



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@tbdr.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: CLIFFORD EDWARD WHITAKER, JR, BPR NO. 15713
CONTACT: JAMES A. VICK
BOARD OF PROFESSIONAL RESPONSIBILITY

February 19, 2003

MEMPHIS LAWYER SUSPENDED BY SUPREME COURT

By order of the Tennessee Supreme Court entered February 12, 2003, Clifford Edward Whitaker, Jr., a Memphis attorney, was suspended from the practice of law in this state for a period of one year retroactive to May 9, 2002, the date of the filing of the Petition for Discipline.

By Order of the Supreme Court entered December 21, 2001, Mr. Whitaker had been placed on temporary suspension pursuant to Section 4.3 of Supreme Court Rule 9 due to failure to respond to complaints of misconduct. A Petition for Discipline was filed against Mr. Whitaker on May 9, 2002. When Mr. Whitaker failed to file an Answer to the Petition for Discipline, a Motion for Default Judgment was filed on August 8, 2002, by the Board of Professional Responsibility. When Mr. Whitaker filed no response to the motion, Default Judgment was granted against Mr. Whitaker on October 7, 2002. Mr. Whitaker did not appear at a hearing on the Petition for Discipline conducted on November 15, 2002, to determine if his actions were in violation of the disciplinary rules and, if so, the appropriate sanction.

Mr. Whitaker's suspension resulted from three complaints of misconduct wherein Mr. Whitaker failed to represent clients promptly and diligently, failed to keep clients reasonably informed about the status of their cases, failed to explain matters to the extent reasonably necessary to permit the clients to make informed decisions, failed to complete client cases, and, in two cases, failed to timely file briefs on behalf of criminal clients in the Court of Criminal Appeals and failed to comply with orders of the Court of Criminal Appeals relative to the filing of those briefs.

The Court further ordered that Mr. Whitaker pay the costs of the disciplinary proceedings.

Mr. Whitaker can be reinstated to the practice of law at the expiration of the one-year period only upon filing a Petition for Reinstatement, as required in Section 19 of Supreme Court Rule 9, and producing clear and convincing evidence that he should be reinstated to the practice of law.

