



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

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**RELEASE OF INFORMATION**  
**RE: KIMBERLY DIANE RUSSELL, BPR #018435**  
**CONTACT: ALAN D. JOHNSON**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

February 19, 2019

**BLOUNT COUNTY LAWYER CENSURED**

On February 19, 2019, Kimberly Diane Russell, a Tennessee licensed attorney, was publicly censured by the Supreme Court of Tennessee. Additionally, Ms. Russell must engage a practice monitor at her own expense and meet with the practice monitor on a monthly basis to review basic office procedures. Ms. Russell was ordered to pay the costs and expenses of the Board.

The Board of Professional Responsibility filed a Petition for Discipline on May 23, 2018 concerning one (1) complaint of misconduct. Ms. Russell, while administratively suspended for CLE non-compliance, accepted a flat fee to prepare divorce documents for *pro se* divorce. Ms. Russell prepared documents for the divorce and did not enter a written fee agreement for the non-refundable fee. Ms. Russell executed a Conditional Guilty Plea acknowledging her misconduct violated Tennessee Rules of Professional Conduct 1.4 (a) (5) (communication), 1.5 (fees), 5.5 (unauthorized practice of law), and 8.4(a) (misconduct).

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

Russell 2870-2 rel.doc

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

FILED

02/19/2019

Clerk of the  
Appellate Courts

**IN RE: KIMBERLY DIANE RUSSELL, BPR #018435**

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

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**No. M2019-00283-SC-BAR-BP**  
BOPR No. 2018-2870-2-AJ

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**ORDER OF ENFORCEMENT**

This matter is before the Court upon a Petition for Discipline filed against Kimberly Diane Russell on May 23, 2018; upon Answer to Petition for Discipline filed on June 18, 2018; upon Conditional Guilty Plea filed by Ms. Russell on December 4, 2018; upon an Order Recommending Approval of Conditional Guilty Plea entered on December 12, 2018; upon consideration and approval by the Board on December 14, 2018; and upon the entire record in this cause.

From all of which the Court approves the Order of the Hearing Panel and adopts the Hearing Panel's Order recommending approval of the Conditional Guilty Plea as the Court's Order.

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

(1) Pursuant to Tenn. Sup. Ct. 9, § 12.4, Kimberly Diane Russell, is hereby publicly censured. The imposition of the public censure is conditioned upon appointment of a practice monitor as set forth below:

(a) Ms. Russell shall engage a practice monitor for a period of one (1) year who shall be selected and approved in accordance with Tenn. Sup. Ct. R. 9, § 12.9(c). Ms. Russell shall provide a list of potential practice monitors for selection by the Board within fifteen (15) days of entry of this order.

(b) The practice monitor shall meet with Ms. Russell on a monthly basis to review basic office procedures such as the scheduling and maintenance of case

deadlines and the use of written communication and fee agreements. A monthly written report must be provided to Disciplinary Counsel.

(2) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Ms. Russell shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$1,218.37 and shall pay to the Clerk of this Court the costs incurred herein, within ninety (90) days of the entry of this Order, for all of which execution may issue if necessary.

(3) The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 28.11.

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

PER CURIAM