

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
10/12/2017
Clerk of the
Appellate Courts

IN RE: JASON WADE BARNETTE, BPR #026960
An Attorney Licensed to Practice Law in Tennessee
(Davidson County)

No. M2017-02004-SC-BAR-BP
BOPR No. 2016-2654-5-AJ

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Attorney Jason Wade Barnette on November 10, 2016; upon Answer to Petition for Discipline filed by Mr. Barnette on January 24, 2017; upon a Supplemental Petition for Discipline filed on February 9, 2017; upon an Amendment to Supplemental Petition for Discipline filed on March 9, 2017; upon Answer to Supplemental Petition for Discipline filed by Mr. Barnette on April 21, 2017; upon Conditional Guilty Plea filed by Mr. Barnette on September 6, 2017; upon an Order Recommending Approval of Conditional Guilty Plea entered on September 11, 2017; upon consideration and approval by the Board on September 22, 2017; and upon the entire record in this cause.

From all of which the Court approves the Order of the Hearing Panel and adopts the Hearing Panel's Order as the Court's Order.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT THAT:

(1) Pursuant to Tenn. Sup. Ct. R. 9, § 12.2, Jason Wade Barnette is suspended from the practice of law for three (3) years with one (1) year served as an active suspension. Pursuant to Tenn. Sup. Ct. R. 9, § 14.1, the remaining two (2) years of suspension shall be served on probation, subject to the following conditions:

- (a) Mr. Barnette shall engage a practice monitor at his own expense who shall meet with Mr. Barnette on a monthly basis to review basic office procedures such as trust accounting, account management, and office management procedures such as the scheduling and maintenance of case deadlines and the use of written communication and fee agreements.

- (b) The practice monitor shall send monthly reports of these meetings to the Board.
- (c) Mr. Barnette shall select three (3) potential practice monitors and submit names to the Board for final approval within fifteen (15) days of the entry of the Order of Enforcement.

(2) Pursuant to Tenn. Sup. Ct. R. 9, § 12.7, and as a condition precedent to any reinstatement, Mr. Barnette shall make restitution to the following individuals. In the event restitution is made by the Tennessee Lawyer's Fund for Client Protection (TLFCP), Mr. Barnette shall reimburse TLFCP the same amount:

- (a) Deborah Higgins - \$625.00
- (b) Monti Fluellen - \$600.00
- (c) Jackie Powers - \$500.00
- (d) James Jernigan - \$500.00
- (e) Amy Cantrell - \$2,900.00

(3) In the event Mr. Barnette fails to meet any condition of probation, the probation may be revoked pursuant to Tenn. Sup. Ct. R. 9, § 14.2.

(4) Mr. Barnette shall comply in all aspects with Tenn. Sup. Ct. R. 9, §§ 28 and 30.4 regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

(5) Prior to seeking reinstatement, Mr. Barnette must meet all CLE requirements; have remitted all outstanding registration fees and outstanding professional privilege taxes, including those due from the date of this suspension until the date of reinstatement; and have remitted all court costs and Board costs in this matter.

(6) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1, this Order shall be effective immediately.

(7) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3, Mr. Barnette shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$1,197.65 and shall pay to the Clerk of this Court the costs incurred herein, within ninety (90) days of the entry of this Order, for all of which execution may issue if necessary.

(8) The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 28.11.

PER CURIAM