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Highlighting the who's who in the Middle Tennessee healthcare industry.

Appeals court: Attorney not entitled to see BPR communications from censure case

Info request stemmed from two cases against Brentwood divorce specialist

Published November 11, 2013 by NashvillePost.c...



The Tennessee Court of Appeals has ruled that a prominent Brentwood attorney cannot see state documents related to disciplinary hearings against her.

Family and divorce lawyer Connie Reguli had in the fall of 2012 petitioned the Board of Professional Responsibility for documents related to the complaints that body filed against her in February 2009 and April 2010. (Reguli also asked for info on cases involving seven other attorneys.) In one of those cases, Reguli had eventually been censured for ethical misconduct because of statements she made in an appellate brief about Williamson County Judge Robert E. Lee Davies that were deemed "impertinent and unprofessional."

Reguli, who in 2008 ran for the state House of Representatives and **last year** applied to be the BPR's chief disciplinary counsel, had been granted access to the documents by Chancellor Ellen Lyle. But the BPR appealed that ruling after producing some of the records and heavily redacting others.

Writing for the appellate court, Judge Richard Dinkins — who was joined by Judge Frank Clement — said the documents are out of reach of a public records request because they were prepared after the disciplinary proceeding against Reguli had been launched. The intent and structure of state rules governing attorney discipline, the appeals court judges wrote, place such communications beyond disclosure requirements.

Dinkins also wrote that Lyle had mistakenly ruled that the documents Reguli sought were "work product" because they involved communication between different agencies. The different entities working on attorney discipline cases should be viewed as part of a whole, they made clear.

"The fact that the offices are separate has no significance in this regard," Dinkins wrote.

View [the full opinion here](#).

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