

STATE OF MINNESOTA  
IN SUPREME COURT  
A22-0922



In re Petition for Disciplinary Action against  
Grace I. Gardiner, a Minnesota Attorney,  
Registration No. 0282248.

O R D E R

The Director of the Office of Lawyers Professional Responsibility filed a petition for disciplinary action against respondent Grace I. Gardiner after the Tennessee Supreme Court suspended her for 3 years, with 4 months active suspension and 32 months of probation. *See In re Gardiner*, No. M2021-00944-SC-BAR-BP, Order at 1 (Tenn. filed Aug. 30, 2021). Respondent was suspended in Tennessee for failing to obtain original client signatures on documents before they were electronically filed in bankruptcy court, in violation of applicable law; failing to adequately supervise a nonlawyer assistant, who had clients return to the office to sign and backdate these documents after they had been filed; and presenting these documents to the bankruptcy court as documents that had been signed by the client before they were filed, knowing they contained backdated client signatures. Respondent also presented an agreed-to order continuing a hearing to a bankruptcy court when respondent forged the trustee's signature and the trustee did not agree to the continuance. In addition, respondent presented a bankruptcy court with a document, knowing it contained the forged signature of her client. Finally, respondent allowed her name to be signed to retainer agreements before she met the clients. Respondent's misconduct violated Tenn. R. Prof. Conduct 1.1, 1.3, 3.3, 5.3, and 8.4(a).

The parties have filed a stipulation for discipline with the court. In it, respondent waives her procedural rights under Rule 12(d), Rules on Lawyers Professional Responsibility (RLPR), waives her right to answer, and unconditionally admits the allegations of the petition. The parties jointly recommend that the appropriate discipline is a 4-month suspension, retroactive to August 30, 2021, the date of the Tennessee discipline, that respondent be reinstated by affidavit, and that following reinstatement, respondent be placed on probation for 32 months.

The court has independently reviewed the file and approves the jointly recommended disposition.

Based upon all the files, records, and proceedings herein,

IT IS HEREBY ORDERED THAT:

1. Respondent Grace I. Gardiner is suspended from the practice of law for a minimum of 4 months, retroactive to August 30, 2021.
2. Respondent shall comply with Rule 26, RLPR (requiring notice of suspension to clients, opposing counsel, and tribunals).
3. Respondent shall pay \$900 in costs pursuant to Rule 24(a), RLPR.
4. Respondent shall provide the Director with proof of compliance with the terms of her Tennessee probation, as requested by the Director. Respondent shall notify the Director of any noncompliance with the terms of her Tennessee probation.
5. Respondent is eligible for reinstatement to the practice of law. The reinstatement hearing process provided for in Rule 18(a)–(d), RLPR, is waived. To be reinstated, respondent must file with the Clerk of the Appellate Courts and serve upon the Director an affidavit establishing that she is current in continuing legal education

requirements, has complied with Rules 24 and 26, RLPR, and has complied with any other conditions for reinstatement imposed by the court.

6. Upon reinstatement to the practice of law, respondent shall be placed on probation for a period of 32 months, upon the following terms and conditions:

- a. Respondent shall abide by the Minnesota Rules of Professional Conduct.
- b. Respondent shall cooperate fully with the Director's Office in its efforts to monitor compliance with this probation. Respondent shall promptly respond to the Director's correspondence by its due date. Respondent shall provide to the Director a current mailing address and shall immediately notify the Director of any change of address. Respondent shall cooperate with the Director's investigation of any allegations of unprofessional conduct that may come to the Director's attention. Upon the Director's request, respondent shall provide authorization for release of information and documentation to verify compliance with the terms of this probation.

7. Within 1 year of the date of this order, respondent shall file with the Clerk of the Appellate Courts and serve upon the Director proof of successful completion of the written examination required for admission to the practice of law by the State Board of Law Examiners on the subject of professional responsibility. *See* Rule 4.A.(5), Rules for Admission to the Bar (requiring evidence that an applicant has successfully completed the Multistate Professional Responsibility Examination). Failure to timely file the required documentation shall result in automatic suspension, as provided in Rule 18(e)(3), RLPR.

Dated: March 10, 2023

BY THE COURT:



Natalie E. Hudson  
Associate Justice