



**BOARD OF PROFESSIONAL RESPONSIBILITY**  
of the  
**SUPREME COURT OF TENNESSEE**

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**RELEASE OF INFORMATION**  
**IN RE: WARNER HODGES, III, BPR #4780**  
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**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

September 26, 2003

**MEMPHIS LAWYER PUBLICLY CENSURED**

Memphis lawyer, Warner Hodges, III, was censured by the Board of Professional Responsibility for ethical violations in four complaints; (1) respondent failed to keep trust account records as required by Section 29 of Supreme Court Rule 9, making it impossible to determine whether or not the money held in trust for distribution of the complaining party was distributed as it should have been; (2) Hodges neglected his client's medical malpractice case by failing to take depositions for the trial of the matter and then non-suiting the case over the objection of his client saying that he would refile the case the following week which he did not do. Hodges neglected another client's legal matter and when his client discharged him refused to give back any of the retainer fee; and respondent appeared at a deposition at opposing counsel's office in what appeared to be an intoxicated state as a result of alcohol and medication.

The Board issued the public censure for these violations, upon the condition that within ten days from the date of the censure, Hodges shall enter into a monitoring agreement with Tennessee Lawyers' Assistance Program (TLAP), with any reported incidents of non-compliance constituting immediate grounds for summary suspension; and upon the condition that he refund a portion of the retainer to his client; and upon the condition that he pay the cost of the disciplinary proceeding.

The imposition of the censure declares Hodges' actions to be improper ethical conduct, but does not limit his right to practice law.

LLC:mw

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