BOARD NOTES

FALL 2025

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of the Supreme Court of Tennessee

GREETING FROM JUSTICE HOLLY KIRBY

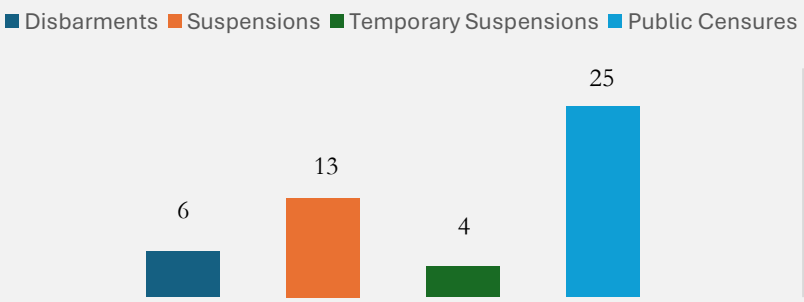
After completing my term as Chief Justice, it's good to come home to once again serving as the Supreme Court's liaison to the Board of Professional Responsibility. I'm especially grateful to have the opportunity to thank Tennessee's legal community for supporting last year's increase in the registration fee for lawyers.

The Court recognizes the financial challenges facing lawyers today, and the increase to $270 per year in your registration fee was significant. But under Tennessee's system, taxpayers don't cover the cost of enforcing ethics rules for lawyers. Instead, your registration fees fund the operations of the Board of Professional Responsibility. Your registration fees also fund the Tennessee Lawyers Fund for Client Protection (TLFCP), which reimburses clients whose lawyer steals from them. In addition, your registration fees fund the important work of our Tennessee Lawyers Assistance Program (TLAP) in helping lawyers and judges who face mental or emotional struggles, or substance abuse.

Most of Tennessee's lawyers never face discipline by the BPR, never are the subject of a claim against the TLFCP and never need the services of TLAP. But you perform the highest public service by funding all of these important entities through your registration fees. And most of all, you raise up the legal profession by the good work you do every day, serving your clients with honor and integrity. Thank you for all that you're doing for our citizens.

DISCIPLINARY ACTIONS AT A GLANCE

MARCH 2025- SEPT 2025



SPOTLIGHT:

Supreme Court Amends Rule 21 to Align BPR, CLE Statuses

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WHAT'S INSIDE

Spotlight: Supreme Court Amends Rule 21 to Align BPR, CLE Statuses

By: Michele Wojciechowski
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As attorney mobility continues to increase and more lawyers practice in multiple states, the Tennessee Supreme Court has amended Tennessee Supreme Court Rule 21 and its accompanying regulations to ease the requirements for attorneys who hold a Tennessee law license but may not have an active practice here.

Starting with the 2026 compliance year, the Tennessee Commission on Continuing Legal Education will not require attorneys to claim an annual exemption if they meet certain requirements with the Board of Professional Responsibility (BPR). In addition, attorneys who live and practice in another state may be able to use their continuing legal education (CLE) compliance in that state to satisfy the Tennessee requirements.

Inactive or Exempt Status with the Board of Professional Responsibility

Attorneys have long expressed confusion about CLE obligations while inactive. Currently, attorneys with an inactive Tennessee law license may still have a requirement to report annually to the CLE Commission, usually in the form of claiming an exemption.

Although these recent amendments to Rule 21 eliminate all CLE exemptions other than the age exemption, attorneys who are inactive or exempted from Tennessee Supreme Court Rule 9 under Section 10.3 will no longer have an annual reporting requirement to the CLE Commission. This includes attorneys who:

- serve as a justice, judge, or magistrate judge of a federal court or who serve in any federal office in which the attorney is prohibited by federal law from engaging in the practice of law,
- are on active duty with the armed forces, or
- are faculty members of Tennessee law schools and do not practice law.

The Commission will duplicate the BPR status of attorneys who have opted for the Rule 9 exemption and make them inactive with the Commission. During the period of inactivity, attorneys will have no annual reporting requirement, will not be required to file an annual report statement, and will not be subject to noncompliance fees.

To reactivate an inactive law license, the Commission will look to the last two years of an attorney's professional activity. In most cases, the attorney will not need to earn CLE to return to active status with the BPR and the Commission if they are inactive under these conditions.

Attorneys not engaged in the practice of law who do not fall into one of the three categories above and who take an exemption under Rule 9, Section 10.3(e) will be required to earn up to two years of CLE to reactivate, a change from the previous requirement of five years of CLE.

Out-of-State Attorneys

Attorneys who are licensed in another state and meeting that state's CLE requirements may

qualify for comity compliance, a new offering that permits attorneys in states approved by the Commission to use that state's compliance to meet Tennessee's CLE obligation.

The Commission reviews each state's requirements to determine that jurisdiction's eligibility for comity compliance in Tennessee. Attorneys who qualify will submit proof of compliance from an approved jurisdiction in lieu of reporting hours directly to Tennessee.

Age Exemption

The threshold for an age exemption (the compliance year in which an attorney turns 71) will not change, but the Commission will automatically apply the exemption to every attorney in the year they become eligible. The Commission will continue to maintain accounts for age-exempt attorneys and welcomes them to continue to earn and report CLE.

Disability & Exceptional Relief

Rule 21 will no longer require attorneys who have a disability to file an annual Request for Substitute Program Based Upon Disability under Section 3.02. This provision of the Rule is obsolete, as the Court permitted all hours to be earned remotely several years ago. In addition, attorneys needing other accommodations can apply for Exceptional Relief with the Commission under Rule 21, Section 2.04.

Effective Date

These changes will go into effect for the 2026 compliance year, which ends December 31, 2026. All current compliance rules remain in effect until attorneys have completed their obligation or claimed an exemption for 2025, so most attorneys will notice little change until 2027 when compliance for 2026 is verified. The Commission will share communication tailored to each attorney based on their status with the BPR to assist them in navigating their individual situation.

Attorneys who typically claim an exemption other than the age exemption may wish to consider their options regarding their license status in 2026 if their license is active with the BPR.

Additional Amendments

Some other changes that take effect for the 2026 compliance year:

- The Commission no longer will require an affidavit for published writings credit under Rule 21, Section 4.08(b).
- The Commission will no longer grant credit for passing a bar exam. Attorneys who are admitted after September 1 are automatically exempt from the CLE requirement that year.
- Attorneys who are exempt from the CLE requirement, such as new attorneys, who earn CLE may carry those hours forward to the next compliance year under the amendment.

Fees & Funding

Compliance fee rates remain unchanged, as they largely have for decades. Attorneys are not required to pay any fees to the Commission unless they are noncompliant or seek credit for unaccredited out-of-state courses. The Commission is self-funded, with about 60% of its budget coming from providers who pay $2 per hour, per attorney to report CLE attendance. In addition to funding the Commission's operations, CLE supports

Access to Justice initiatives each year through grants totaling more than $350,000.

Have Questions?

For questions about how these updates affect your CLE or BPR status, visit CLE.TNCourts.gov or contact the Commission at info@cle.tncourts.gov. The Commission will provide individualized guidance to ensure attorneys transition smoothly under the amended Rule 21 starting with the 2026 compliance year.

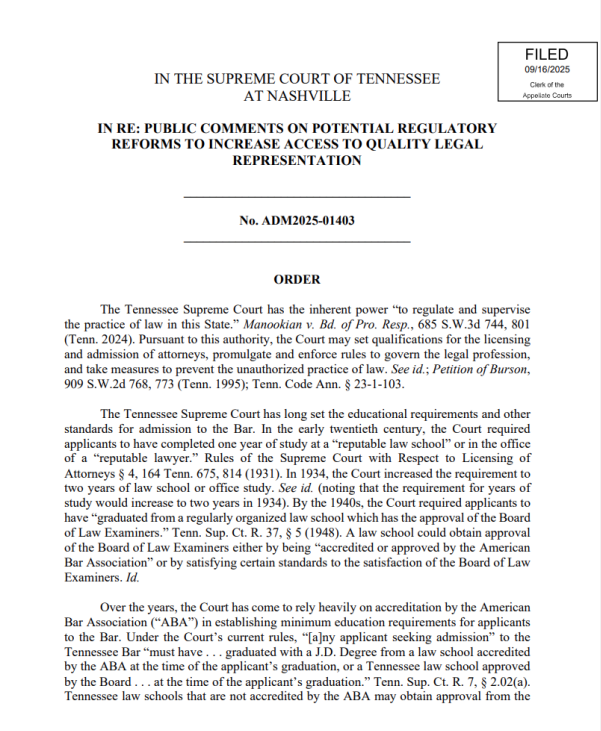
The Supreme Court of Tennessee's Order Soliciting Public Comments on Potential Regulatory Reforms to Increase Access to Quality Legal Representation

On September 16, 2025, the Supreme Court of Tennessee issued an Order Soliciting Public Comments on Potential Regulatory Reforms to Increase Access to Quality Legal Representation.

The deadline for submitting written comments to the Court is March 16, 2026. Written comments may be submitted either by email to appellatecourtclerk@tncourts.gov or by mail addressed to:

James Hivner, Clerk
Re: Regulatory Reform
100 Supreme Court Building
401 7th Avenue North
Nashville, TN 37219-1307.

Click here to read the Court's full Order.



FILED
09/16/2025
Clerk of the Appellate Courts

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: PUBLIC COMMENTS ON POTENTIAL REGULATORY REFORMS TO INCREASE ACCESS TO QUALITY LEGAL REPRESENTATION

No. ADM2025-01403

ORDER

The Tennessee Supreme Court has the inherent power "to regulate and supervise the practice of law in this State." *Manookian v. Bd. of Pro. Resp.*, 685 S.W.3d 744, 801 (Tenn. 2024). Pursuant to this authority, the Court may set qualifications for the licensing and admission of attorneys, promulgate and enforce rules to govern the legal profession, and take measures to prevent the unauthorized practice of law. *See id.*; *Petition of Burson*, 909 S.W.2d 768, 773 (Tenn. 1995); Tenn. Code Ann. § 23-1-103.

The Tennessee Supreme Court has long set the educational requirements and other standards for admission to the Bar. In the early twentieth century, the Court required applicants to have completed one year of study at a "reputable law school" or in the office of a "reputable lawyer." Rules of the Supreme Court with Respect to Licensing of Attorneys § 4, 164 Tenn. 675, 814 (1931). In 1934, the Court increased the requirement to two years of law school or office study. *See id.* (noting that the requirement for years of study would increase to two years in 1934). By the 1940s, the Court required applicants to have "graduated from a regularly organized law school which has the approval of the Board of Law Examiners." Tenn. Sup. Ct. R. 37, § 5 (1948). A law school could obtain approval of the Board of Law Examiners either by being "accredited or approved by the American Bar Association" or by satisfying certain standards to the satisfaction of the Board of Law Examiners. *Id.*

Over the years, the Court has come to rely heavily on accreditation by the American Bar Association ("ABA") in establishing minimum education requirements for applicants to the Bar. Under the Court's current rules, "[a]ny applicant seeking admission" to the Tennessee Bar "must have . . . graduated with a J.D. Degree from a law school accredited by the ABA at the time of the applicant's graduation, or a Tennessee law school approved by the Board . . . at the time of the applicant's graduation." Tenn. Sup. Ct. R. 7, § 2.02(a). Tennessee law schools that are not accredited by the ABA may obtain approval from the

The Provision of Law-Related Services

By: Steven Christopher
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The Board of Professional Responsibility

Most ethical rules only apply when an attorney is engaged in the practice of law. This is evident through inclusion of language in the text of the rule confirming its limited applicability to the attorney-client relationship. For example, Tennessee Rule of Professional Conduct 1.3 requires attorneys to provide diligent representation "in connection with the representation of the client,"[1] making the rule inapplicable to an attorney's conduct when volunteering for a non-profit organization where no legal services are provided.

There are limited ethical rules that apply regardless of whether the conduct occurs in an attorney-client relationship. The applicability of these rules outside the context of the attorney-client relationship is evident by the absence of circumscribing language. RPC 8.4(b) provides that it is professional misconduct for an attorney to commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects, both within and outside the context of an attorney-client relationship. RPC 8.4(c) prohibits an attorney from engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation, and contains no language limiting the scope of the rule to the attorney-client relationship.

Law-Related Services

Whether conduct occurs when an attorney is engaged in the practice of law is normally self-evident. However, not all circumstances clearly fall within or outside the bounds of an attorney-client relationship. An increasing number of attorneys provide services to clients that do not require law licensure but are provided in conjunction with or otherwise related to the provision of legal services. These ancillary services are referred to as "law-related services."[2] For example, an attorney whose practice is limited to patent litigation may also provide patent consulting services to clients. A law firm that represents a business entity in their transactional work may provide financial planning and consulting services that do not require law licensure.

The provision of law-related services is governed by RPC 5.7. Tennessee's Rule 5.7 was adopted September 29, 2010, effective January 1, 2011. Tennessee follows American Bar Association Model Rule 5.7, originally adopted in 1991.[3] Research revealed thirty-

[1] TENN. SUP. CT. R. 8, 1.3. The Tennessee Rules of Professional Conduct, codified at Rule 8 of the Tennessee Supreme Court Rules, will be cited as RPC _._.

[2] The provision of law-related services is governed by RPC 5.7.

[3] For analysis of Model Rule 5.7's legislative history, see Howard D. Reitz, Model Rule 5.7: A Well Intentioned but Misdirected Reform, 5 GEO. J. LEGAL ETHICS 975 (1992); Stephen Gillers Et Al., REGULATION OF LAWYERS: STATUTES AND STANDARDS, 435-36 (Supp. 2016); Hugh D. Spitzer,

eight (38) state jurisdictions that have adopted the model rule either verbatim or with modified language.[4]

Tennessee Rule of Professional Conduct 5.7(b) defines law-related services as services that might reasonably be performed in conjunction with and in substance are related to the provision of legal services but are not prohibited as the unauthorized practice of law when provided by a nonlawyer.[5] RPC 5.7 is applicable to law-related services provided by a lawyer even where the lawyer does not provide any legal services to the recipient of the law-related services, and whether the law-related services are provided through the attorney's law practice or a separate entity.[6]

Tennessee Rule of Professional Conduct 5.7 provides a framework for defining when the ethical rules limited to the attorney-client relationship apply to the provision of law-related services. As discussed infra, RPC 5.7 creates a default rule that all of Tennessee's ethical rules will apply when an attorney provides law-related services, unless the attorney provides the law-related services distinct from their law practice, and where the attorney employs reasonable measures to ensure that the recipient of the services understands that the protections of the attorney-client relationship do not exist.[7]

While the provision of law-related services creates potential ethical problems, RPC 5.7 also acknowledges and reflects the potential benefit derived by the general public when an attorney provides such ancillary services.[8] By clarifying the circumstances when Tennessee's ethical rules relating to the attorney-client relationship are applicable to law-related services, RPC 5.7 seeks to provide attorneys with clarity about how to provide such services consistent with their overriding ethical obligations.

Circumstances Where Law-Related Services Are Provided

Law-related services are provided in a number of different circumstances. Law-related services may be integral to the attorney's ongoing work and provided on a regular basis through their law practice. Attorneys regularly providing law-related services may also provide these services through the creation and operation of a separate entity under their control.[9] This is routinely done by real estate closing attorneys that maintain a separate entity for the provision of title insurance services.

The provision of law-related services is not limited to circumstances where such services are regularly provided to clients. Attorneys who do not incorporate law-related services into their usual legal work may occasionally encounter circumstances where they are asked

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Model Rule 5.7 and Lawyers in Government Jobs, 30 GEO. J. LEGAL ETHICS 45, 52-53 (2017).

[4] See ABA Jurisdictional Rules Comparison Charts, available at https://www.americanbar.org/groups/professional_responsibility/policy/rule_charts/.

[5] RPC 5.7(b).

[6] RPC 5.7, Comment [2].

[7] RPC 5.7(a)(1)-(2).

[8] RPC 5.7, Comment [9] acknowledges that "a broad range of economic and other interests of clients may be served by lawyers' engaging in the delivery of law related services."

[9] RPC 5.7, Comment [4] confirms that law-related services may be provided through an entity distinct from that through which the lawyer provides legal services.

to provide services to clients that do not require law licensure. Consider an attorney whose practice is limited to probate matters. Probate attorneys may occasionally be asked to serve as trustees or may be appointed by a tribunal to serve as the personal representative of an estate.

Potential Ethical Problems When Providing Law-Related Services

The principal ethical issue created through the provision of law-related services is the danger that attorneys that provide law-related services and clients that receive them may not be cognizant of the ethical rules that apply. Because law-related services bear some relationship to the provision of legal services, they fall within the ambiguous middle ground between an attorney's law practice and their conduct in a personal capacity. Absent cognizance of RPC 5.7, attorneys providing law-related services might proceed with the assumption that the protections of the attorney-client relationship are not applicable to law-related services.

Attorneys who proceed on the assumption that the ethical rules relating to the representation of a client do not apply to law-related services may inadvertently violate ethical rules and deprive clients of the protections afforded by the attorney-client relationship. An attorney providing law-related services may decline to apply the conflict analysis used for their legal clients, and on this basis, provide law-related services that run afoul of Tennessee's conflict rules. The attorney may not maintain file materials and other information consistent with their fiduciary duties over client property imposed by RPC 1.15, Comment [1][10] or the duty to safeguard client information imposed by RPC 1.6(d).[11] The attorney may engage in the solicitation of persons for law-related services that violates Tennessee's advertising rules, such as live person to person solicitation of an individual that is not a lawyer, a person who routinely uses for business purposes the legal services offered by the lawyer, pursuant to a court-ordered class action notification, or where the recipient of the solicitation has a family, close person, or prior professional relationship with the lawyer.[12]

A corresponding danger is that clients receiving law-related services may assume that the protections of the attorney-client relationship are applicable. Particularly when the law-related services are provided by an attorney when employing an attorney's indicia or where the attorney is also providing legal services for the same client, such an assumption would be thoroughly reasonable. Most clients are not sufficiently knowledgeable about Tennessee's ethical rules to be aware of most ethical duties governing law practice, such as obligation to provide diligent representation and to maintain good communication. However, clients may generally understand that communications with an attorney are confidential and privileged. On this basis, the client may make sensitive disclosures to the attorney in connection with the law-related services,

[10] RPC 1.15, Comment [1] imposes a fiduciary obligation upon attorneys when in possession of client property, including client file materials.

[11] RPC 1.6(d) requires attorneys to create office policies and protocols to ensure the safeguarding and nondisclosure of client information.

[12] RPC 7.3(b)(1)-(4).

believing these disclosures are protected by attorney-client privilege and the confidentiality protections defined at RPC 1.6.

Determining Whether Services are Law-Related Services

Determining whether services are law-related services is not always straightforward. The definition of law-related services provided at RPC 5.7(b) is broad, as it was intended to encompass a wide variety of services ancillary to law practice. RPC 5.7 Comment [9] provides a list of examples of law-related services, which includes title insurance, financial planning, accounting, trust services, real estate counseling, legislative lobbying, economic analysis, social work, psychological counseling, tax preparation, and patent, medical, or environmental counseling. However, this list is not intended to be exhaustive.[13]

Determining whether services not identified in the list of examples in Comment [9] are law-related services requires an analysis of the two-part definition at RPC 5.7(b). The first prong of the definition limits law-related services to those "that might reasonably be performed in conjunction with and in substance are related to the provision of legal services." Considering whether services fall within this standard will require analysis of the manner that the services are typically provided in the overall service marketplace, and particularly whether the services are frequently provided as ancillary services in the legal field. Consideration also needs to be given to the substantive relationship between the services and related legal services.

The second prong of the definition limits law-related services to those services that are not prohibited as the unauthorized practice of law if provided by a non-lawyer. The unauthorized practice of law in Tennessee is defined by statute.[14] The statute prohibits individuals from engaging in the "practice of law" or "law business" absent appropriate law licensure.[15] The "practice of law," has the following statutory definition:

> Practice of law means the appearance as an advocate in a representative capacity or the drawing of papers, pleadings or documents or the performance of any act in such capacity in connection with proceedings pending or prospective before any court, commissioner, referee or any body, board, committee or commission constituted by law or having authority to settle controversies, or the soliciting of clients directly or indirectly to provide such services.[16]

"Law Business" is defined as follows:

> "Law business" means the advising or counseling for valuable consideration of any person as to any secular law, the drawing or the procuring of or assisting in the drawing for valuable consideration of any paper, document

[13] RPC 5.7, Comment [9].

[14] TENN. CODE ANN. § 23-3-103(a). See also In re Petition of Burson, 909 S.W.2d 768 (Tenn. 1995).

[15] Id.

[16] TENN. CODE ANN. § 23-3-101(3).

> or instrument affecting or relating to secular rights, the doing of any act for valuable consideration in a representative capacity, obtaining or tending to secure for any person any property or property rights whatsoever, or the soliciting of clients directly or indirectly to provide such services.[17]

The Tennessee Supreme Court has clarified that conduct within the scope of these definitions will only constitute the unauthorized practice of law if the act(s) at issue require the "professional judgment of a lawyer."[18] This statutory construction is evident in In Re Petition of Burson, which involved the challenge of a statute that permitted non-attorney agents to appear on behalf of taxpayers before boards of equalization.[19] The Tennessee Supreme Court concluded that the statute at issue did not sanction the unauthorized practice of law, as the services performed for the taxpayers did not require the professional judgment of a lawyer.[20] In contrast, in State of Tennessee ex rel. Slatery v. the Witherspoon Law Group PPLC, et al., the Tennessee Court of Appeals concluded that non-attorneys engaged in the unauthorized practice of law by making statements to prospective clients about the anticipated settlement range of their cause of action, concluding that such analysis required the professional judgment of a lawyer.[21]

As the determination of whether services are law-related services or legal services is not always self-evident, there may be circumstances where an attorney provides services or decides to begin incorporating services through their law practice or a separate entity that at least arguably fall within the definition. If the services at issue do not clearly fall within the definition of law-related services and could instead reasonably be construed as legal services, the attorney should exercise caution in availing themselves of the exception to the applicability of all of Tennessee's ethical rules available at RPC 5.7(a)(1)-(2). If the services at issue are deemed to be legal services rather than law-related services, the exemption provided at RPC 5.7(a) becomes inapplicable.

Providing Law-Related Services Distinct from Legal Services

RPC 5.7 imposes a default rule that all of Tennessee's ethical rules will apply to the provision of law-related services. Attorneys providing law-related services seeking exemption from the ethical rules that apply to attorney-client relationships must fulfill two requirements. The first requirement is that the law-related services must be provided in a

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[17] TENN. CODE ANN. § 23-3-101(1).

[18] In re Petition of Burson, 909 S.W.2d at 776 (the Court noted that "the essence of professional judgment is the lawyer's educated ability to relate the general body and philosophy of law to a specific legal problem of a client"); State of Tennessee ex rel. Slatery v. the Witherspoon Law Group PPLC, et al., 700 S.W.3d 370, 384 (Tenn. Ct. App. 2022); See also Fifteenth Judicial District Unified Bar Ass'n v. Glasgow, No. M1996-00020-COA-R3-CV, 1999 WL 1128847, at *6 (Tenn. Ct. App. Dec. 10, 1999)("[t]he purpose of the statutory prohibition against the unauthorized practice of law protects the public by ensuring that the public receives high quality legal services").

[19] In re Petition of Burson, 909 S.W.2d at 776.

[20] Id. at 777.

[21] State of Tennessee ex rel. Slatery v. the Witherspoon Law Group PPLC, et al., 700 S.W.3d at 384.

manner distinct from the lawyer's provision of legal services.[22]

The term "distinct" is not defined in Tennessee's ethical rules. The Comments to RPC 5.7 provide that a principal means of creating the distinction between legal services and law-related services is to provide the law-related services through an entity under the lawyer's control separate from their law practice.[23] However, Comment [3] clarifies that the creation of such a separate entity is not required to facilitate the distinction between legal services and law-related services, as it provides, as examples of means to effect this distinction, the creation of a separate entity or "different support staff within the law firm."[24]

Guidance on creating requisite distinction between legal services and law-related services was provided by the Colorado Bar Association Ethics Committee (hereinafter, the "Committee") in Formal Opinion 98 (Adopted 17, 2015).[25] The Committee, applying Colorado's codification of Model Rule 5.7, identified a number of factors to determine whether law-related services were provided in a manner distinct from legal services, including the use of separate advertising, business cards, signage, telephone reception services, and internet domain names.[26] The Committee further recommended avoiding the provision of both legal services and law-related services in the same matter.[27]

In some circumstances, it may not be logistically feasible to distinguish between the provision of legal services and law-related services due to the way the law-related services are provided.[28] Consider a legal services program that provides representation to indigent domestic violence victims in divorce and order of protection matters. In addition to providing the required legal services, the assigned staff attorney and support staff coordinate with local non-profit organizations to provide the client with direct services, such as placement in a domestic violence shelter. The staff attorney and support staff may also assist the client with application for public assistance benefits. These ancillary services would likely be deemed to fall within the definition of law-related services, particularly as the list of examples provided in RPC 5.7, Comment [9] includes "social work."

Given the logistics of how these services would be provided, creating the distinction required by RPC 5.7(a)(1) may not be feasible. If separate staff are not used exclusively for the law-related services, many communications between the client and the assigned staff attorney or support staff would likely concern both the law-related services and legal services. Similarly, creating separate filing systems for

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[22] RPC 5.7(a)(1); RPC 5.7, Comment [3]: "When law-related services are provided by a lawyer under circumstances that are not distinct from the lawyer's provision of legal services to clients, the lawyer in providing the law-related services must adhere to the requirements of the Rules of Professional Conduct."

[23] RPC 5.7, Comment [3]-[4]. The lawyer may exercise sole control over the entity, or the control may be shared by the lawyer with others. RPC 5.7(a)(2).

[24] RPC 5.7, Comment [3].

[25] Colo. Formal Op. 98 (Jan. 17, 2015).

[26] Id.

[27] Id.

[28] RPC 5.7, Comment [8].

the legal services and law-related services might not be logistically feasible.

The Reasonable Measures Required by RPC 5.7(a)(2)

Even when an attorney provides law-related services in a manner distinct from the provision of legal services, the attorney will remain subject to all of Tennessee's ethical rules unless the lawyer also takes reasonable measures to provide assurance that the person receiving the law-related services knows that the services are not legal services and the protections of the attorney-client relationship do not exist.[29] The burden is upon the lawyer to show that the lawyer has taken these reasonable measures.[30]

In order to meet this requirement, the attorney must communicate the implications of the fact that the relationship between the recipient of law-related services and the attorney will not be an attorney-client relationship.[31] The Comments to RPC 5.7 recommend, but do not require, that this notification be reduced to writing.[32] It is recommended that this notification reference the principal distinctions of the attorney-client relationship, such as attorney-client privilege, confidentiality, and conflicts of interest. Care should be taken to communicate the inapplicability of the ethical rules relating to the attorney-client relationship in a manner that avoids the use of legal jargon, with the goal that the notice be comprehensible to the typical recipient of law-related services.[33] Notification to clients of the inapplicability of the ethical rules relating to the attorney-client relationship should be provided prior to entering into the agreement for the provision of law-related services.[34] If the recipient is not provided with this clarification prior to the commencement of the services, the recipient may make an unintended utterance of sensitive information, believing that such information is confidential and privileged, or otherwise engage in a manner detrimental to their interests.

The attorney should consider the legal sophistication of the recipient of the services in determining the nature of the reasonable measures.[35] While the reasonable measures required by RPC 5.7(a)(2) are applicable regardless of the client's sophistication, a publicly traded corporation with in-house counsel will have less of a need for explanation of the inapplicability of the attorney-client relationship than a first-time purchaser of residential realty who receives title insurance services.[36]

Referral of Clients to A Separate Entity for the Provision of Law-Related Services

A lawyer providing legal services to a client may refer the client to an entity controlled by the lawyer that provides law-related services. However, if the client enters into a contractual relationship with the entity to receive law-related services, the transaction must comply

[29] RPC 5.7(a)(2). RPC 5.7, Comment [3].
[30] RPC 5.7, Comment [7].
[31] RPC 5.7, Comment [6].
[32] Id.
[33] The measures employed to fulfill the attorney's obligations at RPC 5.7(a)(2) must be "reasonable," which is defined in Tennessee's ethical rules as consistent with the conduct of a reasonably prudent and competent lawyer. RPC 1.0(h).
[34] Id.
[35] RPC 5.7, Comment [7].
[36] Id.

with RPC 1.8(a), which governs the circumstance when a lawyer enters into a business transaction with a client.[37] RPC 1.8(a) imposes requirements on the transaction to mitigate the risk that the lawyer will use their legal training and the confidence established in the attorney-client relationship to exert improper influence on the client in the negotiation of a contractual relationship.[38]

RPC 1.8(a) specifically requires that the transaction and terms of the contractual agreement are fair and reasonable to the client, and fully disclosed in writing in a manner that the client can understand.[39] The written instrument governing the transaction must advise the client of the suitability of seeking and a reasonable opportunity to seek the advice of independent counsel.[40] The client must additionally give informed consent to the essential terms of the transaction and the lawyer's role in the transaction.[41]

Applicability of Ethical Requirements Beyond Tennessee's Ethical Rules in the Provision of Law Related Services

Even when an attorney meets the requirements of RPC 5.7(a)(1)-(2) and Tennessee's ethical rules that apply to the representation of a client are not applicable in their provision of law-related services, the attorney should be cognizant of ethical responsibilities that may exist independent of the Tennessee Rules of Professional Conduct through other applicable law.[42] Attorneys providing tax, financial, or other counseling services may be subject to regulatory requirements that govern the provision of counseling in the respective counseling field. Attorneys who act in a fiduciary capacity will be bound by applicable law relating to the execution of fiduciary responsibilities.[43]

As an additional consideration, an attorney exercising the exemption available at RPC 5.7(a) will remain subject to the limited ethical rules that apply outside the context of an attorney-client relationship when they provide law-related services. An attorney that makes a false statement in advertising law-related services will not be deemed to violate RPC 7.1, which prohibits an attorney from making a false or misleading statement about their services. However, a false statement regarding the law-related services could potentially fall within the scope of RPC 8.4(c), which generally prohibits conduct involving dishonesty, fraud, deceit, or misrepresentation regardless of the context where the conduct occurs.

Creating and Maintaining Office Protocols When Providing Law-Related Services

If an attorney providing law-related services exercises the exemption provided at RPC 5.7(a)(2), particular care should be taken to create and maintain office protocols to ensure that the law-related services are distinct from any provision of legal services, and that the reasonable measures required by RPC 5.7(a)(2) are provided to the recipients of law related services in a manner that can be understood by

[37] RPC 5.7, Comment [5].
[38] RPC 1.8, Comment [1].
[39] RPC 1.8(a)(1).
[40] RPC 1.8(a)(2).
[41] RPC 1.8(a)(3). See RPC 1.0(e) for the definition of "Informed consent."
[42] RPC 5.7, Comment [11].
[43] See id.

the recipients. Integral to these protocols is the need to properly train staff regarding the inapplicability of the ethical rules relating to the attorney-client relationship. Non-attorney staff hired to provide law-related services may not have requisite training or experience in the legal field and may otherwise not be conversant with Tennessee's ethical rules. The nuanced distinction between legal services and law-related services may otherwise not be intuitive to staff. Absent adequate training, staff may mistakenly believe that attorney-client privilege attaches in communications relating to law-related services and communicate this to the recipient of the services.

If an attorney does not avail themselves of the exemption available at RPC 5.7(a), their obligation to create and maintain protocols to ensure that the office proceeds consistent with all of Tennessee's ethical rules in the provision of law-related services implicates RPC 5.1 and RPC 5.3.[44] Even experienced legal staff will require appropriate training that all of Tennessee's ethical rules apply to the office's law-related services. RPC 5.1(a) requires attorneys with managerial authority to make reasonable measures to ensure that the firm has in effect measures giving reasonable assurance that all lawyers in the firm conform to the Rules of Professional Conduct. RPC 5.3(a) imposes the same obligation to ensure that non-lawyers act in a manner consistent with Tennessee's ethical rules. Attorneys with managerial authority may be vicariously responsible for disciplinary violations by subordinate attorneys or support staff arising out of a failure to create and maintain appropriate protocols.[45]

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.

[44] RPC 5.1 and RPC 5.3 apply only in connection with the operation of a "firm," which is defined at RPC 1.0(e) as a lawyer or lawyers in a law partnership, professional corporation, sole proprietorship, or other association authorized to practice law, or lawyers employed in a legal services organization or the legal department of a corporation, government agency, or other organization. RPC 5.1 and RPC 5.3 thereby apply only in connection with the provision of legal services.

[45] See RPC 5.1 and RPC 5.3.

The Board of Professional Responsibility's Succession Planning CLE

The Board of Professional Responsibility has developed and made available on the Board's website a one-hour succession planning continuing legal education (CLE) presentation. Available to all attorneys at no cost, this one-hour CLE, presented by Disciplinary Counsel Eileen Burkhalter Smith, addresses how an attorney protects their own interests, as well as interests of their clients and the profession; by proactively planning for the transition, closing or selling of a law practice. The Board's CLE emphasizes the importance of planning ahead by designating in advance a receiver or successor attorney and provides checklists for closing one's own office or someone else's practice. John Dupree, a Knoxville attorney who has previously served as a receiver, outlines best practices for successfully closing a practice. This succession planning CLE joins the Board's Proactive Management Based Regulation (PMBR) self-assessment as the second online CLE offered on the Board's website at no charge to Tennessee attorneys. Attorneys completing the succession planning CLE will receive a confirmation email that the attorney submits to the Tennessee Commission on Continuing Legal Education and Specialization to receive one-hour dual credit.

Friday, November 21, 2025
8:00AM - 4:10PM Central Time
Nashville School of Law
4013 Armory Oaks Drive, Nashville, TN 37204
Purchase Tickets here
This is a hybrid event, with 6.5 hours dual credit, offering both in person and remote attendance options. In-person attendance is limited to 100 attendees. The cost of attendance is $100.

Presentations:

Longevity and Brain Health: How to Empower Cognitive Fitness
Debra Austin, JD, PhD

Bio: Dr. Debra Austin, JD, PhD is a nationally recognized expert in professional well-being. She writes and speaks about how neuroscience and psychology research can help law students, lawyers, and other professionals improve their performance and well-being by enhancing brain health and mental strength. Full bio.

Presentation: The brain is the lawyer's most important asset, and neuroscience research can help us understand how to empower cognitive fitness during all stages of life. This session will include information on brain function; stress and other risks to cognitive capacity; and a menu of science-based recommendations to protect brain health and enhance longevity.

Threats and Attacks on Judges, the Justice System, and Legal Institutions: Our Ethical Obligations
Justice Holly Kirby

Bio: In 1995, at the age of 38, Justice Holly Kirby became a gender milestone, the first woman in Tennessee history to serve on the Tennessee Court of Appeals. In 2014, after she had served on the

Presentation: Justice Kirby will explore individual and collective ethical obligations in the face of threats and attacks on legal institutions, on our justice system, and on our judges.

intermediate appellate court for almost 19 years, Justice Kirby was appointed to the Tennessee Supreme Court by Governor Bill Haslam. She served as Chief Justice of the Supreme Court from 2023 through September 2025. Full bio.

The Changing Face of Technology and its Impact on the Practice of Law

Bill Ramsey

Bio: Bill Ramsey joined Womble Bond Dickinson in August of this year after a successful career with Neal & Harwell in Nashville. He is highly regarded in the entertainment industry for representing prominent artists, entertainers, and key figures in the music business, including business managers, financial advisors, talent agents, publishers, and record labels. Full bio.

Presentation: Just when we thought we had a grip on the use of technology in the practice of law, along came AI DeepFakes, social engineering, and increasing privacy invasions. It is easy to get lost. This session will explore practical solutions and explore ways to avoid getting lost in the hype and technical jargon.

Recent Developments in Lawyers Assistance Program

Buddy Stockwell

Bio: Buddy Stockwell was appointed by the Tennessee Supreme Court on July 1, 2020, as the new Executive Director of the Tennessee Lawyers Assistance Program (TLAP). Stockwell comes from south Louisiana where he was volunteer and program monitor for the state's Committee on Alcohol and Drug Abuse since 1993, and Executive Director of Louisiana's LAP from 2010 to 2020. Full bio.

Presentation: This program will highlight the following topics relating to recent developments by TLAP: Mental Health Challenges in the Legal Profession; Confidential TLAP Assistance Behind the Scenes; and, Best Practices in Monitoring Fitness to Practice.

AI and Ethics

Lucian Pera

Bio: Lucian Pera is a partner with the Memphis Office of Adams & Reese, LLP. His practice includes legal ethics, media law, and commercial litigation. He represents lawyers, law firms, and others on issues of legal ethics and lawyer professional responsibility. The ABA Center for Professional Responsibility has bestowed on him the prestigious Michael Franck Award, their highest award for work in the field of ethics and professional responsibility over his career. Full bio.

Presentation: AI seems to be everywhere, in everything, including all sorts of tools for lawyers. Some are useful and cool; some maybe not so much. Some are dangerous; some are safer. How can lawyers use AI effectively, comply with the ethics rules ranging from competence to confidentiality, meet their obligations to clients, and not wind up as the next front-page example of lawyer stupidity? Find out.

Not so Secret an Agent

Jim Grogan

Bio: James J. Grogan is an Illinois lawyer and educator who concentrates his practice in professional responsibility and lawyer ethics law. Mr. Grogan received an undergraduate degree from Lewis University in 1977 and his J.D. degree from the Loyola University of Chicago School of Law in 1980. He retired in 2019 as the Deputy Administrator and the Chief Counsel of the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois (ARDC) where, for almost 40 years, he investigated and prosecuted hundreds of charges of lawyer misconduct and argued dozens of disciplinary cases in the Supreme Court of Illinois. Full bio.

Presentation: Lawyers are not spies, but they do serve as agents for a principal. This sixty-minute session provides a comprehensive overview of the obligations owed by a lawyer, as a fiduciary, to clients. There will be a focus on attorneys who represent clients with diminished capacity and a discussion of recent efforts to modify the ethics rules governing the representation of children, cognitively impaired adults, and others with certain challenges. A summary of significant recent trends in lawyer regulation will also be featured.

Board of Professional Responsibility

Trust Account Workshop

Wednesday, December 3, 2025
9AM - 12:30PM (Central Time)
Nashville School of Law
4013 Armory Oaks Drive, Nashville, TN 37204
Purchase Tickets here

In person participation is limited to 50 participants. Remote participation by livestream is also available. The cost of attendance is $50.

Steven Christopher, Deputy Chief Disciplinary Counsel of Investigations, and John Gilliland, Disciplinary Counsel in Investigations, will be presenting this CLE. The Board has received approval from the Tennessee Commission on Continuing Legal Education for attendees to receive 3 hours of dual CLE credit for completion of the workshop.

This CLE Program will cover the following topics:

- A summary of best practices for trust account management
- An analysis of the ethical rules governing trust accounts
- How to Prevent Trust Account Scams

Speaker Biographies

Steven J. Christopher is Deputy Chief Disciplinary Counsel of Investigations for the Board of Professional Responsibility of the Supreme Court of Tennessee. Steve earned his J.D. degree from Harvard Law School in 2002, and also holds a Master of Divinity degree from Vanderbilt University Divinity School. Prior to being hired at the Board in 2016, Steve was a Managing Attorney at the Legal Aid Society of Middle Tennessee and the Cumberlands, a private non-profit law firm that provides free legal representation to indigent persons in civil and administrative legal matters. Steve handled a wide range of legal matters as a legal services attorney, including landlord tenant, domestic relations, and public benefits cases.

John E. Gilliland is an Investigations Disciplinary Counsel for the Board of Professional Responsibility of the Supreme Court of Tennessee. John earned his J.D. degree from the University of Memphis in 2001. Prior to being hired at the Board in 2025, John was a civilian attorney with the US Army then the US Air Force after retiring as a judge advocate from the US Air Force in 2020. He has extensive experience in government ethics, administrative law, and criminal law.

Disciplinary and Licensure Actions
(April 2025 – September 2025)

PERMANENT DISBARMENTS

ANDY LAMAR ALLMAN, BPR NO. 017857
SUMNER COUNTY

Effective July 11, 2025, the Supreme Court of Tennessee permanently disbarred Andy Lamar Allman from the practice of law and ordered him to pay restitution to certain complainants and all costs incurred by the Board of Professional Responsibility in the investigation and litigation of this disciplinary matter.

The Hearing Panel found Mr. Allman failed to provide competent and diligent representation to complainants; failed to keep them informed about their respective cases; charged certain clients an unreasonable fee; engaged in the unauthorized practice of law while suspended by the Supreme Court; failed to respond to the Board regarding disciplinary complaints; failed to notify clients of his suspension from the practice of law; and engaged in conduct involving dishonesty, fraud, deceit or misrepresentation during the representation. Mr. Allman filed a petition for review, which the Trial Court dismissed with prejudice.

The Hearing Panel found the conduct of Mr. Allman violated Tennessee Rules of Professional Conduct 1.1 (competence), 1.3 (diligence), 1.4 (communication), 1.5 (fees), 1.16 (declining and terminating representation), 5.5 (unauthorized practice of law), 8.1 (bar admissions and disciplinary matters), and 8.4 (misconduct).

JOSEPH HOUSTON CRABTREE, JR., BPR NO. 011451
MCMINN COUNTY

Effective May 16, 2025, the Supreme Court of Tennessee permanently disbarred attorney Joseph Houston Crabtree, Jr., from the practice of law and ordered him to pay all costs and fees of the Board of Professional Responsibility.

After a hearing upon the disciplinary petition, a Hearing Panel determined that, while representing a client in a personal injury matter, Mr. Crabtree abandoned his client and the pending litigation, failed to respond to subsequent communications from his client, and failed to turn over the client's file to successor counsel after the client necessarily retained a new attorney. Further, when Mr. Crabtree was suspended from the practice of law, on November 22, 2022, in unrelated disciplinary proceedings, he failed to notify either his client or opposing counsel of the suspension, as required under Tenn. Sup. Ct. R. 9, § 28 and per the terms of the Supreme Court's Order of Suspension. Finally, Mr. Crabtree failed to respond to the Board of Professional Responsibility regarding these disciplinary complaints.

The appointed Hearing Panel determined that Mr. Crabtree's actions and omissions violated Rules of Professional Conduct 1.3 (diligence), 1.4 (communication); 1.16 (declining or terminating representation); 3.2 (expediting litigation); 3,4(c) (fairness to opposing party and counsel); 8.1(b) (disciplinary matters); and 8.4(g) (misconduct involving failure to comply with a final court order).

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

JAMES DANIEL MARSHALL, BPR NO. 025541
DAVIDSON COUNTY

Effective May 20, 2025, the Supreme Court of Tennessee permanently disbarred James Daniel Marshall from the practice of law and ordered restitution to former client Barbara Covington in the amount of $2,000 and ordered Mr. Marshall to return all property taken from Ms. Covington within thirty (30) days of the entry of the Supreme Court's Order of Enforcement in this matter.

In a Petition for Discipline consisting of two (2) complaints, Mr. Marshall failed to communicate with his clients, failed to respond to multiple motions filed against his clients, failed to submit timely provided discovery responses, and failed to participate in court-scheduled conference calls. Mr. Marshall caused his client's lawsuit to be dismissed with prejudice, failed to comply with a Court Order requiring response, failed to preserve his client's property, failed to respond to his disciplinary investigations, and failed to move his clients' cases forward.

The Hearing Panel found Mr. Marshall knowingly violated Tennessee Rules of Professional Conduct 1.1 (competence), 1.2 (scope of representation), 1.3 (diligence), 1.4 (communication), 1.15 (safekeeping property and funds), 3.2 (expediting litigation), 3.4 (fairness to opposing party and counsel), 8.1 (bar admission and disciplinary matters), and 8.4(a),(b),(c),(d) and (g) (misconduct).

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

ALAN CHRISTOPHER NORTON, BPR NO. 037410
HAMILTON COUNTY

Effective June 4, 2025, the Supreme Court of Tennessee permanently disbarred Alan Christopher Norton from the practice of law. Mr. Norton delivered to the Board of Professional Responsibility his Declaration in support of Disbarment by Consent, in compliance with Tennessee Supreme Court Rule 9, Section 23.1 and consented to disbarment because he could not successfully defend himself against charges detailed in pending disciplinary file No. 100694-2024-3-ES-INV. Mr. Norton forged a chancellor's signature on three court orders, forged the name of a Tennessee attorney on a fake motion, and forged the deposition transcript he provided to his client in violation of Rules of Professional Conduct 1.4 (communication), 8.4(b) (criminal conduct), and 8.4(c) (conduct involving dishonesty).

On December 16, 2024, the Supreme Court of Tennessee temporarily suspended Alan Christopher Norton from the practice of law upon finding that Mr. Norton posed a threat of substantial harm to the public. Mr. Norton's temporary suspension was dissolved by the June 4, 2025, Order of Enforcement.

Mr. Norton must comply with the requirements of Tennessee Supreme Court Rule 9, Section 28 (2024), regarding the obligations and responsibilities of disbarred attorneys and is not eligible for reinstatement to the practice of law in this state.

JOEL DAVID RAGLAND, BPR #012222
MONTGOMERY COUNTY

Effective October 8, 2025, the Supreme Court of Tennessee permanently disbarred Joel David Ragland from the practice of law. Mr. Ragland delivered to the Board of Professional Responsibility his Declaration in support of Disbarment by Consent, in compliance with Tennessee Supreme Court Rule 9, Section 23.1 and consented to disbarment because he could not successfully defend himself against charges detailed in pending disciplinary petition, No. 2024-3419-6-DB. Mr. Ragland misappropriated funds by writing unauthorized checks against his firm's trust account in violation of Rules of Professional Conduct 8.4 (misconduct).

Mr. Ragland must comply with the requirements of Tennessee Supreme Court Rule 9, Section 28 (2024), regarding the obligations and responsibilities of disbarred attorneys and is not eligible for reinstatement to the practice of law in this state.

MELVIN JACOB WERNER, BPR NO. 015909
KNOX COUNTY

Effective May 19, 2025, the Supreme Court of Tennessee permanently disbarred attorney Melvin Jacob Werner from the practice of law and ordered him to pay all costs and fees of the Board of Professional Responsibility.

After a hearing upon the disciplinary petitions filed against Mr. Werner arising from two (2) separate complaints of ethical misconduct, a Hearing Panel determined Mr. Werner committed fraud; made false representations of fact; knowingly violated Massachusetts law by engaging in unlawful, unfair, or deceptive acts or practices; misled a client in order to induce her to enter into a fraudulent investment agreement, resulting in a loss to the client of $650,000.00; misappropriated and converted client funds without his client's knowledge or consent; impermissibly commingled client and personal funds; and made knowing misrepresentations of fact to his client.

The Hearing Panel determined that Mr. Werner's actions and omissions described herein violated Massachusetts Rules of Supreme Judicial Court 8.4(a) (misconduct) and 8.4(c) (misconduct involving dishonesty, fraud, deceit, or misrepresentation), and violated Tennessee Rules of Professional Conduct 1.15 (safekeeping property and funds) and 8.4(c) (misconduct involving dishonesty, fraud, deceit, or misrepresentation).

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

SUSPENSIONS

JONATHAN MARK BENFIELD, BPR NO. 018541
SHELBY COUNTY

Effective September 24, 2025, the Supreme Court of Tennessee suspended Jonathan Mark Benfield from the practice of law for six (6) years with five (5) years being an active suspension pursuant to Tenn. Sup. Ct. R. 9, Section 12.2, the remainder served on probation conditioned upon the appointment of a practice monitor. As a prerequisite to seeking reinstatement from active suspension, Mr. Benfield must report to the Tennessee Lawyers' Assistance Program within thirty (30) days of the suspension order, attend the Board of Professional Responsibility's ethics workshop, take and receive a passing score on the Multistate Professional Responsibility (MPRE) exam, provide restitution to his mother or her estate in the amount of $103,080.00 and pay all costs. Additionally, the Supreme Court of Tennessee, in complaint # 7462-9-MB and 74907-9-MB, publicly censured Mr. Benfield.

Mr. Benfield, while acting as power of attorney, took advantage of his elderly and vulnerable mother, abused his fiduciary relationship with his mother as power of attorney, failed to comply with court rules, and knowingly violated his duties as a professional. Mr. Benfield practiced law while subject to an order of suspension and failed to comply with a court order. A Hearing Panel determined the conduct of Mr. Benfield violated Tennessee Rules of Professional Conduct 1.3 (diligence); 1.4 (communication); 1.5 (fees); 1.14 (diminished capacity); 1.15 (safekeeping of property and funds); 3.4(c) (fairness to opposing party and counsel); 5.5 (unauthorized practice of law), and 8.4(a), (b), and (c) (misconduct).

Mr. Benfield 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.

ARTHUR C. GRISHAM, Jr. BPR NO. 001071
HAMILTON COUNTY

Effective May 13, 2025, the Supreme Court of Tennessee suspended Arthur C. Grisham, Jr. from the practice of law for five (5) years pursuant to Tenn. Sup. Ct. R. 9. As a condition precedent to reinstatement Mr. Grisham must pay restitution to both complainants. Following successful reinstatement Mr. Grisham shall be required to use a practice monitor for one (1) year.

A Petition for Discipline containing two (2) complaints was filed by the Board alleging Mr. Grisham failed to reasonably communicate with his clients regarding the status of their case; failed to act in a diligent manner and expedite the clients' litigation; failed to abide by court orders, charged unreasonable fees; failed to safeguard client funds; failed to provide required information to successor attorneys; was found in both civil and criminal contempt; and abused his position as executor by withdrawing estate funds without court order and caused estate insolvency. A Hearing Panel determined that Mr. Grisham's conduct violated Tennessee Rules of Professional Conduct 1.1 (competence); 1.3 (diligence); 1.4 (communication); 1.5 (fees); 3.2 (expediting litigation); 3.4 (fairness to opposing party and counsel); and 8.4 (misconduct).

Mr. Grisham 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.

LINN MARIE GUERRERO, BPR NO. 033320
KNOX COUNTY

Effective May 16, 2025, the Supreme Court of Tennessee suspended Linn Marie Guerrero from the practice of law for five (5) years, with two (2) 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 with conditions including engagement of a practice monitor and payment of all Board costs and expenses.

In disciplinary matters arising from five (5) separate complaints of misconduct, Ms. Guerrero engaged in conduct that involved significant conflicts of interest between clients in adverse positions, entered into fee agreements without client authorization, charged excessive and unreasonable fees unsupported by billing records, and abused her fiduciary relationship. Ms. Guerrero further failed to reasonably communicate with or diligently represent clients, failed to protect her client's interests after withdrawing from matters, and abandoned client matters without returning the client's property or otherwise protecting their interests.

Ms. Guerrero executed a Conditional Guilty Plea acknowledging her misconduct violated Tennessee Rules of Professional Conduct ("RPC") 1.2 (scope of representation), 1.3 (diligence), 1.4 (communications), 1.5 (fees), 1,7 (conflict of interest: current clients), 1.8 (conflict of interest: specific rules), 1.9 (duties to former clients), 1.16 (terminating representation), 3.2 (expediting litigation), and 8.4(c) and (d) (misconduct).

Ms. Guerrero 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.

STEVEN MICHAEL HODGEN, BPR NO. 025456
HAMILTON COUNTY

Effective August 15, 2025, the Supreme Court of Tennessee suspended Steven Michael Hodgen from the practice of law for six (6) years with five (5) years as an active suspension pursuant to Tenn. Sup. Ct. R. 9, Section 12.2, and the remainder served on probation conditioned upon the appointment of a practice monitor.

A Petition for Discipline containing one complaint was filed by the Board alleging Mr. Hodgen indicated in court pleadings that he represented a party that he had never spoken with and that following the improper representation then failed to reasonably communicate with the client regarding the status of the case; failed to act in a diligent manner and expedite the client's litigation; failed to timely respond to dispositive motions; failed to discuss any aspects of the case and filings with the complainant; abandoned the complainant and/or prejudiced the rights of a third party. After a hearing on the merits, the Hearing Panel determined the conduct of Mr. Hodgen violated Tennessee Rules of Professional Conduct 1.1 (competence); 1.2 (scope of representation); 1.3 (diligence); 1.4 (communication); 3.2 (expediting litigation); 3.3 (candor to the tribunal); 3.4(d) (fairness to opposing party and counsel); and 8.4(a), (c), and (d) (misconduct).

Mr. Hodgen 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.

RAY HAL JENKINS, BPR NO. 019113
KNOX COUNTY

Effective August 18, 2025, the Supreme Court of Tennessee suspended Ray Hal Jenkins from the practice of law for two (2) years as an active suspension with conditions precedent to reinstatement pursuant to Tennessee Supreme Court Rule 9, Section 12.2.

A Petition for Discipline was filed by the Board, containing one complaint that Mr. Jenkins committed professional misconduct by consuming alcohol on several occasions while performing his duties as Judicial Magistrate for Knox County. By these actions, Mr. Jenkins violated Tennessee Rule of Professional Conduct 8.4 (misconduct).

Mr. Jenkins 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 BRODERICK JOHNSON, BPR NO. 015509
DAVIDSON COUNTY

On September 19, 2025, the Supreme Court of Tennessee suspended James Broderick Johnson for three (3) months, with thirty (30) days served as an active suspension and the remaining time served on probation. The Supreme Court upheld the decision of the Davidson County Circuit Court and the disciplinary Hearing Panel, finding that Mr. Johnson violated the Rules of Professional Conduct when he publicly filed confidential communications between him and his client as an exhibit to a motion to withdraw. The Court found Mr. Johnson's conduct violated Rules of Professional Conduct 1.6 (confidentiality of information); 1.16 (declining or terminating representation); and 8.4(d) (misconduct).

Mr. Johnson 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.

MITCHELL RAY MILLER, BPR NO. 036126
DAVIDSON COUNTY

Effective September 5, 2025, the Supreme Court of Tennessee suspended Mitchell Ray Miller, who now works in Williamson County, from the practice of law for two (2) years, pursuant to Tennessee Supreme Court Rule 9, Section 12.2, with a four (4) month period served as an active suspension, and the remainder served as a probationary suspension with conditions including engagement of a practice monitor and obtaining additional continuing legal education.

In seven (7) separate matters, Mr. Miller represented clients in civil matters and accepted payment for attorney fees but then either failed to perform the work for which he was retained, failed to appear at scheduled hearings, failed to reasonably communicate with clients, or unreasonably delayed matters through a pattern of neglect, resulting in actual or potential harm to multiple clients. Additionally, Mr. Miller on repeated occasions failed to respond timely to Board inquiries. However, Mr. Miller did ultimately refund all unearned attorney fees.

Mr. Miller executed a Conditional Guilty Plea acknowledging his conduct violated Tennessee Rules of Professional Conduct 1.3 (diligence), 1.4 (communications), 1.16 (terminating representation), 3.2 (expediting litigation), 8.1 (disciplinary matters), and 8.4(d) (misconduct prejudicial to the administration of justice).

Mr. Miller 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.

DALE GERARD NOWICKI, BPR NO. 036672
TENNESSEE

Effective May 13, 2025, Dale Gerard Nowicki, a resident of La Mirada, California was suspended by Order of Reciprocal Discipline entered by the Supreme Court of Tennessee on May 13, 2025. A two (2) year suspension with ninety (90) days active suspension and remainder on probation with certain conditions, was imposed by the Supreme Court of California by judgment entered January 6, 2025. On May 13, 2025, the Supreme Court of Tennessee entered a Notice of Reciprocal Discipline suspending Mr. Nowicki for two years, with the first ninety (90) days served on active suspension retroactive to the date of suspension in California, and the remainder on probation, subject to the conditions specified in the January 6, 2025, Order. Mr. Nowicki was also ordered to pay court costs within thirty (30) days of the entry of the order.

Mr. Nowicki 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 reinstatement.

ANDRE CHASE RABIDEAU, BPR NO. 036907
RUTHERFORD COUNTY

Effective August 29, 2025, the Supreme Court of Tennessee suspended Andre Chase Rabideau from the practice of law for seven (7) years, the entirety of which is an active suspension pursuant to Tennessee Supreme Court Rule 9, Section 12.2. Mr. Rabideau must satisfy certain conditions prior to seeking reinstatement, including completion of a practice and professional enhancement program, contacting the Tennessee Lawyer Assistance Program, completing any requirements imposed by the Tennessee Lawyer Assistance Program, and paying restitution payments to the four (4) former clients. Upon his reinstatement to the practice of law, Mr. Rabideau must engage a practice monitor for two (2) years.

A Petition for Discipline containing seven (7) complaints was filed by the Board of Professional Responsibility against Mr. Rabideau. The Hearing Panel concluded that Mr. Rabideau failed to represent his clients in a diligent manner; failed to reasonably communicate with his clients regarding the status of their case; repeatedly made misrepresentations to clients concerning court dates and filings with the court; misrepresented the status of his license to a court; engaged in the unauthorized practice of law; accepted fees but failed to provide the professional services for which he had been retained; failed to inform his clients of his administrative suspension from the practice of law and withdraw from representation; and abandoned his representation of clients without notice to clients or permission of court. The Hearing Panel found Mr. Rabideau violated Tennessee Rules of Professional Conduct 1.1 (competence), 1.3 (diligence), 1.4 (communication), 1.5 (fees), 1.15 (safekeeping property and funds), 1.16 (declining or terminating representation), 3.2 (expediting litigation), 3.4 (fairness to opposing party and counsel), 5.5 (unauthorized practice of law), 8.1(b) (misconduct), and 8.4 (c), (d), and (g) (misconduct).

Mr. Rabideau 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.

ARCHIE SANDERS, III, BPR NO. 012784
SHELBY COUNTY

Effective May 27, 2025, the Supreme Court of Tennessee suspended Archie Sanders, III, from the practice of law for one (1) year, pursuant to Tennessee Supreme Court Rule 9, Section 12.2, with a two (2) month period served as an active suspension, and the remainder served as a probationary suspension under the terms below.

In a probate matter, Mr. Sanders unreasonably delayed filing the petition to probate, unreasonably delayed seeking partition of certain real property in the estate, failed to communicate reasonably with his clients, and failed to properly conclude representation of the clients. In a separate matter involving litigation with an insurance company which extended over a period of twenty (20) years, Mr. Sanders failed to communicate reasonably with his clients, failed to diligently perform the work necessary for the representation, and failed to reasonably expedite the litigation.

Mr. Sanders executed a Conditional Guilty Plea acknowledging his conduct violated Tennessee Rules of Professional Conduct 1.3 (diligence), 1.4 (communications), 1.16 (terminating representation), 3.2 (expediting litigation), and 8.4(d) (misconduct prejudicial to the administration of justice).

Mr. Sanders 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 NO. 009291
TENNESSEE

By Order of Reciprocal Discipline entered by the Supreme Court of Tennessee on September 16, 2025, Wesley Shelman Spears, a resident of Hartford, Connecticut, was suspended for one (1) year, consecutive to the two (2) year suspension Mr. Spears is currently subject to in *Office of Chief Disciplinary Counsel v. Wesley S. Spears*, Docket No. CV-22-6160733-S. Mr. Spears received the one (1) year suspension in *Office of Chief Disciplinary Counsel v. Wesley S. Spears*, Docket No. UWY-CV-24-6081813-S, from the State of Connecticut Superior Court, Judicial District of Waterbury by Memorandum of Decision entered April 3, 2025. On July 15, 2025, 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.

JARED MICHAEL STREICH, BPR NO. 034551
RUTHERFORD COUNTY

Effective June 13, 2025, the Supreme Court of Tennessee suspended Jared Michael Streich from the practice of law for six (6) years with five (5) years being an active suspension pursuant to Tenn. Sup. Ct. R. 9, Section 12.2, restitution to two former clients and, if successfully reinstated, the remainder served on probation conditioned upon the appointment of a practice monitor.

A Disciplinary Petition containing two (2) complaints was filed by the Board of Professional Responsibility against Mr. Streich. The Hearing Panel concluded that Mr. Streich failed to reasonably communicate with his clients regarding the status of their case, failed to act in a diligent manner and expedite the clients' litigation, failed to act competently, failed to comply with his requirements as a suspended attorney, failed to return client property, charged an unreasonable fee, and provided false information to the Board of Professional Responsibility. The Hearing Panel found Mr. Streich violated Tennessee Rules of Professional Conduct 1.1 (competence); 1.3 (diligence); 1.4 (communication); 1.5 (fees); 1.15 (safekeeping property and funds); 1.16 (declining or terminating representation); 3.2 (expediting litigation); 3.4 (fairness to opposing party and counsel); and 8.4 (misconduct).

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

SAMUEL ERVIN WHITE, BPR NO. 029973
SULLIVAN COUNTY

Effective June 26, 2025, the Supreme Court of Tennessee suspended Samuel Ervin White from the practice of law for five (5) years pursuant to Tennessee Supreme Court Rule 9, Section 12.2, with two (2) years active suspension, and the remainder served on probation pursuant to Tennessee Supreme Court Rule 9, Section 14.1. The Supreme Court further ordered Mr. White to engage a practice monitor and pay restitution to clients and costs in the disciplinary matter.

A Petition for Discipline containing five (5) complaints was filed by the Board alleging Mr. White failed to reasonably communicate with his clients regarding the status of their case, failed to act in a diligent manner, failed to expedite client litigation, failed to timely respond to discovery requests, charged a non-refundable fee without the client executing a written agreement, charged an unreasonable fee, comingled client assets, misappropriated client funds, and failed to withdraw from representation following suspension.

Mr. White 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 (terminating representation), 3.2 (expediting litigation), 3.4(c) (knowingly disobeying obligation under rules of tribunal), 4.1 (truthfulness in statements to others), and 8.4(a)(d) (misconduct).

Mr. White 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

ANDREWNETTA MELISSA BOYD, BPR NO. 025894
SHELBY COUNTY

On September 9, 2025, the Supreme Court of Tennessee temporarily suspended Andrewnetta Melissa Boyd from the practice of law upon finding that Ms. Boyd failed to respond to the Board of Professional Responsibility concerning one (1) complaint of misconduct. This temporary suspension is in addition to Ms. Boyd's administrative suspension, entered August 20, 2024, for failure to complete her annual Continuing Legal Education obligations.

Ms. Boyd shall 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. Boyd may, for good cause, request dissolution or modification of the temporary suspension by petition to the Supreme Court.

WILLIAM SHEA FORGETY, BPR NO. 034235
SUMNER COUNTY

On September 9, 2025, the Supreme Court of Tennessee temporarily suspended William Shea Forgety from the practice of law upon finding that Mr. Forgety failed to respond to the Board of Professional Responsibility concerning a complaint of misconduct.

Mr. Forgety is immediately precluded from accepting any new cases, and he must cease representing existing clients by October 9, 2025. After October 9, 2025, Mr. Forgety shall not use any indicia of lawyer, legal assistant, or law clerk, nor maintain a presence where the practice of law is conducted. Mr. Forgety shall 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. Forgety shall 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. Forgety may, for good cause, request dissolution or modification of the suspension by petition to the Supreme Court.

MICHAEL LLOYD FREEMAN, BPR NO. 028698
DAVIDSON COUNTY

On September 3, 2025, the Supreme Court of Tennessee temporarily suspended Michael Llyod Freeman from the practice of law upon finding that Mr. Freeman failed to respond to the Board of Professional Responsibility concerning four (4) complaints of misconduct.

Mr. Freeman is immediately precluded from accepting any new cases, and he must cease representing existing clients by October 3, 2025. After October 3, 2025, Mr. Freeman shall not use any indicia of lawyer, legal assistant, or law clerk, nor maintain a presence where the practice of law is conducted. Mr. Freeman shall 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. Freeman shall 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. Freeman may, for good cause, request dissolution or modification of the suspension by petition to the Supreme Court.

MARY KATHRYN KENT, BPR NO. 016774
SHELBY COUNTY

On July 15, 2025, the Supreme Court of Tennessee temporarily suspended Mary Kathryn Kent from the practice of law upon finding that Ms. Kent failed to respond to the Board of Professional Responsibility concerning a complaint of misconduct.

Ms. Kent is immediately precluded from accepting any new cases, and she must cease representing existing clients by August 14, 2025. After August 14, 2025, Ms. Kent shall not use any indicia of lawyer, legal assistant, or law clerk, nor maintain a presence where the practice of law is conducted. Ms. Kent shall 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 and shall deliver to all clients any papers or property to which they are entitled.

Ms. Kent shall 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. Kent may, for good cause, request dissolution or modification of the suspension by petition to the Supreme Court.

PUBLIC CENSURES

DANIEL OLEN BARHAM, BPR NO. 034103
WILLIAMSON COUNTY

On March 20, 2025, Daniel Olen Barham, an attorney licensed to practice law in Tennessee, received a Public Censure from the Tennessee Board of Professional Responsibility.

Mr. Barham, along with two other attorneys in his firm, represented two clients in a breach of contact related to the manufacturing and sale of COVID-19 Test Kits. On or about July 3, 2020, the Court appointed a Custodian and entered an Order enjoining the clients from dissipating any corporate assets outside the ordinary course of business. The Order further directed that any profits collected or derived from the sale of the Test Kits be surrendered to the Custodian. In or about February 2021, the clients received $700,000.00 in partial settlement of a claim against a third party related to the sale of certain Test Kits sold prior to the entry of the July 3, 2020, Order. The funds were deposited into the law firm's trust account without notice to the Custodian, opposing counsel, or the Court. A motion for contempt was filed by opposing counsel and a hearing was held on April 6, 2022. At the contempt hearing, Mr. Barham argued the court order was unclear but acknowledged the Test Kits at issue were the subject of the original hearing wherein the injunction was issued.

Mr. Barham's failure to timely notify the Court, the Custodian and opposing counsel of the receipt of an asset subject to the Order entered by the Court on July 3, 2020, and request authorization from the Court to deposit the settlement funds in the law firm's trust account for his clients' use in the ordinary course of business violated Rules of Professional Conduct, 3.4 (Fairness to Opposing Party and Counsel) and 8.4(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.

WILLIAM CLARK BARNES, JR., BPR NO. 011399
MAURY COUNTY

On July 24, 2025, William Clark Barnes, 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. Barnes was representing a juvenile at a detention hearing in juvenile court. As part of the detention hearing, the parties were looking for viable options to place the juvenile as an alternative to Juvenile Detention. Eventually, Mr. Barnes was able to secure placement for the juvenile with a family member. Mr. Barnes informed the Magistrate that there was an agreement between the parties for placement of the juvenile; however, Mr. Barnes had not discussed this placement with the opposing attorney. The Magistrate drafted the Order and gave it to Mr. Barnes to sign. Mr. Barnes signed his name and also signed the opposing attorney's signature. Mr. Barnes did not have permission to sign the opposing attorney's signature.

By these acts, Mr. Barnes has violated Rules of Professional Conduct 3.3 (candor towards the tribunal), 3.4 (fairness to opposing party and counsel), and 8.4 (misconduct) 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.

LENA ANN GRAVES BUCK, BPR NO. 014764
DEKALB COUNTY

On July 9, 2025, Lena Ann Graves Buck, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.
Ms. Buck provided consultation regarding a workers' compensation case to a client. While the client never signed a retainer agreement nor paid an attorney fee, between late 2020 and mid-2021, Ms. Buck met with the client on three (3) occasions, where she provided legal advice regarding workers' compensation and social security disability issues. Their second meeting was held the month before client's statute of limitations ran to file his workers' compensation claim with the third meeting being held the month after the statute ran. During that time and over the next three (3) years, while Ms. Buck represented the client in a disability claim, the client believed Ms. Buck was also acting as client's attorney in the workers' compensation matter. Ms. Buck discussed the workers' compensation issue with the client at both 2021 meetings, but failed to keep the client apprised of the statute of limitations deadline. The client did not discover the deadline had passed until mid-2024.

Thereafter, Ms. Buck entered into a business transaction with the client without first advising the client in writing of the desirability of seeking or giving the client a reasonable opportunity to seek the advice of independent legal counsel on the transaction.

By these acts, Ms. Buck has violated Rules of Professional Conduct 1.1 (competence), 1.3 (diligence), 1.4 (communication), 1.8(a)(2) (conflict of interest), and 8.4(d) (misconduct) 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.

ZACHARY TY CARDEN, BPR NO. 036752
DAVIDSON COUNTY

On July 9, 2025, Zachary Ty Carden, #036752, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Carden represented a client in a contested divorce action. Mr. Carden failed to take proper action to submit his client's discovery responses, resulting in the entry of a judgment against his client for opposing counsel's fees. After the divorce action settled through mediation, Mr. Carden failed to take action to facilitate entry of the final divorce decree and did not respond to his client's requests for information, resulting in delay in the finalization of the divorce action.

By these acts, Mr. Carden 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.

TERRY RENEASE CLAYTON, BPR NO. 012392
DAVIDSON COUNTY

On July 28, 2025, Terry Renease Clayton, an attorney licensed to practice law in Tennessee, received a Public Censure from the Supreme Court of Tennessee.

Mr. Clayton engaged in the unauthorized practice of law between January 22, 2024, and February 22, 2024, while his license was suspended by Order of the Tennessee Supreme Court. Mr. Clayton entered a Conditional Guilty Plea admitting his conduct violated Tennessee Rules of Professional Conduct 5.5 (unauthorized practice of law) and 8.4(a) (misconduct). Mr. Clayton is responsible for Board costs and Tennessee Supreme Court fees.

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

ZACHERY STEVEN DARNELL, BPR NO. 035914
HAMILTON COUNTY

On March 20, 2025, Zachery Steven Darnell, an attorney licensed to practice law in Tennessee, received a Public Censure from the Tennessee Board of Professional Responsibility.

Mr. Darnell, along with two other attorneys in his firm, represented two clients in a breach of contact related to the manufacturing and sale of COVID-19 Test Kits. On or about July 3, 2020, the Court appointed a Custodian and entered an Order enjoining the clients from dissipating any corporate assets outside the ordinary course of business. The Order further directed that any profits collected or derived from the sale of the Test Kits be surrendered to the Custodian. In or about February 2021, the clients received $700,000.00 in partial settlement of a claim against a third party related to the sale of certain Test Kits sold prior to the entry of the July 3, 2020, Order. The funds were deposited into the law firm's trust account without notice to the Custodian, opposing counsel, or the Court. A motion for contempt was filed by opposing counsel and a hearing was held on April 6, 2022. At the contempt hearing, Mr. Barham argued the court order was unclear but acknowledged the Test Kits at issue were the subject of the original hearing wherein the injunction was issued.

Mr. Darnell's failure to timely notify the Court, the Custodian and opposing counsel of the receipt of an asset subject to the Order entered by the Court on July 3, 2020, and request authorization from the Court to deposit the settlement funds in the law firm's trust account for his clients' use in the ordinary course of business violated Rules of Professional Conduct, 3.4 (Fairness to Opposing Party and Counsel) and 8.4(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.

JONATHAN WILLIAM DOOLAN, BPR NO. 024397
KNOX COUNTY

On July 15, 2025, Jonathan William Doolan, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.
Mr. Doolan filed a lawsuit for a client in Knox County Circuit Court, and an answer was filed. Mr. Doolan took no further action. Three years later, the Court issued a notice of a trial date. Mr. Doolan did not appear at the scheduled trial. Neither opposing counsel nor the Court was aware of the suspension of Mr. Doolan's license. The lawsuit was dismissed.

By these acts, Jonathan William Doolan has violated Rules of Professional Conduct 1.1 (competence), 1.3 (diligence), 1.16 (termination of representation), 3.2 (expediting litigation), 3.4 (fairness to opposing party), 8.1 (disciplinary matters), and 8.4 (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.

RICHARD LAMAR DUGGER, BPR NO. 006605
BEDFORD COUNTY

On April 9, 2025, Richard Lamar Dugger, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.
Mr. Dugger represented one client in a bankruptcy case and a second client in a landlord tenant case. In the first complaint, Mr. Dugger failed to include his client's home in the bankruptcy matter which resulted in his client's home being foreclosed. In the second file, Mr. Dugger failed to appear in court, failed to take action following the entry of an adverse judgment against his client, and delayed the outcome of the case.

By these acts, Mr. Dugger has violated Rules of Professional Conduct Rules of Professional Conduct 1.1 (competence), 1.3 (diligence), 3.2 (expediting litigation), and 3.4 (fairness to opposing party and counsel) 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.

MITCHELL JEFFERY FERGUSON, BPR NO. 024960
WILSON COUNTY

On April 17, 2025, Mitchell Jeffery Ferguson, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Ferguson was court appointed to represent a client who was charged with several felonies, including First Degree Murder, which carried a potential life sentence. During the representation, Mr. Ferguson failed to appear for multiple court hearings and failed to communicate with the Court and his client about hearing dates and absences. Mr. Ferguson failed to provide communication or copies of any legal documents to the client and failed to meet with the client for trial preparation. Mr. Ferguson's inaction resulted in multiple continuances, the Court's removal of Mr. Ferguson from the client's case, and postponement of the client's

murder trial, thereby prejudicing the administration of justice. The Court also instructed Mr. Ferguson that he was no longer permitted to appear on matters pending before that Court.

By these acts, Mr. Ferguson has violated Rules of Professional Conduct 1.3 (diligence), 1.4 (communication), 3.2 (expediting litigation), and 8.4(d) (prejudice to 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.

STEVEN CARL FRAZIER, BPR NO. 007098
SULLIVAN COUNTY

On April 17, 2025, Steven Carl Frazier, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Frazier was retained by a client for representation in a property boundary dispute in Hawkins County. Mr. Frazier received a $5000 retainer fee from the client, which he deposited directly to his operating account. Because Mr. Frazier did not obtain a writing signed by the client explaining the parties' intent and amount of non-refundable funds the payment was not a non-refundable retainer. As a minimum retainer fee, Mr. Frazier failed to deposit the funds into his trust account and wrongfully commingled the client funds with his own. Mr. Frazier did not track his time nor issue an invoice reflecting the legal services provided to the client nor his fees earned. Mr. Frazier did not communicate to his client the basis or rate of his fee and expenses for which the client would be responsible, making his fee unreasonable. While Mr. Frazier offered to refund one-half of the client's fees, the offer was after three years following the client's filing of a disciplinary complaint, and the fees were never refunded. In addition, while Mr. Frazier was under an obligation to maintain communication with his client until the representation was terminated or complete, he stopped responding to the client's requests for updates and took no further action on the client's behalf.

By these acts, Mr. Frazier has violated Rules of Professional Conduct 1.4(a) (communication), 1.5(a) & (b) (fees), and 1.15(a) & (b) (safekeeping property and funds) and for these violations is hereby Publicly Censured with the condition that he refund to the client $2500.00 within thirty (30) days hereof.

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

ROBERT ANDREW FREE, BPR NO. 030513
DEKALB COUNTY

On July 24, 2025, Robert Andrew Free, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Free was representing a client in immigration court and agreed to assist the client in the filing of a U visa if retained but failed to clearly communicate and memorialize the agreement with the client, such that it left the client under the inaccurate impression that he would provide this service. Mr. Free failed to file the appropriate paperwork with the agency and failed to communicate with his client throughout the

representation. Additionally, Mr. Free either lost or misplaced the client's file and was never able to provide her with a copy of her file.

By these acts, Mr. Free has violated Rules of Professional Conduct 1.3 (diligence), 1.4 (communication), 1.15 (safekeeping property and funds), and 1.16 (declining or terminating 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.

MARK STEVEN GRAHAM, BPR NO. 011505
KNOX COUNTY

On July 29, 2025, Mark Steven Graham an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.
Mr. Graham wrote a check from his trust account to pay an office expense. Five months later, three automated withdrawals were attempted from the trust account, one of which was paid. Mr. Graham's law license is suspended, and he failed to deactivate his office website for at least 20 months. His social media has incorrectly indicated for at least 34 months that his law license is active.

By these acts, Mark Steven Graham has violated Rules of Professional Conduct 1.15 (safekeeping funds), 7.1 (communications concerning a lawyer's services), 3.4 (fairness to opposing party), and 8.4(g) (failure to comply with a court order) 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.

ROBERT GREENE, BPR NO. 006515
DAVIDSON COUNTY

On June 25, 2025, Robert Greene, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Greene represented clients in defense of a lawsuit in General Sessions Court. Due to an error in his calendaring of the trial date, Mr. Greene and his clients did not appear at trial, resulting in the entry of a default judgment. Mr. Greene was not forthright in his subsequent communications with his clients that the trial date was missed solely due to his own scheduling error.

Mr. Greene filed a motion to set aside the default judgment. The motion was frivolous, as it was untimely filed and did not recite any legal authorities to support tolling of the statutory deadline. In an affidavit affixed to the motion, Mr. Greene falsely claimed that the trial date was missed due to confusion with opposing counsel rather than Mr. Greene's own scheduling error. Mr. Greene also later filed a motion to withdraw that falsely claimed that Mr. Greene's clients failed to provide documentation in support of their factual position that would have been asserted at trial.

Mr. Greene paid a significant portion of the judgment out of his own personal funds, without prior notice or consent from his clients. A settlement was subsequently reached where Mr. Greene's clients paid the remaining portion of the judgment.

By these acts, Mr. Greene has violated Rules of Professional Conduct 1.1 (*competence*), 1.2(a) (*complying with a client's decision regarding a settlement*), 1.3 (*diligence*), 1.4 (*communication*), 1.8(e) (*financial assistance to a client in connection with pending or prospective litigation*), 1.16(d) (*declining or terminating representation*), 3.1 (*meritorious claims*), 3.3(a)(1) (*misrepresentation to a tribunal*), and 8.4 (*dishonesty*) 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, BPR #016471
SHELBY COUNTY

On July 3, 2025, 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 took over representation of a personal injury client in his colleague's absence, entering his appearance as attorney of record. During his representation, Mr. Humphrey negligently failed to file all of the discovery responses and to reply to opposing counsel's discovery inquiries, which led to a motion to compel being filed against the client. Mr. Humphrey failed to notify the client of the motion and of the subsequent court ruling that the client pay the opposing party's attorney fees. Mr. Humphrey's failure to maintain communication with opposing counsel regarding discovery resulted in injury or potential injury to the client through the motion to compel and attorney fee sanction issued to the client.

By these acts, Mr. Humphrey has violated Rules of Professional Conduct 1.3 (diligence), 1.4(a) (communication), and 8.4(d) (misconduct) 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.

ROGER DAVID HYMAN, BPR NO. 011002
KNOX COUNTY

On April 28, 2025, Roger David Hyman, 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.

Mr. Hyman represented a client in a contested divorce matter. After a settlement was reached, Mr. Hyman's client instructed him to withdraw from the tentative agreement. However, Mr. Hyman failed to promptly communicate with opposing counsel as to his client's desire to withdraw from the agreement and failed to take any other action to protect his client's interests, causing his client potential injury.

Mr. Hyman executed a conditional guilty plea acknowledging his conduct violated Rules of Professional Conduct 1.2 (scope of representation) and 1.4 (communication).

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

MARTI LEE KAUFMAN, BPR NO. 011555
SHELBY COUNTY

On April 25, 2025, Marti Lee Kaufman, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Ms. Kaufman represented a client in a car wreck matter in which the insurer for the other driver accepted responsibility. Ms. Kaufman delayed 17 months in filing the lawsuit and then failed to properly serve the defendant. Ms. Kaufman later entered into an agreement with the client to settle a potential malpractice claim. In a second matter, Ms. Kaufman represented a client in a car accident matter in which she took no action for 17 months, and then took no further action after filing a complaint. In a third matter, Ms. Kaufman was hired to represent a client in a civil fraud matter, and she failed to take any action for 30 months. Ms. Kaufman later refunded the client's retainer.

By the aforementioned acts, Marti Lee Kaufman has violated Rules of Professional Conduct 1.3 (diligence), 1.4 (communication), 3.2 (expediting litigation), and 8.4 (misconduct) 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.

TERRANCE EARL MCNABB, BPR NO. 002592
CHEATHAM COUNTY

On September 18, 2025, Terrance Earl McNabb, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

In April 2024, Mr. McNabb was hired to file a child custody modification with the Robertson County Juvenile Court. In his representation of a client in Juvenile Court, Terrance McNabb failed to assert multiple constitutional claims that by law may have resulted in the temporary order being thrown out based on lack of service and lack of validity past 72-hours allowed for an *ex parte* order. Mr. McNabb also failed to raise a claim for failure to prosecute and for father's lack of parentage being established, which under Tennessee law could have resulted in an immediate return of custody to his client. Mr. McNabb's failure to assert these various claims and defenses resulted in lost opportunity for his client, as once he filed the petition to modify, the court treated it as a counter-petition to the 2021 petition. Mr. McNabb's actions also resulted in financial harm to his client who paid an unnecessary filing fee and additional attorney fees to a second attorney to address Mr. McNabb's errors.

By these acts, Mr. McNabb has violated Rules of Professional Conduct 1.1 (competence), 1.3 (diligence), 1.4(a) (communication), and 8.4(d) (misconduct), 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.

MITCHELL RAY MILLER, BPR NO. 036126
DAVIDSON COUNTY

On July 14, 2025, Mitchell Ray Miller, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Miller was hired to probate an estate. The client paid a fee of $2,996.50. Respondent met with the client but never filed a petition to probate the estate. Mr. Miller failed to respond to four communications from the client over the course of one month. The client hired new counsel to file the petition to probate the estate.

By the aforementioned acts, Mitchell Ray Miller has violated Rules of Professional Conduct 1.3 (diligence) and 1.4 (communication) and is hereby Publicly Censured for these violations with the condition that he make restitution to the client in the amount of $2,996.50 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.

TOMMY JOE NORTON, BPR NO. 032282
SEVIER COUNTY

On April 15, 2025, Tommy Joe Norton, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Norton represented two separate clients in custody cases; another client in civil contempt claim; and a fourth client in a divorce case. During these representations, Mr. Norton closed his office and changed his phone number. Mr. Norton failed to inform his clients of these changes which caused all his clients to have no way to contact him. In all four cases, Mr. Norton failed to maintain communication with his clients and failed to diligently represent his clients.
Additionally, in the first case, Mr. Norton failed to appear in court and incorrectly advised his client not to appear. In the second case, Mr. Norton asked for multiple continuances which delayed the proceedings. In the fourth case, Mr. Norton essentially abandoned his client and failed to show up in court.

By these acts, Mr. Norton has violated Rules of Professional Conduct 1.3 (diligence), 1.4 (communication), 3.2 (expediting litigation), 3.4 (fairness to opposing party and counsel), and 8.4(d) (misconduct) 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.

ASHLEY SATTERFIELD PATTERSON, BPR NO. 030614
SHELBY COUNTY

On July 29, 2025, Ashley Satterfield Patterson, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Ms. Patterson testified in court on April 22, 2022, concerning a personal matter relating to a parenting plan. During that hearing, Ms. Patterson lied under oath.

By these acts, Ms. Patterson has violated Rules of Professional Conduct 3.3 (candor toward the tribunal), and 8.4 (misconduct), 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.

JOSHUA HOWARD POLK, BPR NO. 021647
WAYNE COUNTY

On July 9, 2025, Joshua Howard Polk, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Polk was retained to defend clients in a water rights case out of Wayne County Chancery Court. In early 2022, a third party joined the litigation and upon consulting with his clients, Mr. Polk determined that a conflict of interest was created by the joinder. The information that Mr. Polk previously learned from his former co-counsel could have materially impacted his continued representation of his current clients and there was a risk that the information Mr. Polk gained would materially limit his ability to continue in the case. This created a concurrent conflict of interest and a mandated withdrawal by Mr. Polk. While it was reasonable for Mr. Polk to want to help his clients identify subsequent counsel, he waited fourteen (14) months to withdraw resulting in unnecessary delay in the litigation, halting any progress on the case, and postponing a hearing on the opposing party's Motion for Summary Judgment that had been pending for several months.

By these acts, Mr. Polk has violated Rules of Professional Conduct 1.3 (diligence), 1.7(a)(2) (conflict of interest), 1.16(a) (declining or terminating representation), 3.2 (expediting litigation), and 8.4(d) (misconduct) 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.

ROBERT ANDREW POPE, BPR NO. 041875
SHEBLY COUNTY

On April 16, 2025, Robert Andrew Pope, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.
Mr. Pope was terminated by the Tennessee Department of Corrections in March 2024 while his application for bar admission was still pending. Mr. Pope failed to supplement his pending bar admission application to disclose this material fact.

By this act, Mr. Pope has violated Rule of Professional Conduct 8.1(b) (*misrepresentation to a bar admission authority*) 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.

CARL ALLEN ROBERTS, JR., BPR NO. 033509
CARTER COUNTY

On July 21, 2025, Carl Allen Roberts, 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. Roberts represented a client in a divorce which was completed. Mr. Roberts informed the client in writing that he would file a petition for contempt against the opposing party. Mr. Roberts then failed to respond to eight communications from the client. In another matter, Mr. Roberts received a cash retainer from a client, and he took the cash to his home for 39 days before returning it to the firm's trust account. In another matter, Mr. Roberts failed to appear at a scheduled mediation without notice to his client, the mediator, or the opposing counsel.

By the aforementioned acts, Carl Allen Roberts, Jr. has violated Rules of Professional Conduct 1.3 (diligence), 1.4 (communication), 1.15 (safekeeping funds), 1.16 (termination of representation), 3.2 (expediting litigation), and 8.4(dg) (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.

STACEY ALLEN TERRAL, BPR NO. 023054
RUTHERFORD

On October 8, 2025, Stacey Allen Terral, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Terral represented a client in a custody matter in the Rutherford County Juvenile Court. In preparing to submit discovery responses, Mr. Terral advised his client that with permission, he could sign the discovery attestation on the client's behalf to save some time. Believing that he had his client's permission, Mr. Terral engaged the services of his wife, who is a Notary Public, to notarize the document. Mr. Terral told his wife that the client had approved the discovery answers and they were ready to be notarized. Mr. Terral showed his wife a copy of the client's driver's license and signed the verification, which his wife then notarized. In signing the document, Mr. Terral signed the client's name and did not indicate that the document was being signed by him with client's permission nor in any way indicate that the document was signed by anyone other than the client. Mr. Terral has been practicing law for over twenty (20) years and claims not to have known such action was improper.

By these acts, Mr. Terral has violated Rules of Professional Conduct 1.1 (competence), 1.2(d) (scope of representation and allocation of authority between client and lawyer), 3.4(b) (fairness to opposing party and counsel), 4.1(a) (truthfulness in statements to others), 5.3 (responsibilities regarding nonlawyer assistants), and 8.4(a), (c), and (d) (misconduct), 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.

MICHAEL JAMES THOMPSON, BPR NO. 028041
TENNESSEE

On July 9, 2025, Michael James Thompson, #028041, an attorney licensed to practice law in Tennessee and Kentucky, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Thompson represented a client in a custody proceeding in Kentucky state court. Mr. Thompson exchanged sexualized communications with his client during the representation, evidencing a concurrent conflict of interest. Mr. Thompson also communicated with his client about the subject matter of the custody proceeding through Instagram messaging without any privacy controls.

By these acts, Mr. Thompson has violated Kentucky Rules of Professional Conduct 1.6 (*protecting confidential information*) and 1.7(a)(2)(*concurrent conflict of interest*) and is hereby Publicly Censured 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.

REINSTATEMENTS

BRIAN KIRK KELSEY, BPR NO. 022874
SHELBY COUNTY

By Order of the Tennessee Supreme Court entered August 20, 2025, Biran Kirk Kelsey was reinstated to the active practice of law.

On December 8, 2022, Mr. Kelsey was suspended by the Supreme Court of Tennessee pursuant to Tennessee Supreme Court Rule 9, Section 22.3 after entering a plea of guilty to one (1) count of Conspiracy to Defraud the United States, in violation of Title 18 United State Code Section 371 and one (1) count of Aiding and Abetting the Acceptance of Excessive Contributions, in violation of Title 52 United State Code, Sections 30116(a)(1)(A), 30116(a)(7)(B)(i), 30116(f) and 30109(d)(1)(A)(i) and 18 United State Code, Section 2. The Supreme Court referred the case to the Board of Professional Responsibility for the institution of formal proceedings to determine the extent of final discipline.

On March 11, 2025, Mr. Kelsey received a full and unconditional presidential pardon for those offenses against the United States enumerated in *United States v. Kelsey et. al.*, Case No. 3:21-cr-00264 (Middle District of Tennessee). Thereafter, Mr. Kelsey filed a declaration with the Supreme Court seeking immediate reinstatement to the practice of law. After briefing by the parties, the Supreme Court concluded Mr. Kelsey should be immediately reinstated from his December 8, 2022 Tennessee Supreme Court Rule 9, Section 22.3(a) suspension; however, his reinstatement will not terminate any formal proceedings pending against him, the disposition of which shall be determined by the hearing panel and the Board on the basis of the available evidence in accordance with Tennessee Supreme Court Rule 9, Section 22.3(b).

DALE GERARD NOWICKI, BPR NO. 036672
TENNESSEE

By Order of the Tennessee Supreme Court entered July 14, 2025, Dale Gerard Nowicki was reinstated to the active practice of law.

On May 13, 2025, Dale Gerard Nowicki was suspended by the Supreme Court of Tennessee for two (2) years with ninety (90) days active suspension retroactive to the date of suspension in California, and the remainder on probation. Mr. Nowicki filed a Petition for Reinstatement to the practice of law pursuant to Tennessee Supreme Court Rule 9, Section 30.4(c) on June 6, 2025. The Board found the petition to be satisfactory and submitted an Order of Reinstatement to the Court.

Mr. Nowicki's reinstatement to the active practice of law is conditioned upon his continuing compliance with, and timely satisfaction of, the conditions set forth in the Order of the Supreme Court of California entered January 6, 2025.

ARCHIE SANDERS, III, BPR NO. 012784
SHELBY COUNTY

By Order of the Tennessee Supreme Court entered September 3, 2025, Shelby County attorney Archie Sanders, III, was reinstated to the active practice of law.

On May 27, 2025, Archie Sanders, III, was suspended by the Supreme Court of Tennessee for one (1) year with two (2) months to be served as an active suspension and the remainder on probation subject to conditions including employment of a practice monitor during the probationary period and repayment of all Board costs. Mr. Sanders filed a Petition for Reinstatement to the practice of law pursuant to Tennessee Supreme Court Rule 9, Section 30.4(c) on August 5, 2025. The Board found the petition to be satisfactory and submitted an Order of Reinstatement to the Court.

Mr. Sanders' reinstatement to the active practice of law is conditioned upon his continuing compliance with, and timely satisfaction of, the conditions set forth in the Order of the Supreme Court entered May 27, 2025.

GERALD DENNY WAGGONER, JR., BPR NO. 013988
SHELBY COUNTY

By Order of the Tennessee Supreme Court entered August 8, 2025, Gerald Denny Waggoner was reinstated to the active practice of law with conditions.

Gerald Denny Waggoner, Jr. was suspended by the Supreme Court of Tennessee on August 1, 2017, (M2017-01434-SC-BAR-BP), and July 11, 2023, (W2022-01294-SC-R3-BP). On October 17, 2024, Mr. Waggoner filed a Petition for Reinstatement pursuant to Tennessee Supreme Court Rule 9, Section 30.4(d). After a final hearing on the merits, the Hearing Panel recommended Mr. Waggoner be reinstated to practice law with conditions. The Panel determined specifically that Mr. Waggoner demonstrated by clear and convincing evidence he had the moral qualifications, competency, and learning in law required for admission to practice

in this state, and his resumption of the practice of law within the state would not be detrimental to the integrity and standing of the bar or the administration of justice, or subversive to the public interest.

Accordingly, the Board of Professional Responsibility shall cause notice of this reinstatement to be published as required by Tennessee Supreme Court Rule 9, Section 28.11.

DISABILITY INACTIVE

LORETTA MADELINE CALVERT BPR NO. 024858
SUMNER COUNTY

By Order of the Tennessee Supreme Court entered May 13, 2025, the law license of Loretta Madeline Calvert was transferred to disability inactive status pursuant to Section 27.3 of Tennessee Supreme Court Rule 9.

Ms. Calvert 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.

WILLIAM BOYETTE DENTON, BPR #013768
HARDEMAN COUNTY

By Order of the Tennessee Supreme Court entered April 11, 2025, the law license of William Boyette Denton was transferred to disability inactive status pursuant to Section 27.3 of Tennessee Supreme Court Rule 9.

Mr. Denton 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.

JOHN SIDNEY MCLELLAN, III, BPR NO. 000427
SULLIVAN COUNTY

By Order of the Tennessee Supreme Court entered May 13, 2025, the law license of John Sidney McLellan, III, was transferred to disability inactive status pursuant to Section 27.3 of Tennessee Supreme Court Rule 9.

Mr. McLellan 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.

JAMES DARREN MCWILLIAMS, BPR NO. 024152
TENNESSEE

By Order of the Tennessee Supreme Court entered May 21, 2025, the law license of James Darren McWilliams of Washington, Georgia, was transferred to disability inactive status pursuant to Section 27.3 of Tennessee Supreme Court Rule 9.

Mr. McWilliams 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.

SORNAVIDYA SABA SANKAR, BPR NO. 037964
DAVIDSON COUNTY

By Order of the Tennessee Supreme Court entered August 8, 2025, the law license of Sornavidya Saba Sankar was transferred to disability inactive status pursuant to Section 27.3 of Tennessee Supreme Court Rule 9.

Ms. Sankar 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 his disability has been removed in accordance with Tennessee Supreme Court Rule 9, Section 27.7.

STEVEN R. SEIVERS, BPR NO. 005456
ANDERSON COUNTY

By Order of the Tennessee Supreme Court entered August 27, 2025, the law license of Steven R. Seivers was transferred to disability inactive status pursuant to Section 27.3 of Tennessee Supreme Court Rule 9.

Mr. Seivers 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.

TENNESSEE LAWYERS' FUND for CLIENT PROTECTION

TENNESSEE LAWYERS' FUND PAYMENTS

GARY LEE ANDERSON BPR NO. 004515
KNOX COUNTY

On June 16, 2025, the Tennessee Lawyers' Fund for Client Protection (Lawyers' Fund) paid a claim filed against Gary Lee Anderson, 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. Anderson 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.

ANGELA JOY HOPSON BPR NO. 022500
MADISON COUNTY

On April 11, 2025, the Tennessee Lawyers' Fund for Client Protection (Lawyers' Fund) paid a claim filed against Angela Joy Hopson, in the amount of $2,022.00.

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.

Ms. Hopson 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.

GEORGE SKOUTERIS, JR. BPR NO. 013417
SHELBY COUNTY

On June 16, 2025, the Tennessee Lawyers' Fund for Client Protection (Lawyers' Fund) paid a claim filed against George Skouteris, Jr., in the amount of $17,609.40.

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. Skouteris 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.

DOUGLAS A. TRANT BPR NO. 006871
KNOX COUNTY

On April 11, 2025, the Tennessee Lawyers' Fund for Client Protection (Lawyers' Fund) paid a claim filed against Douglas A. Trant, in the amount of $7,500.00.

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. Trant 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.

MELVIN JACOB WERNER BPR #015909
KNOX COUNTY

On May 29, 2025, the Tennessee Lawyers' Fund for Client Protection (Lawyers' Fund) paid a claim filed against Melvin Jacob Werner, in the amount of $100,000.00.

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. Werner 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.

SAMUEL ERVIN WHITE BPR NO. 029973
SULLIVAN COUNTY

On September 2, 2025, the Tennessee Lawyers' Fund for Client Protection (Lawyers' Fund) paid a claim filed against Samuel Ervin White, in the amount of $1,100.00.

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. White 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.