



BOARD OF PROFESSIONAL RESPONSIBILITY
of the
SUPREME COURT OF TENNESSEE

LANCE B. BRACY
CHIEF DISCIPLINARY COUNSEL

LAURA L. CHASTAIN
DEPUTY CHIEF DISCIPLINARY COUNSEL

BEVERLY P. SHARPE
CONSUMER COUNSEL DIRECTOR

1101 KERMIT DRIVE, SUITE 730
NASHVILLE, TENNESSEE 37217
TELEPHONE: (615) 361-7500
(800) 486-5714
FAX: (615) 367-2480
E-MAIL: ethics@tbpr.org

WILLIAM W. HUNT, III
CHARLES A. HIGH
SANDY GARRETT
JESSE D. JOSEPH
JAMES A. VICK
THERESA M. COSTONIS
DISCIPLINARY COUNSEL

RELEASE OF INFORMATION
RE: MICHAEL W. RITTER, BPR No. 12229
CONTACT: THERESA M. COSTONIS
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

August 26, 2004

ANDERSON COUNTY LAWYER CENSURED

Michael Ritter, an Anderson County attorney, was publicly censured by the Board of Professional Responsibility on August 23, 2004.

Mr. Ritter represented a client in a dispute with the Department of Energy, the client's employer, over the client's security clearance. Mr. Ritter made an appearance on the client's behalf, initiating the administrative proceeding, and the hearing officer sent out a letter to all counsel setting scheduling dates for the matter. Mr. Ritter failed to advise his client of these dates and failed to prepare for or meet these scheduling deadlines. When Mr. Ritter missed the telephonic pre-trial conference and failed to return the hearing officer's subsequent telephone calls, the hearing officer contacted Mr. Ritter's client directly to find out what was amiss, and the client thus learned of Mr. Ritter's neglect. Over the next few days the client made repeated attempts to contact Mr. Ritter and finally was able to reach him. Mr. Ritter explained that he was suffering from back pain and did not know if he would be able to handle the hearing, which was at that point only a few days away. Mr. Ritter did nothing to prepare the client's case for hearing, failed to communicate adequately with his client, missed all the deadlines, and but for the consideration of the hearing officer in working with the client after Mr. Ritter had essentially abandoned the case, might have caused his client to lose by default a hearing where he should have prevailed on the merits, placing his client at risk for considerable prejudice. These violations were compounded by the fact that Mr. Ritter's responses to this disciplinary complaint contained inaccuracies about his participation and procedural obligations in the administrative proceeding. In committing the acts described above, Mr. Ritter's conduct violated DR 1-102(A)(1)(5)(6), DR 2-106(A)(B), DR 7-101(A)(4)(a)(b)(c), and DR 9-102(A)(B) of the Code of Professional Responsibility, which were in force when the conduct in question occurred, and Rule of Professional Conduct 8.1.

A public censure is a form of public discipline which declares the conduct of the lawyer improper but does not limit the lawyer's right to practice law.