

SUPREME COURT OF KENTUCKY

Inquiry Commission v. Traci Lee Tidball Peppers

No. 2020-SC-000172 (Ky. Aug. 20, 2020) · No. 2020-SC-000172 · Decided August 18, 2020

SUMMARY

The Supreme Court of Kentucky temporarily suspended Traci Lee Tidball Peppers from practicing law after finding probable cause that she misappropriated funds belonging to a minor's estate and that her conduct posed a substantial threat of harm to clients or the public. The order required her to notify clients, cease advertising, and face disciplinary proceedings.

CASE DETAILS

COURT	Supreme Court of Kentucky
WRITING FOR THE COURT	Minton, C.J.; Hughes, J.; Keller, J.; Lambert, J.; Nickell, J.; VanMeter, J.; Wright, J.
JURISDICTION	Kentucky
DECIDED	August 18, 2020
DOCKET	2020-SC-000172
DISPOSITION	writ_granted
PROCEDURAL POSTURE	The Kentucky Inquiry Commission petitioned the Supreme Court of Kentucky for an order temporarily suspending Respondent from the practice of law under SCR 3.165. Respondent opposed the petition, but acknowledged the underlying conduct and submitted no supporting facts or documentation.
STANDARD OF REVIEW	The Court independently examined the petition, supporting documents, and response to determine whether probable cause existed under SCR 3.165(1)(a) and (b).
PRECEDENTIAL VALUE	Unknown
PARTIES	Inquiry Commission v. Traci Lee Tidball Peppers

TOPICS

[guardianship procedure](#)[guardianships](#)[estate administration](#)[probate procedure](#)

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether probable cause existed under SCR 3.165(1)(a) to believe that Peppers had misappropriated client funds or otherwise improperly dealt with those funds.
2. Whether probable cause existed under SCR 3.165(1)(b) to believe that the alleged misappropriation posed a substantial threat of harm to Peppers's clients or the public.
3. Whether Peppers should be temporarily suspended from the practice of law pending further orders and disciplinary proceedings.

HOLDINGS

1. Probable cause existed under SCR 3.165(1)(a) to believe that Peppers had misappropriated client funds to her own use or otherwise improperly dealt with those funds.
2. Probable cause existed under SCR 3.165(1)(b) to believe that Peppers's misappropriations posed a substantial threat of harm to her clients or the public.
3. Peppers was temporarily suspended from the practice of law in Kentucky effective upon entry of the order and pending further orders from the Court.

KEY QUOTATIONS

“This Court also finds probable cause, under SCR 3.165(1)(b), to believe Respondent’s misappropriations pose “a substantial threat of harm to [her] clients or to the public.”” (2)

FACTUAL BACKGROUND

Peppers served in connection with the estate of Garrett Hunter Graven, a minor, and failed for five years to file periodic settlements. Between April 2016 and January 2020, she transferred \$24,415 from the minor's bank accounts into her personal and business accounts without court approval and without an apparent benefit to the child. She repaid \$27,000, including interest, after the conservator prepared a report, self-reported the conduct to the Kentucky Bar Association, and acknowledged the accuracy of the report in response to the suspension petition.

PROCEDURAL HISTORY

The Inquiry Commission received information from the conservator of a minor's estate alleging that Peppers had improperly converted estate funds. After reviewing the petition, supporting documents, and Peppers's response, the Supreme Court found probable cause to believe that she had misappropriated client funds and that the conduct posed a substantial threat of harm to clients or the public. The Court entered an order temporarily suspending her, directed initiation of disciplinary proceedings, and imposed related notice and advertising requirements.

DISPOSITION

writ_granted

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