



BOARD OF PROFESSIONAL RESPONSIBILITY
of the
SUPREME COURT OF TENNESSEE

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RELEASE OF INFORMATION
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April 22, 2005

MEMPHIS LAWYER PUBLICLY CENSURED

On April 13, 2005, the Board of Professional Responsibility issued a public censure to Michael D. Fitzgerald of Memphis. He did not request a hearing.

Fitzgerald failed to keep trust account records as required by Section 29 of Supreme Court Rule 9 and Rule 1.15 of the Tennessee Rules of Professional Conduct making it impossible to determine if Fitzgerald was handling trust funds correctly.

The Board of Professional Responsibility censured Fitzgerald for violating Rule 1.15 of the Tennessee Rules of Professional Conduct and Supreme Court Rule 9, Section 29, upon the condition that Fitzgerald continue in a monitoring agreement with the Tennessee Lawyers Assistance Program (TLAP), with any reported incidence of non-compliance constituting immediate grounds for summary suspension.

LLC:cd

Fitzgerald 27635-9 rel.doc