



**BOARD OF PROFESSIONAL RESPONSIBILITY  
OF THE  
SUPREME COURT OF TENNESSEE**

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**RELEASE OF INFORMATION**  
**RE: MARY JEANETTE CLEMENT, BPR #22464**  
**CONTACT: A. RUSSELL WILLIS**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

July 3, 2014

**SUMNER COUNTY LAWYER SUSPENDED**

On June 30, 2014, Mary Jeanette Clement, of Portland, Tennessee, was suspended from the practice of law by Order of the Tennessee Supreme Court for a period of two (2) years with nine (9) months of the suspension to be served as an active suspension and fifteen (15) months probated with conditions. In addition, Ms. Clement must pay court costs and the Board's costs and expenses.

The Board filed a Petition for Discipline against Ms. Clement based on four (4) complaints of misconduct. In the first matter, Ms. Clement knowingly hired a suspended Tennessee attorney in July, 2010 and allowed him to draft legal pleadings for her review, signature and filing in a Chancery Court action. In the second matter, Ms. Clement, after being retained by an insurance company to defend the suspended attorney, allowed the suspended attorney to work on his personal case and billed the insurance company for the work performed by the suspended attorney. In the third matter, Ms. Clement negotiated a plea for her client but failed to include the agreed restitution in the written plea agreement. Ms. Clement declined attempts by her client to correct the plea and failed to appear in court on her client's behalf. Ms. Clement's actions resulted in a Bench Warrant being issued for the client and further delayed his release from jail after serving his sentence. In the final matter, Ms. Clement quoted and received a flat fee for representation of her client. After incurring more time than she previously anticipated, Ms. Clement billed her client for fees in excess of the flat fee agreement.

Ms. Clement's conduct violated RPC 1.1, Competence; 1.3, Diligence; 1.4, Communication; 1.5, Fees; 5.3, Responsibilities Regarding Non-lawyer Assistants; 5.5, Unauthorized Practice of Law and 8.4(a), Misconduct.

Ms. Clement must comply with the requirements of Tennessee Supreme Court Rule 9, Section 18 (2006) and Section 30.4 (2014) regarding the obligations and responsibilities of suspended attorneys.

Clement 2160-6 rel.doc

**PLEASE NOTE**

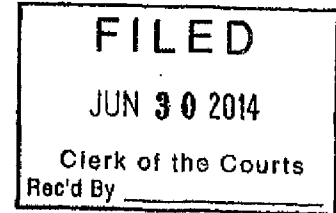
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IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**IN RE: MARY JEANETTE CLEMENT, BPR #22464**  
An Attorney Licensed to Practice Law in Tennessee  
(Sumner County)

\_\_\_\_\_  
No. M2014-01233-SC-BAR-BP  
BOPR No. 2012-2160-6-KH  
\_\_\_\_\_



**ORDER OF ENFORCEMENT**

This matter is before the Court upon a Petition for Discipline filed against Mary Jeanette Clement on September 14, 2012; upon the Response to Petition for Discipline filed by Ms. Clement on October 17, 2012; upon the entry of a Conditional Guilty Plea filed by Ms. Clement on May 6, 2014; upon an Order Recommending Approval of Conditional Guilty Plea entered on May 9, 2014; upon consideration and approval of the Plea by the Board on June 14, 2014; and upon the entire record in this cause.<sup>1</sup>

From all of which the Court approves the Order of the Hearing Panel and adopts the Hearing Panel's Order Recommending Approval of Conditional Guilty Plea as the Court's Order.

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

- (1) Pursuant to Tenn. Sup. Ct. R. 9, § 4.2 (2006), the law license of Mary Jeanette Clement is suspended for two (2) years with nine (9) months served as an active suspension. Pursuant to Tenn. Sup. Ct. R. 9, § 8.5 (2006), the remaining fifteen (15) months of the suspension shall be probated subject to the following conditions:
  - (a) Ms. Clement, at her cost, shall engage the services of a Practice Monitor who shall be selected and approved in accordance with Tenn. Sup. Ct. R. 9, § 12.9 (c) (2014). The Practice Monitor shall (1) assess Ms. Clement's billing and office management procedures and institute changes as needed; (2) meet with Ms. Clement monthly to review basic office practices to ensure case deadlines are being scheduled and met; (3) meet with Ms. Clement monthly to review the timeliness and adequacy of communication

<sup>1</sup>Because this cause was initiated prior to January 1, 2014, it is governed by Tenn. Sup. Ct. R. 9 (2006) except as otherwise noted.

with clients; (4) mentor Ms. Clement as needed in the legal customs learned through experience and the exercise of sound and reasoned judgment; (5) speak with Ms. Clement by telephone at least weekly and report any substantial or material practice problem to the Board; and (6) provide a written report of Ms. Clement's progress to Disciplinary Counsel for the Board on a monthly basis; and

- (b) Ms. Clement shall not, during the period of probation, incur any new complaints of misconduct that relate to conduct occurring during the period of suspension and probation and result in a recommendation by the Board that discipline be imposed. In the event that Ms. Clement violates or otherwise fails to meet said condition of probation, Disciplinary Counsel shall be authorized to file a petition to revoke Ms. Clement's probation, and upon a finding that revocation is warranted, Ms. Clement shall serve the previously deferred period of suspension.
- (2) Ms. Clement shall comply in all aspects with Tenn. Sup. Ct. R. 9, § 18 (2006) and Tenn. Sup. Ct. R. 9, § 30.4 (2014) regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.
- (3) Ms. Clement must meet all CLE requirements and all registration requirements prior to reinstatement.
- (4) Pursuant to Tenn. Sup. Ct. R. 9, § 18.5 (2006), this Order shall be effective ten (10) days after the date of entry.
- (5) Pursuant to Tenn. Sup. Ct. R. 9, § 24.3 (2006), Ms. Clement shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$4,351.80 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.
- (6) The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 18.10 (2006).

FOR THE COURT:

Cornelia A. Clark  
CORNELIA A. CLARK, JUSTICE