rules. Tennessee’s RPC 7.6, read in conjunction with RPC 5.4(a)(4) and RPC 5.4(a)(6), creates a safe harbor exemption from the general fee sharing prohibition at RPC 5.4(a). Similarly, Tennessee’s RPC 7.6, as confirmed by RPC 7.3(f)(2), creates an exemption from a lawyer’s general prohibition from paying others for recommending the lawyer’s legal services codified at RPC 7.3(f). Consequently, if an organization is not deemed to be an intermediary organization, the lawyer should consider whether receiving referrals from the organization falls within another identified exemption to RPC 5.4(a) and RPC 7.3(f). Otherwise, the lawyer’s acceptance of referrals could evidence prohibited fee sharing and/or improper payment for recommendation of their services.

If the lawyer concludes that the organization is an “intermediary organization” as defined by RPC 7.6, the lawyer will need to do additional vetting to confirm that the lawyer may proceed in compliance with RPC 7.6(b), and that the lawyer’s relationship with the intermediary organization will otherwise comply with the lawyer’s ethical responsibilities. This review may require communication with an informed representative of the organization, and a review of applicable documents to obtain sufficient information of the organization’s practices and procedures. For example, a lawyer may consider requesting information confirming the appropriate training and vetting of front-line intake staff, to confirm that staff are properly trained to proceed in a manner compliant with the lawyer’s ethical responsibilities.

⁴⁸ See RPC 5.1 and RPC 5.3.

The fact that intermediary organizations are no longer subject to direct regulation in Tennessee creates a heightened need for lawyers to engage in a vigorous review of an intermediary organization. Lawyers can no longer rely on the Board's vetting process to confirm that the organization's practices are consistent with Tennessee's RPC 7.6. Particularly for the typical intermediary organization that does business in every state jurisdiction, lawyers should not assume that the intermediary organization has reviewed Tennessee's ethical rules prior to contracting with Tennessee lawyers.

Lawyers who enter into a referral relationship with an intermediary organization must confirm prior to working with an intermediary organization that all of their ethical obligations at the commencement of the attorney-client relationship are fulfilled by the intermediary organization in a manner consistent with the Tennessee Rules of Professional Conduct, or in the alternative, that the lawyer may fulfill any obligations soon after receipt of the referral. For example, Tennessee lawyers are required to confirm the scope of representation and the basis or rate of the fee before or within a reasonable time after commencing the representation.⁴⁹ If the proposed scope of representation would be construed as limited scope representation pursuant to RPC 1.2(c), a lawyer is also required to confirm that the proposed limited scope is reasonable, and that the client gives informed consent to the scope of representation.

The fact that the attorney-client relationship is formed by the intermediary organization prior to referral does not obviate the lawyer's ethical responsibilities regarding this stage of the representation. If the attorney-client relationship is formed by the intermediary organization in a manner that violates any Tennessee ethical rules, the lawyer must refrain from accepting referrals unless the intermediary organization changes its practices to cure the violation.

⁴⁹ RPC 1.5(b).

Further Inquiry

If you have questions about the content of this article, you may contact the author at schristopher@tbpr.org or (615) 361-7500, extension 203. Questions about the article may also be directed to the Board's Ethics Counsel, Laura Chastain, at lchastain@tbpr.org, or (615) 361-7500, extension 212.



Board of Professional Responsibility New Disciplinary Counsel

Heather Piper joined the Board of Professional Responsibility in the Litigation Division in February 2024.

Heather started her legal career at Gideon & Wiseman where she defended healthcare providers in medical malpractice actions across the state. She continued her work in medical malpractice defense for the next nine years before transitioning to a family law practice. Heather practiced family law for the next seven years.

Before joining the Board, Heather practiced family law at Piper Law, PLLC. She received her bachelor's degree from Austin Peay State University and her law degree from Cumberland School of Law at Samford University.

Tiffany Tant-Shafer joined the Board of Professional Responsibility in the Investigations Division in November 2024.

Over the last nineteen years, Tiffany focused her career advocating for children and survivors of domestic violence through her work in private practice and at legal aid societies in Missouri and Tennessee. She also taught legal writing and family law classes at Missouri Western State University for 7 years.

Before joining the Board, Tiffany established Hope Law Firm, PLLC, in Franklin County, Tennessee, where she focused on advocating for children and families as a court-appointed Guardian ad Litem and through adoptions. She currently serves on the Tennessee Court Improvement Program Multidisciplinary Task Force. Tiffany earned her bachelor's degree from The University of the South in Sewanee, Tennessee, her law degree from Washburn University School of Law in Topeka, Kansas, and a Master of Laws degree in Intellectual Property from Benjamin N. Cardozo School of Law in New York, New York. She was admitted to practice law in Missouri in 2004 and in Tennessee in 2013. She has also been a Rule 31 Listed Family Mediator Specially Trained in Domestic Violence since 2020.



Board of Professional Responsibility New Board Members

Jim L. Maddux, MBA, CPFA®, has served as a Partner at COVA Wealth Management since its founding in 2012. Prior to joining an independent practice, Jim worked for six years at Merrill Lynch as a Senior Financial Advisor.

With expertise in asset management, tax planning, security analysis and selection, and customized investment portfolios, Jim works closely with small businesses and individual clients to create financial plans suitable for each unique set of goals. Knowledgeable and attentive, Jim prides himself on taking care of his clients and helping them effectively manage their financial future.

Jim graduated from Lipscomb University with a double major in Finance and Management and went on to earn a Master of Business Administration at Lipscomb in 2002. A member of the men's soccer team, Jim was the recipient of the distinguished James R. Byers award given annually to the top Lipscomb athlete for leadership in athletics, academics, and Christian life. It is the highest honor a Lipscomb University student-athlete can receive.

Prior to entering the financial planning field, Jim served as the Head Men's Soccer Coach at Lipscomb University and continues to hold the prestigious United States Soccer Federation "A" coaching license. Having stayed in Nashville after earning his MBA, Jim continues to be actively involved in his alma mater by serving on the Lipscomb Athletic Board. An Eagle Scout, Jim is also involved in promoting the Boy Scouts of America. He lives in Nashville with his wife Anna, their daughter Addie, and their son Andrew. In his free time you will find him coaching his children's sporting activities and boating on Tim's Ford Lake.

Kirk Moore received his law degree from The University of Tennessee College of Law in 2002, and has maintained a general practice in firms in Union City and Martin for over 20 years, currently practicing in Martin with Rainey, Kizer, Reviere & Bell PLC since 2022. Amongst other things, he is City Attorney for Martin, South Fulton, and Woodland Mills, and served for 6 years on the Tennessee Commission on Continuing Legal Education, including a term as Chairman.

Kirk grew up in Milan, and graduated from Milan High School. He has lived in Martin since 2003. He obtained two undergraduate degrees from The University of Tennessee at Martin, which is where he met his wife, Megan. She works for Weakley County Schools as K-

8th grade math coach. Together, they share three great children, and are members of the Martin Church of Christ. Kirk enjoys spending time with his family, serving his Church, and being a long-time football official with the TSSAA.

Jonathan Steen is a civil trial lawyer with Spragins, Barnett & Cobb, PLC in Jackson, Tennessee. Jonathan serves as trial and appellate counsel for clients in the construction, manufacturing, banking, and insurance industries. He also assists in-house counsel and national/regional law firms as local counsel. Jonathan has been appointed by both state and federal courts as a special master and sits as a member of the Board of Appeals for the state of Tennessee.

Jonathan currently serves as a member of the Tennessee Bar Association House of Delegates. He is a past president of the TBA, the TBA Young Lawyers Division and the Jackson-Madison County Bar Association and served as a member of the National Conference of Bar Presidents Executive Council. Jonathan is also a founding member and past president of the Howell Edmunds Jackson American Inn of Court. He is a fellow of the American Bar Foundation and the Tennessee Bar Foundation.

Jonathan graduated from St. Olaf College in Northfield, Minnesota in 1988. He received his law degree from the University of Minnesota Law School.



Tennessee Lawyers' Fund for Client Protection New Board Member

Michelle G. Sellers is a Partner at Rainey, Kizer, Reviere & Bell, P.L.C. and has been associated with the Firm since receiving her Doctor of Jurisprudence from the University of Tennessee College of Law in 2000 with honors. Michelle devotes the majority of her practice to representing hospitals, physicians, dentists, nurse practitioners, nurses, other healthcare providers, medical clinics, and nursing homes in medical malpractice litigation or regulatory matters. She has handled medical malpractice cases throughout the State of Tennessee. In addition, she practices in the areas of professional malpractice, commercial litigation, business litigation, estates, and personal injury litigation. Michelle is also a Rule 31 Listed General Civil/Family Mediator.

Michelle is committed to the service and development of the legal profession. She has served in various roles on the Tennessee Bar Association Board of Governors and Tennessee Bar Association Young Lawyers Division Board. Michelle was the President of the Tennessee Bar Association from 2020-2021. She also served as the President of the Tennessee Bar Association Young Lawyers Division from 2008-2009, and served a two-year term as President of the Jackson-Madison County Bar Association.

In 2011, Michelle was selected as a Fellow of the Tennessee Bar Association. She served on the IOLTA Grant Review Committee from 2007-2009. Michelle served on the Tennessee Bar Association Leadership Law Program Alumni Executive Council from 2006-2007. She is currently Vice-President of the Tennessee Bar Association Young Lawyers Division Fellows.

Michelle and her husband, Andrew (Managing Partner of Sellers, Craig, & Hayden, Inc.), are parents to two amazing children. They have a daughter, Sydney (Senior - Mississippi State University) and son, Aubrey (Senior - University School of Jackson).

Disciplinary and Licensure Actions

(October 2023 – March 2024)

PERMANENT DISBARMENTS

ROBERT LOUIS BOOKER, BPR #024887

MONTGOMERY COUNTY

Effective October 2, 2023, the Supreme Court of Tennessee permanently disbarred Robert Louis Booker from the practice of law and ordered him to pay all costs incurred to the Board of Professional Responsibility.

After a default hearing upon the disciplinary petition, the Hearing Panel found that Mr. Booker, in representing a client in a contested divorce, charged, in two installments, a \$3,200.00 non-refundable fee without a written agreement, or alternatively failed to deposit the fee into an IOLTA account as a retainer and bill against it. In addition, the Hearing Panel found that Mr. Booker failed to explain the scope of his representation to his client, and because Mr. Booker did not have a written fee agreement, failed to have proper grounds to withdraw based upon the assertion that the client failed to make payments of attorney's fees and costs, as agreed. Finally, the Hearing Panel found that Mr. Booker impermissibly disclosed confidential information pertaining to the client in his motion to withdraw and failed to respond to letters from Disciplinary Counsel seeking a response to the complaint.

Upon this evidence, the Hearing Panel found that Mr. Booker violated Tennessee Rules of Professional Conduct 1.5(b)(f) (fees), 1.15 (safekeeping property and funds), 1.16(b)(5) (declining or terminating representation), 1.6 (confidentiality of information), 8.1(b) (disciplinary matters), and 8.4(a)(d) (misconduct).

ANGELA JOY HOPSON, BPR #022500

MADISON COUNTY

Effective February 9, 2024, the Supreme Court of Tennessee permanently disbarred Angela Joy Hopson from the practice of law and ordered restitution in the aggregate amount of \$35,234.00 to eight (8) individuals, and costs of the disciplinary proceeding be paid within ninety days of the entry of the Order of Enforcement.

The disciplinary matter consisted of thirteen (13) different complaints pertaining to multiple violations of various Rules of Professional Conduct. Ms. Hopson was found guilty of multiple offenses of

misappropriating client money, failing to appear, misleading clients and failing to notify clients of the status of cases, failing to communicate with clients, failing to prosecute cases diligently, charging an unreasonable fee, failing to refund unearned fees, engaging in the unauthorized practice of law while suspended, and failing to respond to the Board, all in violation of RPC 1.3 (diligence), RPC 1.4 (communication), RPC (1.5) (fees), RPC 1.15 (safekeeping of funds), RPC 1.16 (termination of representation), RPC 3.2 (expediting litigation), RPC 3.3 (candor to a tribunal), RPC 4.1 (truthfulness in statements to others), RPC 5.5 (unauthorized practice of law), RPC 8.1(b) (failing to respond to a request for information from disciplinary counsel), RPC 8.4(b) (criminal conduct), RPC 8.4(c) (conduct involving fraud), RPC 8.4(d) (conduct prejudicial to the administration of justice), RPC 8.4(g) (failing to comply with court order). Based on these findings, the Hearing Panel found that the offenses warranted disbarment.

Ms. Hopson previously had been temporarily suspended by Order of the Supreme Court of Tennessee on July 28, 2021, for failing to respond to an unrelated complaint. Pursuant to the Order of the Supreme Court disbarring Ms. Hopson, the prior temporary suspension is dissolved.

Ms. Hopson must comply with the requirements of Tennessee Supreme Court Rule 9, Section 28, regarding the obligations and responsibilities of disbarred attorneys.

THOMAS FLEMING MABRY, BPR #009065

KNOX COUNTY

Effective January 25, 2024, the Supreme Court of Tennessee permanently disbarred Thomas Fleming Mabry from the practice of law pursuant to Tenn. Sup. Ct. R. 9, Section 12.1 and ordered restitution. The disciplinary matter resulted from six (6) separate complaints.

A Hearing Panel determined Mr. Mabry failed to properly notify the IRS in advance of a foreclosure; failed to timely notify clients of his suspension from the practice of law; engaged in the unauthorized practice of law; charged his client an unreasonable fee; failed to promptly refund unearned fees and prepaid expenses; failed to account for prepaid expenses; failed to promptly furnish the client file to new counsel; failed to promptly withdraw from his representation; made material misrepresentations to his client; misappropriated third-party funds; and improperly held himself out as authorized to practice law in North Carolina.

The Supreme Court affirmed the decisions of the Hearing Panel and the Trial Court that Mr. Mabry's conduct violated Rules of Professional Conduct 1.1 (competency), 1.3 (diligence), 1.4 (communication), 1.5 (fees), 1.16 (declining or terminating representation), 5.5(a) (unauthorized practice of law), and 8.4(a), (b), (c) and (g) (misconduct).

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

BRIAN PHILIP MANOOKIAN, BPR #026455

DAVIDSON COUNTY

Effective February 16, 2024, the Supreme Court of Tennessee issued a written Majority Opinion permanently disbaring Brian Philip Manookian from the practice of law for engaging in professional misconduct.

After a hearing upon the disciplinary petitions, a Hearing Panel determined by a preponderance of the evidence that Mr. Manookian sent a series of intimidating, demeaning, embarrassing and harassing communications to opposing counsel, some of which targeted family members of opposing counsel, which had no substantial purpose other than to embarrass, intimidate and burden counsel and/or his family. The Panel further found Mr. Manookian improperly revealed confidences regarding a former client; published statements and accusations he knew were false or had no basis in fact regarding the integrity of a judge; and engaged in conduct that was prejudicial to the administration of justice. The Panel determined the above conduct violated RPC 1.9 (duties to former clients), 4.4 (respect for the rights of third persons), 8.2 (judicial and legal officials) and 8.4 (misconduct).

On appeal, the Trial Court affirmed the findings and judgment of the Panel imposing a suspension. The judgments of the Chancery Court and the Panel were affirmed in part, and reversed in part, by the Supreme Court, resulting in the disbarment of Mr. Manookian for violating RPC 1.9 (duties to former clients), 4.4 (respect for the rights of third persons), 8.2 (judicial and legal officials) and 8.4 (misconduct).

SUSPENSIONS

MATTHEW DAVID BAROCAS, BPR #031962

KNOX COUNTY

Effective January 18, 2024, the Supreme Court of Tennessee suspended Matthew David Barocas from the practice of law for one year, with three months active suspension, pursuant to Tennessee Supreme Court Rule 9, Section 12.2, and with the remainder to be 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, completion of the Board's Trust Account Workshop and additional hours of Continuing Legal Education, and payment of Board costs.

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

Mr. Barocas failed to hold funds of a third party separate from his own funds; failed to promptly notify the third party of his possession of funds in which the party had an interest; failed to promptly deliver to the third party funds which the party was entitled to receive; failed to keep in trust separate funds in which two or more parties claimed an interest; failed to accurately disclose to the tribunal the status of funds held in his trust account; failed to obey an obligation under the rules of the tribunal with respect to garnishments and levies which disrupted court proceedings; and engaged in conduct involving misrepresentation as to the levied funds.

Mr. Barocas executed a Conditional Guilty Plea acknowledging his conduct violated Tennessee Rules of Professional Conduct 1.1 (competence), 1.5(e) (fees), 1.15(a), (d), and (e) (safekeeping property and funds), 3.3(a) (candor toward tribunal), 3.4(b) (fairness to opposing party), 3.5(e) (impartiality and decorum of the tribunal), 8.4(a)-(d) and (g) (misconduct).

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

WENDELL CORNELIUS DAWSON, BPR #012960

DAVIDSON COUNTY

Effective January 26, 2024, the Supreme Court of Tennessee suspended Wendell Cornelius Dawson from the practice of law for three years, with three months active suspension, pursuant to Tennessee Supreme Court Rule 9, Section 12.2, and with the remainder to be 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, additional CLE, engagement of a practice monitor, and payment of Board costs in the amount of \$6,265.00.

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

Mr. Dawson failed to communicate with clients adequately about the status of their cases, failed to move his clients' cases forward diligently and expeditiously, failed to respond to requests for evidence from U.S. Citizenship and Immigration Services, and failed to represent his clients competently.

Mr. Dawson executed a Conditional Guilty Plea acknowledging his conduct violated Tennessee Rules of Professional Conduct 1.1 (competence), 1.3 (diligence), 1.4 (communication), 3.2 (expediting litigation), and 8.4(a) (misconduct).

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

ROBERT HARRIS GOLDER, BPR #034911

SHELBY COUNTY

Effective January 22, 2024, the Supreme Court of Tennessee suspended Robert Harris Golder from the practice of law for four (4) years, with one (1) year to be served as an active suspension pursuant to Tennessee Supreme Court Rule 9, Section 12.2, and the remainder to be served on probation.

A Petition for Discipline containing four (4) complaints was filed, alleging Mr. Golder failed to communicate reasonably with his clients, failed to perform work necessary to the representation, failed to provide competent representation, disclosed confidential information during withdrawal, charged an unreasonable fee, failed to comply with multiple court orders, and failed to expedite litigation. Mr. Golder's actions were prejudicial to the administration of justice.

Mr. Golder executed a conditional guilty plea acknowledging his conduct violated Tennessee Rules of Professional Conduct 1.1 (competence), 1.3 (diligence), 1.4 (communication), 1.5 (fees), 1.16 (terminating representation), 3.2 (expediting litigation), 3.4 (fairness to opposing party and counsel), and 8.4 (misconduct).

Mr. Golder 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.

JOHN CRIS HELTON, BPR #014339

TENNESSEE LAWYER

Effective April 8, 2024, the Supreme Court of Tennessee suspended John Cris Helton from the practice of law for five (5) years, with four (4) years to be served as an active suspension pursuant to Tennessee Supreme Court Rule 9, Section 12.2, and the remainder to be served on probation conditioned upon Mr.

Helton's engagement of a practice monitor.

A Petition for Discipline was filed alleging Mr. Helton failed to file required federal income tax returns for several years and willfully attempted to avoid his tax liabilities. After the United States Internal Revenue Service initiated civil litigation against Mr. Helton to recover approximately \$400,000.00 in owed income taxes, Mr. Helton filed for Chapter 7 Bankruptcy protection, asserting that this Internal Revenue Service lien should be discharged. The federal bankruptcy court determined that the tax debt was non-dischargeable because the failure to pay was willful and intentional. On appeal, the Sixth Circuit Court of Appeals affirmed the district court ruling.

Mr. Helton executed a Conditional Guilty Plea acknowledging his conduct violated Tennessee Rules of Professional 8.4(c)(misconduct).

Mr. Helton 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.

KENT THOMAS JONES, BPR #020158

HAMILTON COUNTY

Effective February 26, 2024, the Supreme Court of Tennessee suspended Kent Thomas Jones from the practice of law for ninety (90) days pursuant to Tenn. Sup. Ct. R. 9, § 12.2.

Mr. Jones sent threatening and/or derogatory emails to his client and opposing counsel in two separate matters. Mr. Jones failed to properly maintain his client's funds in a trust account and failed to satisfy a lien obligation in a timely manner from which his client suffered actual harm.

The Hearing Panel finds Mr. Jones violated Tennessee Rules of Professional Conduct 1.3 (diligence); 1.15 (safekeeping property and funds); 4.4 (respect for the rights of third persons); 8.4(a) (violated Rules of Professional Conduct); and 8.4(d) (engaged in conduct that is prejudicial to the administration of justice).

Mr. Jones 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.

JAMES D. McWILLIAMS, #024152

DAVIDSON COUNTY

On March 19, 2013*, the Tennessee Supreme Court suspended the law license of James D. McWilliams pursuant to Section 14 of Tennessee Supreme Court Rule 9. The Court suspended Mr. McWilliams' law license after he entered a best interest (Alford) plea to a serious crime, i.e. felony Child Abuse.

The Supreme Court further ordered the Board of Professional Responsibility to institute a formal proceeding to determine the extent of final discipline to be imposed as a result of the conviction. Mr. McWilliams was ordered to fully comply with the provisions of Tennessee Supreme Court Rule 9, section 18, which requires, in part, withdrawal from representation and prohibits undertaking any new representation.

This suspension shall remain in effect until it is dissolved or amended by order of the Supreme Court of Tennessee.

**Originally posted March 19, 2013. Revised November 9, 2023.*

JAMES D. McWILLIAMS, BPR# 024152

GEORGIA LAWYER

On March 19, 2013*, James D. McWilliams, of Washington, Georgia, was summarily suspended by Order of the Tennessee Supreme Court after entering a best interest (Alford) plea to a serious crime. He was placed on diversion pursuant to T.C.A. § 40-35-313. The matter was referred to the Board for filing a Petition for Final Discipline. Mr. McWilliams has successfully completed his probation and no conviction will result from his best interest (Alford) plea. Therefore, the Board dismissed the Petition for Final Discipline and on August 25, 2015, the Supreme Court entered an Order dissolving the summary suspension. The Order is effective ten days after entry. Mr. McWilliams was on inactive status prior to the summary suspension and resumes that status.

Mr. McWilliams must pay the court costs within ninety days of the entry of the Order of Enforcement.

**Originally posted August 27, 2015. Revised November 9, 2023.*

ERIC JOHN MONTIERTH, BPR #031679

ROANE COUNTY

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.

JOY T. REID

FLORIDA LAWYER

Effective March 14, 2024, the Supreme Court of Tennessee suspended Joy T. Reid from the practice of law in Tennessee for sixty (60) days active suspension pursuant to Tennessee Supreme Court Rule 9, Section 12.2.

Ms. Reid is a Florida licensed attorney who applied for comity admission to the Tennessee bar. During review of her application for admission, the Tennessee Board of Law Examiners discovered that Ms. Reid appeared, on her firm's website, to be holding herself out as a currently licensed Tennessee attorney. The Tennessee Board of Law Examiners conducted a show cause hearing to address these concerns, during which Ms. Reid made misstatements of material fact.

Ms. Reid executed a conditional guilty plea acknowledging her conduct violated Tennessee Rules of Professional Conduct 5.5 (unauthorized practice of law), 7.1 (communications concerning a lawyer's services), and 8.4(c)(misrepresentation).

Ms. Reid 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.

WESLEY SHELMAN SPEARS, BPR #009291

TENNESSEE LAWYER

On March 22, 2024, Wesley Shelman Spears, a resident of Hartford, Connecticut, was suspended for two (2) years retroactive to October 25, 2023, by Order of Reciprocal Discipline entered by the Supreme Court of Tennessee on March 22, 2024. Mr. Spears received a two (2) year suspension from the State of Connecticut Superior Court, Judicial District of Hartford, entered September 25, 2023. On February 13, 2024, the Supreme Court of Tennessee entered a Notice of Reciprocal Discipline directing Mr. Spears to demonstrate to the Court why the discipline imposed by the State of Connecticut Superior Court should not be imposed by the Supreme Court of Tennessee. Mr. Spears failed to respond to the directive of the Court.

Mr. Spears 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.

PERRY LEE STOUT, BPR #023917

JOHNSON COUNTY

On February 28, 2024, the Tennessee Supreme Court suspended Perry Lee Stout from the practice of law until further orders of the Court pursuant to Tennessee Supreme Court Rule 9, Section 22.3. Mr. Stout entered a plea of guilty and was adjudged guilty to one felony count of criminal conspiracy to possess Schedule VI-controlled substances and one felony count of money laundering in violation of Tenn. Code. Ann. §§ 39-17-417, 39-12-103 and 39-14-903.

Pursuant to the Order of the Supreme Court, the matter was referred to the Board to institute formal proceedings to determine the extent of the final discipline to be imposed upon Mr. Stout for engaging in professional misconduct constituting a serious crime as defined by Tenn. Sup. Ct. R. 9, § 2.

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

JOHN SCOTT WESSON, BPR #020555

HAMILTON COUNTY

Effective November 28, 2023, the Supreme Court of Tennessee suspended John Scott Wesson from the practice of law for seven (7) years pursuant to Tenn. Sup. Ct. R. 9, Section 12.2, and ordered him to contact the Tennessee Lawyers Assistance Program.

A Petition for Discipline containing one complaint was filed by the Board. The Hearing Panel found that Mr. Wesson failed to respond to a summary judgment motion, failed to respond to opponent's application to the court for attorney's fees, failed to reasonably communicate with clients, failed to represent his clients, failed to inform his clients of his previous suspension, knowingly failed to make reasonable efforts to expedite litigation, failed to appear at multiple show cause hearings, and knowingly terminated and/or refused to comply with his Tennessee Lawyers Assistance Program monitoring agreement. The Panel found the misconduct of Mr. Wesson violated Tennessee Rules of Professional Conduct 1.3 (diligence), 1.4 (communication), 3.2 (expediting litigation), 3.4(c) (fairness to opposing party and counsel), and 8.4(a)(d)(g) (misconduct).

Mr. Wesson 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.

KEVIN WILLIAM TEETS, JR. BPR #029981

DAVIDSON COUNTY

Effective January 3, 2024, the Supreme Court of Tennessee suspended Kevin William Teets, Jr., from the practice of law for four (4) years, with fifteen (15) months being an active suspension and the remaining thirty-three (33) months served on probation, pursuant to Tennessee Supreme Court Rule 9, Section 12.2, with his probation conditioned upon continued participation in his treatment and recovery plan under a TLAP monitoring agreement for the full period of his probation, practicing only in a group setting under the supervision of a practice monitor for a minimum of twelve (12) months upon the commencement of his probation, payment of the Board's costs of \$5,089.00, and developing a payment plan for payment of \$55,157.50 in restitution while on probation to the eight (8) victims listed in Exhibit A to the Hearing Panel's judgment in accordance with the amounts specified therein.

The disciplinary action involved nine (9) matters in which Mr. Teets committed ethical violations by failing to provide competent representation; by failing to act with reasonable diligence; by failing to communicate with client(s) or keep them informed of significant events and developments in their cases; by charging unreasonable fees and failing to refund unearned fees; by failing to withdraw from representation after the suspension of his law license and by withdrawing or terminating representation without taking steps to protect his client(s)'s interest; by engaging in the unauthorized practice of law; by listing his bar registration number inaccurately on a pleading filed in court; by knowingly failing to respond to demands for information from the Board of Professional Responsibility; by engaging in conduct involving dishonesty, fraud, deceit, or

misrepresentation; by engaging in conduct prejudicial to the administration of justice; and by knowingly failing to comply with a court order in a proceeding in which he was a party.

The Hearing Panel found the conduct of Mr. Teets violated Tennessee Rules of Professional Conduct 1.1 (competence), 1.3 (diligence), 1.4 (communication), 1.5(a) (fees), 1.16(a)(1) (terminating representation), 5.5(a) (unauthorized practice of law), 7.1(a) (false or misleading communication about lawyer), 8.1(b) failure to respond to demand for information in disciplinary matters), 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation), 8.4(d) (conduct prejudicial to the administration of justice), and 8.4(g) (knowing failure to comply with court order).

Mr. Teets 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.

TEMPORARY SUSPENSIONS

DAVID JAMES FULTON, BPR #006102

HAMILTON COUNTY

On April 9, 2024, the Supreme Court of Tennessee temporarily suspended David James Fulton from the practice of law upon finding Mr. Fulton misappropriated funds for his personal use and poses a threat of substantial harm to the public. Section 12.3 of Supreme Court Rule 9 provides for the immediate summary suspension of an attorney's license to practice law in cases where the attorney misappropriates funds for his personal use or poses a threat of substantial harm to the public.

Mr. Fulton is immediately precluded from accepting any new cases, and he must cease representing existing clients by May 9, 2024. After May 9, 2024, Mr. Fulton shall not engage in the practice of law; use any indicia of lawyer, legal assistant, or law clerk; or maintain a presence wherein the practice of law is conducted. Mr. Fulton 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 and shall deliver to all clients any papers or property to which they are entitled.

Mr. Fulton must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 12.3(d), regarding the obligations and responsibilities of temporarily suspended attorneys and the procedure for reinstatement.

This suspension remains in effect until dissolution or modification by the Supreme Court. Mr. Fulton may, for good cause, request dissolution or modification of the suspension by petition to the Supreme Court.

ROBERT REDMAN LASER, III., BPR #031202

DAVIDSON COUNTY

On November 1, 2023, the Supreme Court of Tennessee temporarily suspended Robert Redman Laser, III., from the practice of law upon finding that Mr. Laser failed to respond to the Board of Professional Responsibility concerning a complaint of misconduct. Section 12.3 of Supreme Court Rule 9 provides for the immediate temporary suspension of an attorney's license to practice law in cases of an attorney's failure to respond to a complaint of misconduct.

Mr. Laser is immediately precluded from accepting any new cases, and he must cease representing existing clients by December 1, 2023. After December 1, 2023, Mr. Laser shall not use any indicia of lawyer, legal assistant, or law clerk nor maintain a presence wherein the practice of law is conducted. Mr. Laser 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, and is required to deliver to all clients any papers or property to which they are entitled.

Mr. Laser must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 12.3(d), regarding the obligations and responsibilities of temporarily suspended attorneys and the procedure for reinstatement.

This suspension remains in effect until dissolution or modification by the Supreme Court. Mr. Laser may, for good cause, request dissolution or modification of the suspension by petition to the Supreme Court.

JAMES DANIEL MARSHALL, BPR #025541

DAVIDSON COUNTY

On January 18, 2024, the Supreme Court of Tennessee temporarily suspended James Daniel Marshall from the practice of law for failing to respond to the Board of Professional Responsibility concerning a complaint of misconduct. Section 12.3 of Supreme Court Rule 9 provides for the immediate temporary suspension of an attorney's license to practice law in cases of an attorney's failure to respond to a complaint of misconduct.

Mr. Marshall is immediately precluded from accepting any new cases, and he must cease representing existing clients by February 17, 2024. After February 17, 2024, Mr. Marshall shall not use any indicia of lawyer, legal assistant, or law clerk nor maintain a presence wherein the practice of law is conducted. Mr. Marshall 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 and is required to deliver to all clients any papers or property to which they are entitled.

Mr. Marshall must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 12.3(d), regarding the obligations and responsibilities of temporarily suspended attorneys and the procedure for reinstatement.

This suspension remains in effect until dissolution or modification by the Supreme Court. Mr. Marshall may, for good cause, request dissolution or modification of the suspension by petition to the Supreme Court.

CONNIE LYNN REGULI, BPR #016867

WILLIAMSON COUNTY

On November 20, 2023, the Supreme Court of Tennessee temporarily suspended Connie Lynn Reguli from the practice of law upon finding that Ms. Reguli poses a threat of substantial harm to the public. Section 12.3 of Supreme Court Rule 9 provides for the immediate summary suspension of an attorney's license to practice law in cases of an attorney posing a threat of substantial harm to the public.

Ms. Reguli is immediately precluded from accepting any new cases and is prohibited from holding herself out as an attorney, using any indicia of lawyer, legal assistant, or law clerk; or maintaining a presence where the practice of law is conducted.

Ms. Reguli must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 12.3(d), regarding the obligations and responsibilities of temporarily suspended attorneys and the procedure for reinstatement.

This suspension remains in effect until dissolution or modification by the Supreme Court. Ms. Reguli may for good cause request dissolution or modification of the suspension by petition to the Supreme Court.

TERRY RISNER, BPR #015096

HAWKINS COUNTY

On March 22, 2024, the Supreme Court of Tennessee temporarily suspended Terry Risner from the practice of law upon finding that Mr. Risner is substantially non-compliant with his December 20, 2023, mandatory reporting Tennessee Lawyer Assistance Program Preliminary Evaluation and Assessment Monitoring Agreement. Section 12.3 of Supreme Court Rule 9 provides for the immediate summary

suspension of an attorney's license to practice law in cases of an attorney who has failed to substantially comply with a Tennessee Lawyer Assistance Program monitoring agreement.

Mr. Risner is immediately precluded from accepting any new cases, and he must cease representing existing clients by April 21, 2024. After April 21, 2024, Mr. Risner shall not use any indicia of lawyer, legal assistant, or law clerk nor maintain a presence where the practice of law is conducted.

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

Mr. Risner must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 12.3(d), regarding the obligations and responsibilities of temporarily suspended attorneys and the procedure for reinstatement.

This suspension remains in effect until dissolution or modification by the Supreme Court. Mr. Risner may for good cause request dissolution or modification of the suspension by petition to the Supreme Court.

CHRISTOPHER SHAWN ROBERTS, BPR #033510

KNOX COUNTY

On October 13, 2023, the Supreme Court of Tennessee temporarily suspended Christopher Shawn Roberts from the practice of law upon finding that Mr. Roberts failed to substantially comply with the Tennessee Lawyer Assistance Program. Section 12.3 of Supreme Court Rule 9 provides for the immediate summary suspension of an attorney's license to practice law in cases where an attorney fails to substantially comply with the Tennessee Lawyer Assistance Program.

Mr. Roberts is immediately precluded from accepting any new cases and must cease representing existing clients by November 12, 2023. After November 12, 2023, Mr. Roberts shall cease to maintain a presence or occupy an office where the practice of law is conducted and shall take such action as is necessary to remove any indicia of lawyer, legal assistant, or law clerk or similar title.

Mr. Roberts 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 and deliver to all clients any papers or property to which they are entitled.

Mr. Roberts must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 12.3(d), regarding the obligations and responsibilities of temporarily suspended attorneys and the procedure for reinstatement.

This suspension remains in effect until dissolution or modification by the Supreme Court. Mr. Roberts may, for good cause, request dissolution or modification of the suspension by petition to the Supreme Court.

SHEILA L. ROBINSON-BEASLEY, BPR #013937

SHELBY COUNTY

On April 4, 2024, the Supreme Court of Tennessee temporarily suspended Sheila L. Robinson-Beasley from the practice of law upon finding that Ms. Robinson-Beasley misappropriated funds and property for her personal use and poses a threat of substantial harm to the public. Section 12.3 of Supreme Court Rule 9 provides for the immediate summary suspension of an attorney who misappropriates funds for the attorney's own use and poses a threat of substantial harm to the public.

Ms. Robinson-Beasley is immediately precluded from accepting any new cases, and she must cease representing existing clients by May 4, 2024 (30 days after suspension). After May 4, 2024, Ms. Robinson-Beasley shall not use any indicia of lawyer, legal assistant, or law clerk nor maintain a presence where the practice of law is conducted.

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

Ms. Robinson-Beasley must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 12.3(d), regarding the obligations and responsibilities of temporarily suspended attorneys and the procedure for reinstatement.

This suspension remains in effect until dissolution or modification by the Supreme Court. Ms. Robinson-Beasley may for good cause request dissolution or modification of the suspension by petition to the Supreme Court.

PUBLIC CENSURES

ROBERT L. BAKERIS

FLORIDA LAWYER

On February 23, 2024, Robert. L. Bakeris, a Florida licensed attorney, received a Public Censure from the Supreme Court of Tennessee and was ordered to pay the costs and fees of the Board of Professional Responsibility.

While appearing in a Tennessee matter *pro hac vice*, Mr. Bakeris failed to pay the required registration fees for a two (2) year period. Upon learning of the missed payments, Mr. Bakeris made full payment of the unpaid fees and asserted that it was an inadvertent oversight which was confirmed by his office manager in charge of making the payments.

Mr. Bakeris executed a conditional guilty plea acknowledging that his conduct violated Rule of Professional Conduct 3.4(c) (fairness to opposing party and counsel).

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

TERRY MATTHEW BASISTA, #001978

CAMPBELL COUNTY

On October 10, 2023, Terry Matthew Basista, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Basista won an award of child support for his client by agreement of the parties during a hearing in Claiborne County Chancery Court on July 21, 2015. Mr. Basista failed to file an order for over two (2) years and failed to stay abreast of the case, resulting in an order of closure being filed on August 18, 2017.

By these acts, Mr. Basista has violated Rules of Professional Conduct 1.3 (diligence), 1.4 (communication), and 3.2 (expediting litigation), and is hereby Publicly Censured for these violations.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

SAMUEL CALVIN BLINK, BPR #036400

DAVIDSON COUNTY

On January 2, 2024, Samuel Calvin Blink, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Blink represented a corporate client in filing a Chapter 7 bankruptcy petition. Mr. Blink is not experienced in bankruptcy and intended to represent the client in conjunction with one of his law partners who was not licensed in Tennessee. Mr. Blink filed the petition for bankruptcy but did not timely file the required schedules. Neither Mr. Blink nor the client appeared at the initial meeting of creditors despite notice. The court entered an order directing the required schedules to be filed by a particular date. The schedules were not timely filed. Mr. Blink filed a motion for his law partner's *pro hac vice* admission, but the motion did not

comply with the requirements of the court. After a show cause hearing, Mr. Blink was sanctioned by the bankruptcy court for this conduct.

By these acts, Samuel Calvin Blink has violated Rules of Professional Conduct 1.1 (competence), 1.3 (diligence), 3.2 (expediting litigation), 3.4 (fairness to opposing party), and 8.4(d) (prejudice to the administration of justice) and is hereby Publicly Censured for these violations.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

LARRY WAYNE BRANTLEY, BPR #034021

TENNESSEE LAWYER

Effective December 8, 2023, Larry Wayne Brantley, a resident of Huntsville, Alabama, was publicly censured by Order of Reciprocal Discipline entered by the Supreme Court of Tennessee on December 8, 2023. Mr. Brantley was publicly reprimanded on April 11, 2023, by Order entered by the United States Patent and Trademark Office, and placed on probation for thirty-six (36) months with conditions. On October 25, 2023, the Supreme Court of Tennessee entered a Notice of Reciprocal Discipline directing Mr. Brantley to demonstrate to the Court, within thirty (30) days of receipt of the Notice, why the discipline imposed by the United States Patent and Trademark Office should not be imposed by the Supreme Court of Tennessee. Mr. Brantley failed to respond to the directive of the Court.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

S. BRAD DOZIER, #024959

WILLIAMSON COUNTY

On October 17, 2023, S. Brad Dozier, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Dozier represented a client in probating an estate, and in the reopening of a recently concluded probate proceeding. Mr. Dozier delayed in taking proper action in both matters and failed to respond to his client's communications. In the probate proceeding where Mr. Dozier filed a petition to reopen the estate, Mr. Dozier additionally failed to seek leave of Court to withdraw after being discharged by his client.

By these acts, Mr. Dozier has violated Rules of Professional Conduct 1.3 (diligence), 1.4 (communication) and 1.16(a)(duties following discharge), and is hereby Publicly Censured for these violations.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

CHARLES MARTIN DUKE, BPR #023607

DAVIDSON COUNTY

On October 6, 2023, Charles Martin Duke, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

In the representation of a client in connection with an ancillary probate matter, Mr. Duke failed to pursue the client's legal objectives, and did not maintain good communication with his client. Investigation also revealed that Mr. Duke failed to notify his client that he was suspended from the practice of law. Due to Mr. Duke's suspension on May 9, 2022, he was required pursuant to Tennessee Supreme Court Rule 9, Section 28, to notify all clients by certified mail of the suspension no later than 10 days after the effective date of the order.

By these acts, Mr. Duke has violated Rules of Professional Conduct 1.3 (diligence), 1.4 (communication), 3.4(c) (fairness to opposing counsel), and 8.4(g) (misconduct) and is hereby Publicly Censured for this violation.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

MICHAEL ROBERT GIAIMO, #019394

PUTNAM COUNTY

On February 22, 2024, Michael Robert Giaimo, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Giaimo filed lawsuits on behalf of a client in General Sessions Court and Circuit Court, but thereafter failed to communicate with the client for a period of more than a year and failed to inform the client that he had moved to a different firm. Mr. Giaimo additionally failed to properly serve process on one of the three defendants in the Circuit Court action, and failed to correct this mistake before the statute of limitations

ran on the claim, doing irreparable damage to the underlying claim. When confronted by the Complainant regarding this mistake, the Respondent withdrew from representing the Complainant.

By these acts, Mr. Giaimo has violated Rules of Professional Conduct 1.1 (*competence*), 1.3 (*diligence*), 1.4 (*communication*), 1.16 (*terminating representation*), and 3.2 (*expediting litigation*), and is hereby Publicly Censured for these violations. This Public Censure will not restrict Mr. Giaimo's license to practice law in any way. Mr. Giaimo cooperated with the investigation of this matter and agrees to this resolution.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

WILLIAM RAY GLASGOW, #022804

SHELBY COUNTY

On April 3, 2024, William Ray Glasgow, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Glasgow filed a lawsuit on behalf of a client against a sitting judge. The lawsuit was filed shortly before a judicial election for the sitting judge's position, where Mr. Glasgow was also a candidate. The lawsuit lacked any meritorious basis in fact or law and was filed solely to advance Mr. Glasgow's position in the upcoming judicial election. The lawsuit contained a false or reckless statement that the sitting judge had engaged in "constructive kidnapping" of a minor child with "willful and deliberate malice and intent" while presiding over a dependent and neglect proceeding.

By these acts, Mr. Glasgow has violated Rules of Professional Conduct 1.1 (*competence*), 1.3 (*diligence*), 3.1 (*meritorious claims*), 4.4(a)(1) (*respect for the rights of third persons*), 8.2(a) (*judicial and legal officials*), and 8.4(d) (*conduct prejudicial to the administration of justice*) and is hereby Publicly Censured for these violations.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

JAMES ARTHUR GRAHAM, JR.

LOUISIANA LAWYER

On October 5, 2023, James Arthur Graham, Jr., an attorney licensed to practice law in Louisiana and not licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Graham filed an application for comity admission in Tennessee, and he was then authorized to practice law “pending admission” in Tennessee under Tennessee Supreme Court Rule 7, §10.07. Mr. Graham later withdrew his application for comity admission in Tennessee, and he was notified thereafter that his ability to practice “pending admission” was revoked. Mr. Graham stated on his website for approximately 60 days that he was licensed in Tennessee, when his “practice pending admission” had been revoked, which was a false statement and resulted in potential harm to the public.

By these acts, James A. Graham, Jr., is in violation of Rule of Professional Conduct 7.1 (communication concerning a lawyer’s services) and is hereby Publicly Censured for this violation.

REBECCA CAROLE GRIFFEY, #020711

HENRY COUNTY

On January 9, 2024, Rebecca Carole Griffey, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Ms. Griffey filed an application for a Chancellor position on May 29, 2019, with the Tennessee Trial Court Vacancy Commission. Ms. Griffey knowingly failed to disclose information responsive to questions on the application.

By these acts, Ms. Griffey has violated Rules of Professional Conduct 8.2(a)(3) (knowingly making a false statement concerning the qualifications of a judicial candidate), 8.2(b) (violation of the Code of Judicial Conduct by a candidate for judicial office), and 8.4(c) (and (d) (misconduct)). Ms. Griffey is hereby Publicly Censured for these violations.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney’s ability to practice law.

DON ANTHONY HANDLEY, #021503

SHELBY COUNTY

On October 17, 2023, Don Anthony Handley, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Handley settled a personal injury case in January 2019. Mr. Handley's support staff assigned to the file inadvertently failed to deposit the settlement check received from the insurance carrier for the at-fault driver, and the error was not identified until July 2022. The error later resulted in an overdraft on Mr. Handley's trust account. Mr. Handley's failure to identify the error evidences a breach of his obligation to create and maintain appropriate trust account management protocols, as well as his duty to appropriately train and supervise his staff.

By these acts, Mr. Handley has violated Rules of Professional Conduct 1.15 (safekeeping client funds and property) and 5.1 (managerial and supervisory responsibilities) and is hereby Publicly Censured for these violations.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

MATTHEW HOLLINGSHEAD-COOK, BPR #025939

KNOX COUNTY

On October 18, 2023, Matthew Hollingshead-Cook, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Hollingshead-Cook received settlement funds from a client and deposited them into his trust account. Mr. Hollingshead-Cook then took a break from practicing law and did not give the client her settlement funds for more than three years. The funds remained in trust during the interim. In another client matter, Mr. Hollingshead-Cook deposited client funds into his trust account which were a distribution from an estate. He did not remit the funds to his client for almost two years, but the funds remained in trust. Mr. Hollingshead-Cook also inadvertently wrote a \$100 check on a personal matter using trust account funds.

By these acts, Matthew Hollingshead-Cook, has violated Rules of Professional Conduct 1.15 (safekeeping funds), 1.3 (diligence), 1.4 (communication), and 1.16 (termination of representation) and is hereby Publicly Censured for these violations.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

DARRYL WAYNE HUMPHREY, #016471

SHELBY COUNTY

On October 3, 2023, Darryl Wayne Humphrey, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Humphrey received a disciplinary suspension on September 25, 2017. Mr. Humphrey filed a petition for reinstatement on June 2, 2021, which was granted on April 8, 2022. Mr. Humphrey failed to timely comply with three (3) conditions in the April 8, 2022 Order reinstating his law license.

By these acts, Mr. Humphrey has violated Rule of Professional Conduct 8.4(d) (conduct prejudicial to the administration of justice) and 8.4(g) (willful violation of a court order) and is hereby Publicly Censured for this violation.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

JERRY BAXTER JACKSON, III, BPR #016745

RUTHERFORD COUNTY

On January 26, 2024, Jerry Baxter Jackson, III, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

In one client matter, Mr. Jackson failed to timely file an amended parenting plan as ordered by the court or take action to extend the deadline with the court. Mr. Jackson then failed to attend the court's next scheduled hearing. Mr. Jackson filed a motion to withdraw from the matter and noted in the motion that the client "refused" to cooperate.

In another client matter, Mr. Jackson failed to respond to a motion for summary judgment on behalf of his client and failed to explain the effect of the motion to the client.

By these acts, Jerry B. Jackson, III, has violated Rules of Professional Conduct 1.3 (diligence), 1.4 (communication), 1.6 (confidentiality of information), 3.4 (fairness to opposing party and counsel) and 8.4(d) (prejudice to the administration of justice) and is hereby Publicly Censured for these violations.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

WESLEY JESSE LADNER, III, BPR NO. 035788

DAVIDSON COUNTY

On March 4, 2024, Wesley Jesse Ladner, III, an attorney licensed to practice law in Tennessee, received a Public Censure from the Supreme Court of Tennessee and was ordered to pay the costs and fees of the Board of Professional Responsibility. The Public Censure was imposed on the condition Mr. Ladner engaged a practice monitor for a period of two (2) years and contacted the Tennessee Lawyers Assistance Program and complied with any recommendations.

Mr. Ladner represented a client in a contentious divorce matter. During the course of the domestic litigation, Mr. Ladner engaged in abuses of the discovery process, failed to diligently and timely respond to discovery requests, and made factual misstatements to the court and opposing counsel.

Mr. Ladner executed a conditional guilty plea acknowledging his conduct violated Rules of Professional Conduct 1.3 (diligence), 3.1 (meritorious claims and contentions), 3.3 (candor toward the tribunal), 3.4 (fairness to opposing party and counsel), 8.4(c) and (d) (misconduct).

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

BRETT NATHANIEL MAYES, BPR #031762

WASHINGTON COUNTY

On October 17, 2023, Brett Nathaniel Mayes, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Mayes served on a local planning commission, and he was required to complete a "Statement of Interest" form by the Tennessee Ethics Commission. Mr. Mayes falsely stated on the form that he had never filed bankruptcy when he had filed bankruptcy in 2019. Mr. Mayes completed the form for two calendar years, indicating on both filings that he had not filed bankruptcy. The forms were completed under penalty of perjury.

By these acts, Brett Nathaniel Mayes, has violated Rule of Professional Conduct 8.4(c) (conduct involving dishonesty) and is hereby Publicly Censured for this violation.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

DANA L. NERO, BPR #025042

DAVIDSON COUNTY

On January 8, 2024, Dana L. Nero, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Ms. Nero was temporarily suspended from the practice of law. At that time, Ms. Nero was representing a client in Davidson County Criminal Court. Due to Ms. Nero's suspension on October 7, 2022, she was required pursuant to Tennessee Supreme Court Rule 9, Section 28, to notify all clients by registered or certified mail of the suspension no later than 10 days after the effective date of the order. Ms. Nero failed to notify her client of her suspension as required by Rule 9, Section 28 and failed to deliver her client any papers or other property to which they were entitled pursuant to Tennessee Supreme Court Rule 9, Section 28.5.

By these acts, Ms. Nero has violated Rules of Professional Conduct 3.4(c) (fairness to opposing counsel) and 8.4(g) (knowingly failing to comply with a court order) and is hereby Publicly Censured for this violation.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

RAMSDALE O'DeNEAL, JR., BPR #013367

SUMNER COUNTY

On October 11, 2023, Ramsdale O'DeNeal, Jr., an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. O'DeNeal represented a client in a criminal matter for which the client paid a flat fee. The client agreed to accept a plea, and just prior to the date of the hearing to accept the plea, Mr. O'DeNeal requested the client pay an additional \$1,000 fee. Mr. O'DeNeal did not advise the client to seek legal advice, and he did not receive informed consent to change the fee. The client paid the additional fee, but in the course of the disciplinary investigation, Mr. O'DeNeal refunded to the client the \$1,000 additional fee.

By these acts, Ramsdale O'DeNeal, Jr., has violated Rules of Professional Conduct 1.5 (fees) and 1.8 (conflict of interest: specific rules) and is hereby Publicly Censured for these violations.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

BRIAN CHADWICK RICKMAN, BPR #017534

SHELBY COUNTY

On October 11, 2023, Brian Chadwick Rickman, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Rickman represented a client in a car wreck matter. Mr. Rickman agreed in writing to a settlement offer from the defendant without his client's knowledge or approval. Mr. Rickman later withdrew from the representation, and opposing counsel discovered that the client had not been aware of the settlement. Mr. Rickman has failed to respond to this disciplinary complaint.

By these acts, Brian Chadwick Rickman has violated Rules of Professional Conduct 1.1 (competence), 1.2 (scope of representation), 1.3 (diligence), 1.4 (communication), 1.16 (termination of representation), and 8.1 (disciplinary matters) and is hereby Publicly Censured for these violations.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

TERRY RISNER, BPR #015096

HAWKINS COUNTY

On April 9, 2024, Terry Risner, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

A client hired Mr. Risner to represent him on appeal of criminal convictions. The Court of Appeals entered an order substituting Mr. Risner as counsel and setting a deadline for him to file his appellate brief. Mr. Risner did not timely file a brief. The Court issued a notice to Mr. Risner stating that his brief had not been filed and informing him he had ten days to do so, and then when he did not timely file the brief, the court issued another order giving Mr. Risner an additional ten days to file his brief and an explanation for the delay. Mr. Risner did not file the brief. The Court then substituted successor counsel.

By these acts, Terry Risner has violated Rules of Professional Conduct 3.4 (fairness to opposing party), 1.3 (diligence), and 8.4(d) (prejudice to the administration of justice) and is hereby Publicly Censured for these violations.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

CHARLES BRANDON SPROLES, BPR #022298

SULLIVAN COUNTY

On January 26, 2024, Charles Brandon Sproles, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Sproles represented a grandmother in seeking child support for the grandchild of whom she had legal custody. The court ordered child support to be awarded to the grandmother. Mr. Sproles delayed more than eight months in entering an order setting the child support despite multiple requests from his client. In the intervening eight months, the grandmother received some of the owed child support by opening a case for child support with the local state child support office, *pro se*.

By these acts, Charles Brandon Sproles has violated Rules of Professional Conduct 1.3 (diligence), 3.4 (fairness to opposing party), and 8.4(d) (prejudice to the administration of justice) and is hereby Publicly Censured for these violations with the condition that he pay restitution to his client of \$1,572.00 within 90 days.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

CHRISTOPHER P. WESTMORELAND, BPR #024789

BEDFORD COUNTY

On October 18, 2023, Christopher P. Westmoreland, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Westmoreland was hired to probate two estates for the mother and father of his client. Mr. Westmoreland agreed to represent the client on both matters for a 7% contingency fee of the value of the assets in the estates, but his fee was not agreed to in a writing signed by his client. Respondent's fee was otherwise reasonable and earned in the matters.

By these acts, Christopher Paul Westmoreland has violated Rule of Professional Conduct 1.5 (fees) and is hereby Publicly Censured for this violation with the condition that he attend the Board's Trust Account Workshop.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

JOSEPH PAUL WEYANT, BPR #022587

DAVIDSON COUNTY

On January 26, 2024, Joseph Paul Weyant, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Weyant was hired to file a petition to probate a client's late fiancé's estate. At the time the fiancé died, the fiancé was a beneficiary of his mother's estate, and it was anticipated that he would receive a distribution from that estate. Mr. Weyant filed a petition to probate the client's fiancé's estate, but then he filed a motion to close the estate prior to a distribution from the mother's estate. Mr. Weyant then terminated the representation with the client. The client hired another attorney to reopen the late fiancé's estate and paid that attorney fees of \$3,102.00. After the fiancé's estate was reopened, it received the distribution from the fiancé's mother's estate.

By these acts, Joseph P. Weyant, has violated Rules of Professional Conduct 1.1 (competence), 1.3 (diligence), 1.4 (communication), and 8.4(d) (prejudice to the administration of justice) and is hereby Publicly Censured for these violations with the condition that he make restitution to the client of \$3,102.00 within 90 days.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

CHARLES GAMMONS WRIGHT, JR., BPR #000915

HAMILTON COUNTY

On January 5, 2024, Charles Gammons Wright, Jr., an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Wright agreed to represent his client in pursuing a civil claim. Mr. Wright delayed in taking action in this matter and failed to pursue his client's legal objectives. Additionally, Mr. Wright failed to communicate with his client throughout the representation.

By these acts, Mr. Wright has violated Rules of Professional Conduct 1.3 (diligence), 1.4 (communication), 3.2 (expediting litigation), and 8.4(d) (conduct prejudicial to the administration of justice) and is hereby Publicly Censured for this violation.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

REINSTATEMENTS

MELISSA ANN BAKER, BPR #035018

WILLIAMSON COUNTY

By Order of the Tennessee Supreme Court entered February 28, 2024, Melissa Ann Baker was reinstated to the active practice of law conditioned upon continuing compliance with the terms and conditions of the Order of Enforcement entered February 6, 2023.

On February 6, 2023, Ms. Baker was suspended by the Supreme Court of Tennessee for three (3) years with one (1) year to be served as an active suspension. Ms. Baker filed a Petition for Reinstatement pursuant to Tennessee Supreme Court Rule 9, Section 30.4(c), on January 12, 2024. The Board found the Petition was satisfactory and submitted an Order of Reinstatement to the Court.

RICHARD HANNAH DUNAVANT, BPR #005654

GILES COUNTY

By Order of the Tennessee Supreme Court entered October 26, 2023, the law license of Richard Hannah Dunavant was transferred from disability inactive status to active status pursuant to Section 27.7 of Tennessee Supreme Court Rule 9.

On January 21, 2016, Mr. Dunavant was placed on disability inactive status. Mr. Dunavant filed a Petition for Transfer to Active Status on September 28, 2023, demonstrating the disability has been removed. By Order of the Tennessee Supreme Court, Mr. Dunavant is immediately eligible to resume the active practice of law in the State of Tennessee.

KEITH LANE EDMISTON, BPR #018366

TENNESSEE LAWYER

By Order of the Tennessee Supreme Court entered November 1, 2023, the law license of Keith Lane Edmiston was reinstated to the active practice of law pursuant to Section 27.7 of Tennessee Supreme Court Rule 9.

On December 15, 2017, Mr. Edmiston was placed on disability inactive status. Mr. Edmiston filed an Amended Petition for Reinstatement on February 27, 2023, demonstrating the disability had been removed. On April 14, 2023, the Court entered an Order removing Mr. Edmiston's disability status but required him to remain on inactive status pending resolution of disciplinary complaints pending before the Board. The Board

received confirmation that all disciplinary complaints involving Mr. Edmiston have been resolved and therefore submitted an Order of Reinstatement to the Court. Pursuant to the Order of the Tennessee Supreme Court, Mr. Edmiston is immediately eligible to practice law in the state of Tennessee.

JAMES RALPH HICKMAN, JR., BPR #020125

SEVIER COUNTY

By Order of the Tennessee Supreme Court entered March 22, 2024, James Ralph Hickman, Jr., was reinstated to the active practice of law conditioned upon engagement of a practice monitor and continued compliance with the terms and conditions of the Judgment entered June 30, 2023.

On June 30, 2023, Mr. Hickman was suspended by the Supreme Court of Tennessee for one (1) year with six (6) months to be served as an active suspension. Mr. Hickman filed a Petition for Reinstatement pursuant to Tennessee Supreme Court Rule 9, Section 30.4(c), on February 15, 2024. The Board found the Petition was satisfactory and submitted an Order of Reinstatement to the Court.

JOHN PHILIP PARSONS, BPR #011636

PUTNAM COUNTY

By Order of the Tennessee Supreme Court entered November 1, 2023, John Philip Parsons was reinstated to the active practice of law.

On October 13, 2017, John Philip Parsons was disbarred by the Supreme Court of Tennessee. Mr. Parsons filed a Petition for Reinstatement to the practice of law pursuant to Tennessee Supreme Court Rule 9, Section 30.4(d), on March 10, 2023. A formal hearing was held before a Hearing Panel on September 7, 2023. The Hearing Panel found by clear and convincing evidence that Mr. Parsons possessed the moral qualifications, competency, and learning in the law required for admission to practice in the State of Tennessee and that his resumption of the practice of law in Tennessee would not be detrimental to the integrity and standing of the Bar or the administration of justice and recommended the Supreme Court reinstate Mr. Parsons to the active practice of law.

Mr. Parsons' reinstatement to the active practice of law is conditioned upon his engagement of a practice monitor who will meet with him once a month for the period of one (1) year to assess his caseload, timeliness of tasks, adequacy of communication with clients, accounting procedures, and provide monthly written reports of Mr. Parsons' progress to Disciplinary Counsel.

The Order of Reinstatement entered November 1, 2023, was effective upon filing.

MONICA AISLYNN TIMMERMAN, BPR #031536

SHELBY COUNTY

By Order of the Tennessee Supreme Court entered November 7, 2023, the law license of Monica Aislynn Timmerman was reinstated to the active practice of law pursuant to Section 27.7 of Tennessee Supreme Court Rule 9.

On September 27, 2023, Ms. Timmerman was temporarily suspended from the practice of law for substantial non-compliance with her Tennessee Lawyer Assistance Program Monitoring Agreement and posing a threat of substantial harm to the public. Ms. Timmerman filed a Petition for Dissolution of Temporary Suspension on October 10, 2023, and the matter was heard by a three-member panel of the Board of Professional Responsibility. The Board Panel entered a report and recommendation on November 3, 2023, recommending the dissolution of Ms. Timmerman's temporary suspension, and the Supreme Court adopted the recommendation of the Panel.

Pursuant to the Order of the Tennessee Supreme Court, Ms. Timmerman is immediately eligible to practice law in the state of Tennessee.

SAMUEL ERVIN WHITE, BPR #029973

SULLIVAN COUNTY

By Order of the Tennessee Supreme Court entered October 3, 2023, Samuel Ervin White was reinstated to the active practice of law.

On June 30, 2023, Samuel Ervin White was temporarily suspended by the Supreme Court of Tennessee for misappropriating funds for his personal use and posing a threat of substantial harm to the public. Mr. White sought to dissolve the temporary suspension, and a hearing was held before a three-member Panel of the Board on August 31, 2023. On September 27, 2023, the Panel entered its Report and Recommendation of Hearing Panel recommending dissolution of the temporary suspension with conditions. The Supreme Court approved the Panel's Report and Recommendation and reinstated Mr. White conditioned upon his completion to the Board's Trust Account Workshop, engagement of a Practice Monitor, and contact with the Tennessee Lawyer Assistance Program.

The Order Granting Application for Dissolution or Modification of Order of Temporary Suspension entered October 3, 2023, was effective upon filing.

DISABILITY INACTIVE

JEFFREY D. BOEHM, BPR #002093

HAMILTON COUNTY

By Order of the Tennessee Supreme Court entered February 2, 2024, the law license of Jeffrey D. Boehm was transferred to disability inactive status pursuant to Section 27.3 of Tennessee Supreme Court Rule 9.

Mr. Boehm cannot practice law while on disability inactive status and shall comply with the requirements of Tennessee Supreme Court Rule 9, Section 28, regarding the obligations and responsibilities of attorneys transferred to disability inactive status. He may return to the practice of law after reinstatement by the Tennessee Supreme Court upon showing that his disability has been removed in accordance with Tennessee Supreme Court Rule 9, Section 27.7.

WILLIAM HOWARD KNAPP, BPR #000038

WILLIAMSON COUNTY

By Order of the Tennessee Supreme Court entered February 2, 2024, the law license of William Howard Knapp was transferred to disability inactive status pursuant to Section 27.3 of Tennessee Supreme Court Rule 9.

Mr. Knapp cannot practice law while on disability inactive status and shall comply with the requirements of Tennessee Supreme Court Rule 9, Section 28, regarding the obligations and responsibilities of attorneys transferred to disability inactive status. He may return to the practice of law after reinstatement by the Tennessee Supreme Court upon showing that his disability has been removed in accordance with Tennessee Supreme Court Rule 9, Section 27.7.

CAROL ANNE MUTTER, BPR #016978

HAMILTON COUNTY

By Order of the Tennessee Supreme Court entered February 2, 2024, the law license of Carol Anne Mutter was transferred to disability inactive status pursuant to Section 27.3 of Tennessee Supreme Court Rule 9.

Ms. Mutter cannot practice law while on disability inactive status and shall comply with the requirements of Tennessee Supreme Court Rule 9, Section 28, regarding the obligations and responsibilities

of attorneys transferred to disability inactive status. She may return to the practice of law after reinstatement by the Tennessee Supreme Court upon showing that her disability has been removed in accordance with Tennessee Supreme Court Rule 9, Section 27.7.

TENNESSEE LAWYERS' FUND
for CLIENT PROTECTION
Fund Payments

ROBERT HARRIS GOLDER BPR #034911

SHELBY COUNTY

On October 2, 2023, the Tennessee Lawyers' Fund for Client Protection (Lawyers' Fund) paid a claim filed against Robert Harris Golder, in the amount of \$2,500.00.

Lawyers' Fund, financed by Tennessee lawyers and judges, was established by the Tennessee Supreme Court to reimburse individuals for losses caused by the rare instances of dishonest conduct by attorneys. The Tennessee Supreme Court appoints a Lawyers' Fund Board, consisting of six lawyers and three non-attorney members, who serve without compensation in considering and paying claims pursuant to Tennessee Supreme Court Rule 25.

Mr. Golder is required to reimburse Lawyers' Fund for the amount paid to any claimant pursuant to Tennessee Supreme Court Rule 25 Section 16 and/or the Order of Enforcement entered by the Supreme Court of Tennessee.

DAVID DWAYNE HARRIS, BPR #032607

DAVIDSON COUNTY

On December 14, 2023, the Tennessee Lawyers' Fund for Client Protection (Lawyers' Fund) paid a claim filed against David Dwayne Harris, in the amount of \$1,500.00.

Lawyers' Fund, financed by Tennessee lawyers and judges, was established by the Tennessee Supreme Court to reimburse individuals for losses caused by the rare instances of dishonest conduct by attorneys. The Tennessee Supreme Court appoints a Lawyers' Fund Board, consisting of six lawyers and three non-attorney members, who serve without compensation in considering and paying claims pursuant to Tennessee Supreme Court Rule 25.

Mr. Harris is required to reimburse Lawyers' Fund for the amount paid to any claimant pursuant to Tennessee Supreme Court Rule 25 Section 16 and/or the Order of Enforcement entered by the Supreme Court of Tennessee.

ERIC JOHN MONTIERTH BPR #031679

ROANE COUNTY

On January 11, 2024, the Tennessee Lawyers' Fund for Client Protection (Lawyers' Fund) paid a claim filed against Eric John Montierth, in the amount of \$3,500.00.

Lawyers' Fund, financed by Tennessee lawyers and judges, was established by the Tennessee Supreme Court to reimburse individuals for losses caused by the rare instances of dishonest conduct by attorneys. The Tennessee Supreme Court appoints a Lawyers' Fund Board, consisting of six lawyers and three non-attorney members, who serve without compensation in considering and paying claims pursuant to Tennessee Supreme Court Rule 25.

Mr. Montierth is required to reimburse Lawyers' Fund for the amount paid to any claimant pursuant to Tennessee Supreme Court Rule 25 Section 16 and/or the Order of Enforcement entered by the Supreme Court of Tennessee.

BRIAN CHADWICK RICKMAN, BPR #017534

SHELBY COUNTY

On December 19, 2023, the Tennessee Lawyers' Fund for Client Protection (Lawyers' Fund) paid a claim filed against Brian Chadwick Rickman, in the amount of \$3,500.00.

Lawyers' Fund, financed by Tennessee lawyers and judges, was established by the Tennessee Supreme Court to reimburse individuals for losses caused by the rare instances of dishonest conduct by attorneys. The Tennessee Supreme Court appoints a Lawyers' Fund Board, consisting of six lawyers and three non-attorney members, who serve without compensation in considering and paying claims pursuant to Tennessee Supreme Court Rule 25.

Mr. Rickman is required to reimburse Lawyers' Fund for the amount paid to any claimant pursuant to Tennessee Supreme Court Rule 25 Section 16 and/or the Order of Enforcement entered by the Supreme Court of Tennessee.

BRIAN CHADWICK RICKMAN, BPR #017534

SHELBY COUNTY

On December 19, 2023, the Tennessee Lawyers' Fund for Client Protection (Lawyers' Fund) paid a claim filed against Brian Chadwick Rickman, in the amount of \$12,995.96.

Lawyers' Fund, financed by Tennessee lawyers and judges, was established by the Tennessee Supreme Court to reimburse individuals for losses caused by the rare instances of dishonest conduct by attorneys. The Tennessee Supreme Court appoints a Lawyers' Fund Board, consisting of six lawyers and three non-attorney members, who serve without compensation in considering and paying claims pursuant to Tennessee Supreme Court Rule 25.

Mr. Rickman is required to reimburse Lawyers' Fund for the amount paid to any claimant pursuant to Tennessee Supreme Court Rule 25 Section 16 and/or the Order of Enforcement entered by the Supreme Court of Tennessee.

KEVIN WILLIAM TEETS, JR. BPR #029981

MONTGOMERY COUNTY

On March 12, 2024, the Tennessee Lawyers' Fund for Client Protection (Lawyers' Fund) paid a claim filed against Kevin William Teets, Jr., in the amount of \$4,500.00.

Lawyers' Fund, financed by Tennessee lawyers and judges, was established by the Tennessee Supreme Court to reimburse individuals for losses caused by the rare instances of dishonest conduct by attorneys. The Tennessee Supreme Court appoints a Lawyers' Fund Board, consisting of six lawyers and three non-attorney members, who serve without compensation in considering and paying claims pursuant to Tennessee Supreme Court Rule 25.

Mr. Teets is required to reimburse Lawyers' Fund for the amount paid to any claimant pursuant to Tennessee Supreme Court Rule 25 Section 16 and/or the Order of Enforcement entered by the Supreme Court of Tennessee.