

IN DISCIPLINARY DISTRICT VI OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE SUPREME COURT OF TENNESSEE

FILED

2014 JUN -4 PM 3:16

BOARD OF PROFESSIONAL
RESPONSIBILITY

JW EXEC. SIGN.

IN RE:
JOHN W. CASTLEMAN, JR.
BPR # 023551, Respondent
An Attorney Licensed to Practice
Law in Tennessee
(Wayne County)

Docket No: R-202-6WM

JUDGMENT OF THE HEARING PANEL

This case came to be heard on April 8, 2014 on John W. Castleman, Jr.'s Petition for License Reinstatement. After hearing proof in the form of the testimony of Mr. Castleman, his treating physician and character evidence, cross examination by Disciplinary Counsel and argument of counsel and Mr. Castleman, the Hearing Panel adjourned the hearing and allowed the proof to remain open for Mr. Castleman to provide certain medical records for the panel to consider.

The proof is now closed and Mr. Castleman did submit additional records for review by the Hearing Panel. After reviewing the records and considering the proof presented at the hearing of this cause the Hearing Panel finds as follows:

1. The framework for reinstatement is governed by Tenn. Sup. Ct. R. 9, §19.
2. Pursuant to Supreme Court Rule 9, Mr. Castleman has the burden of demonstrating by clear and convincing evidence that he has the "moral qualifications, competency and learning in law required for admission to practice law in this state and that the resumption of the practice of law within the state will not be detrimental to the integrity and standing of the bar and the administration of justice, or subversive to the public interest."

3. The panel finds that reinstatement is appropriate with certain conditions on such reinstatement which will be addressed below. Specifically the panel finds that Mr. Castleman has the moral qualifications to be reinstated, including the showing of significant remorse for his previous conduct and the moral character that has been shown by his post-suspension activities. The panel further finds that Mr. Castleman has the legal competency required for reinstatement. From testimony at the hearing, the Panel finds that Mr. Castleman has taken great steps to stay abreast the law and is current with his CLE obligations. Finally, the panel finds that Mr. Castleman's reinstatement would not be detrimental to the integrity and standing of the bar or the admission of justice and that his reinstatement would not be subversive to the public interest.

4. Based upon the testimony of Mr. Castleman as well as his acknowledgment that certain conditions would be appropriate to his reinstatement, it is the judgment of the panel that the reinstatement shall be granted upon completion of the following conditions:

a. Mr. Castleman must pay all restitution due to his former clients as set forth in the Order of Enforcement against Mr. Castleman; and,

b. Mr. Castleman pays all costs of the reinstatement proceedings;

5. It is further the judgment of the Hearing Panel that the following conditions must be complied with after Mr. Castleman's reinstatement:

a. Mr. Castleman engage the services of Practice Monitor, approved by the Chief Disciplinary Counsel for the Board, with at least monthly meetings and weekly telephone contact between Mr. Castleman and the Practice Monitor and monthly reporting of Mr. Castleman's progress by the Practice Monitor to Disciplinary Counsel. The Practice Monitor's responsibilities shall include, but shall not be limited to, supervision of Mr. Castleman's compliance with the conditions of his reinstatement. The cost of the Practice Monitor shall be paid by Mr. Castleman and his practice monitoring shall continue for a period of twelve (12) months after Mr. Castleman's reinstatement;

b. Continued monitoring of Mr. Castleman by Dr. Joe Hall to include random drug screens at Dr. Hall discretion. Mr. Castleman shall be obligated to provide the Board with a copy of all drug screens conducted by Dr. Hall and Mr. Castleman shall also provide the Board with a HIPAA compliant authorization for the release of Dr. Hall's records to the Board so that the Board might request copies of those


records from Dr. Hall. This monitoring by Dr. Hall and random drug screens shall continue for a period of one (1) year;

- c. Mr. Castleman shall continue to participate in the Vanderbilt Buprenorphine Treatment Contract and Mr. Castleman shall provide the Board with a HIPAA compliant authorization for the release of the Vanderbilt records to the Board so that the Board might request copies of those records from Vanderbilt;
- d. Mr. Castleman shall continue counseling with Lesa Lightfoot, LCSW, for so long as Ms. Lightfoot believes the same to be appropriate. Mr. Castleman will also provide the Board with a HIPAA compliant authorization for the release of Ms. Lightfoot's records to the Board so that the board may request copies of those records from Ms. Lightfoot; and,
- e. Mr. Castleman is obligated to participate in a 12-step recovery program of Mr. Castleman's choosing.

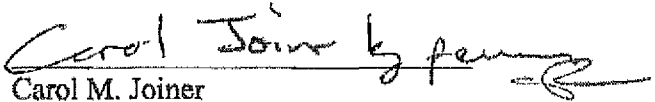
This judgment may be appealed pursuant to Section 1.3 of Tenn. Sup. Ct. R. 9 by filing a petition for writ of certiorari, which petition shall be made under oath or affirmation and shall state that it is the first application for the writ.

SO ENTERED, this the 04 day of June, 2014.

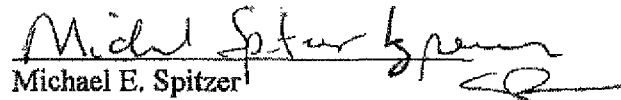
HEARING PANEL:



Christopher J. Pittman, Chair




Carol M. Joiner



Michael E. Spitzer

CERTIFICATE OF SERVICE

I hereby certify that an accurate copy of the foregoing Order has been mailed or delivered to William C. Moody, Disciplinary Counsel, 10 Cadillac Drive, Suite 220, Brentwood, TN 37027 and John W. Castleman, Jr., Respondent, 2224 West Hollis Street, Waynesboro, TN 38485, by United States mail on the 04 day of June, 2014.



Christopher J. Pittman