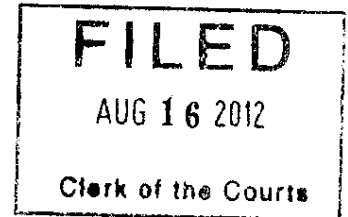


IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE DEREK A. ARTRIP, BPR #026784
An Attorney Licensed to Practice Law in Tennessee
(Rutherford County)

No. M2012-01410-SC-BPR-BP
BOPR No. 2012-2138-4-KH(4.3)



ORDER

On July 13, 2012, the Court entered an Order of Temporary Suspension suspending Derek A. Artrip pursuant to Tenn. Sup. Ct. R. 9, § 4.3, due to Mr. Artrip's failure to respond to complaints of disciplinary misconduct. On July 17, 2012, Mr. Artrip filed a Petition for Dissolution of Temporary Order of Suspension. On August 1, 2012, this court entered an Order referring the matter to a Hearing Panel.

On August 6, 2012, a hearing was conducted before a three-member Hearing Panel of the Board of Professional Responsibility. On August 7, 2012, the Hearing Panel entered its Report and Recommendation that Mr. Artrip's temporary suspension be dissolved subject to several conditions. A copy of the Report and Recommendation is attached hereto and incorporated herein by reference.

It is, therefore, ordered, adjudged, and decreed by the Court:

1. The temporary suspension imposed on Derek A. Artrip by Order of Temporary Suspension filed July 13, 2012, shall be dissolved upon satisfaction of the following conditions:

- (a) Mr. Artrip shall file with the Board an affidavit, as required by Tenn. Sup. Ct. R. 9, § 18, evidencing full compliance with his obligations under that rule; and
- (b) Mr. Artrip shall engage a licensed member of the Bar to serve as his practice monitor to make monthly status reports to Disciplinary Counsel regarding all open files and his efforts to close his practice. Mr. Artrip shall notify Disciplinary Counsel of the identity of the practice monitor and any objections may be filed by motion with the

Hearing Panel. Mr. Artrip shall be responsible for payment of the monitor.

2. Mr. Artrip shall continue group therapy sessions with the Tennessee Lawyers Assistance Program ("TLAP") until such time TLAP notifies Disciplinary Counsel in writing that such sessions are no longer needed.

3. In the event Mr. Artrip fails to meet any condition of the Hearing Panel's Report and Recommendation, Disciplinary Counsel shall file a petition for his immediate suspension from the practice of law to ensure the protection of the public.

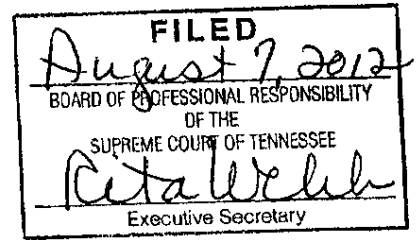
4. Mr. Artrip shall reimburse and pay to the Board of Professional Responsibility the costs and expenses incurred herein in the amount of \$292.00, within ninety (90) days, for all of which execution shall issue, if necessary.

FOR THE COURT:



WILLIAM C. KOCH, JR., JUSTICE

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE



IN RE: DEREK A. ARTRIP Docket No. 2012-2138-4-KH (4.3)
BPR # 026784, Respondent
An Attorney Licensed and
Admitted to the Practice of
Law in Tennessee (Rutherford County)

REPORT AND RECOMMENDATION

Pursuant to Rule 9, § 4.3 of the Tennessee Supreme Court Rules, Respondent's Petition to Dissolve Order of Temporary Suspension was heard on August 6, 2012. The hearing panel consists of Russ Parkes, serving as Chair, Susan McGannon and Lela Hollabaugh. After hearing statements from Respondent and Disciplinary Counsel and a review of this matter, the panel finds as follows:

1. Respondent is in the process of closing his practice in Murfreesboro, Tennessee;
2. Respondent is moving to West Virginia;
3. Respondent is running for public office in West Virginia;
4. Respondent failed to respond to inquiries from Disciplinary Counsel because of ongoing anxiety issues;
5. Respondent has sought assistance from the Tennessee Lawyers Assistance Program ("TLAP") and is participating in group therapy with TLAP;
6. Respondent is under the medical care of a physician in Murfreesboro for these anxiety issues; and
7. Good cause exists to dissolve the Order of Temporary Suspension subject to the conditions stated below.

Based upon the foregoing, the panel recommends that the Order of Temporary Suspension be dissolved upon satisfaction of the following two conditions:

1. Respondent shall file with the Board an affidavit, as required by Rule 9, § 18.8, evidencing full compliance with Rule 9, § 18 of the Tennessee Supreme Court Rules; and
2. Respondent shall engage a licensed member of the Bar to serve as his practice monitor and cause the practice monitor to make monthly status reports to Disciplinary Counsel regarding all open files and Respondent's efforts to close his practice.

Respondent shall be responsible for the payment of the practice monitor, unless the practice monitor agrees to perform the work *pro bono*. Respondent shall notify Disciplinary Counsel of the identity of the practice monitor and if Disciplinary Counsel objects to the person selected, any necessary motions shall be filed with this panel. Respondent shall continue group therapy sessions with TLAP until such time as TLAP notifies Disciplinary Counsel in writing that such sessions are no longer needed. Finally, the panel recommends that Respondent's failure to comply with any term of this report and recommendation result in his immediate suspension from the practice of law in order to ensure the protection of the public.

Russ Parkes by dmH
Russ Parkes, Chair

Susan McGannon by dmH
Susan McGannon

Lela Hollabaugh
Lela Hollabaugh

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing document has been served electronically upon the following persons on this the 8th day of August 2012:

Krisann Hodges, Disciplinary Counsel
Board of Professional Responsibility
10 Cadillac Drive, Suite 220
Brentwood, TN 37027
(khodges@TBPR.org)

Derek A. Artrip
718A South Church Street
Murfreesboro, TN 37130


Rita Webb, Executive Secretary