



BOARD OF PROFESSIONAL RESPONSIBILITY
of the
SUPREME COURT OF TENNESSEE

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RELEASE OF INFORMATION
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BOARD OF PROFESSIONAL RESPONSIBILITY
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July 12, 2005

MEMPHIS ATTORNEY SUSPENDED FROM PRACTICE OF LAW

On July 11, 2005, the Supreme Court of Tennessee entered an Order suspending the law license of Memphis attorney, Warner Hodges, III for a period of one (1) year retroactive to October 1, 2004, the date upon which he was first suspended by the Supreme Court of Tennessee. The Supreme Court further ordered that Hodges shall continue in his monitoring agreement with Tennessee Lawyers Assistance Program (TLAP) upon terms and conditions recommended by TLAP, for a period of five (5) years, with any reported incidence of non-compliance constituting immediate grounds for summary suspension.

Disciplinary Counsel filed a Petition for Discipline pursuant to Rule 9, Rules of the Supreme Court of Tennessee. Pursuant to Section 16.1 of Tennessee Supreme Court Rule 9, Hodges submitted a Conditional Guilty Plea admitting he had been out of compliance with his contract with Tennessee Lawyers Assistance Program (TLAP) and that he had practiced law after having been suspended by the Tennessee Supreme Court. The Board of Professional Responsibility approved the plea and the Tennessee Supreme Court accepted its recommendation.

The Supreme Court also ordered that Hodges comply with Section 18 of Tennessee Supreme Court Rule 9 which requires Hodges to notify by registered or certified mail all clients being represented in pending matters, all co-counsel and opposing counsel of the Supreme Court's Order suspending his license. Section 18 also requires Hodges to deliver to all clients any papers or property to which they are entitled.

This disciplinary matter was held pursuant to Supreme Court Rules 8 and 9. In Tennessee suspended lawyers may, after the passage of their suspension, apply for reinstatement of their law licenses. However, to succeed these lawyers must carry their burden of proof by clear and convincing evidence that their reinstatement will not be detrimental to the integrity and standing of the bar or the administration of justice or subversive to the public interest.

Hodges 1489-9 rel.doc

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