



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

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RELEASE OF INFORMATION
RE: GERALD D. WAGGONER, JR., BPR #013988
CONTACT: JAMES W. MILAM
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

July 11, 2023

SHELBY COUNTY LAWYER SUSPENDED

Effective July 11, 2023, the Supreme Court of Tennessee suspended Gerald D. Waggoner, Jr., from the practice of law for two (2) years, with eighteen (18) months on active suspension pursuant to Tenn. Sup. Ct. R. 9, Section 12.2, and the remainder served on probation, conditioned on the engagement of a practice monitor, payment of restitution, payment of Board costs, and twelve (12) additional hours of CLE in ethics or handling client property. The disciplinary matter resulted from two (2) separate complaints.

In the first disciplinary matter, Mr. Waggoner, while his license was suspended, continued to market and manage his law practice; directly and indirectly communicated with former clients, office staff, and attorneys; and participated in recruiting and hiring attorneys. In the second disciplinary matter, Mr. Waggoner received settlement funds in a minor's settlement but failed to transmit the net proceeds to the court clerk as ordered by the court to be held until the child reached the age of majority, failed to obtain court approval of a minor's settlement resulting in the dismissal of the case for failure to prosecute, and failed to re-file that case.

The Supreme Court found Mr. Waggoner had violated Rules of Professional Conduct 1.3 (diligence), 1.4 (communication), 1.15 (safekeeping property and funds), 1.16 (declining or terminating representation), 5.5(a) (unauthorized practice of law), 8.4(a) (misconduct) and (d) (conduct prejudicial to the administration of justice).

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