



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

10 CADILLAC DRIVE, SUITE 220
BRENTWOOD, TENNESSEE 37027
TELEPHONE: (615) 361-7500
(800) 486-5714
FAX: (615) 367-2480
E-MAIL: ethics@tbpr.org
Website: www.tbpr.org

RELEASE OF INFORMATION
RE: JOSEPH JAMES DOHERTY, BPR #14295
CONTACT: WILLIAM C. MOODY
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

September 2, 2015

HAMBLEN COUNTY ATTORNEY DISBARRED

On September 2, 2015, Joseph James Doherty was disbarred by the Tennessee Supreme Court and ordered to pay restitution of \$600. The disbarment took effect immediately. Further, Mr. Doherty must pay the Board of Professional Responsibility's costs and expenses and the court costs within ninety days.

The Board of Professional Responsibility filed a Petition for Discipline and a Supplemental Petition for Discipline based upon four complaints of misconduct. In the first complaint, Mr. Doherty appeared in court while suspended for failing to comply with continuing legal education requirements. In the second complaint, Mr. Doherty failed to respond to a motion to dismiss and failed to advise his client that the case had been dismissed. In the third complaint, Mr. Doherty failed to complete the probating of an estate. In the fourth complaint, Mr. Doherty failed to properly serve the defendant causing the suit to be barred by the statute of limitations. He failed to advise his client of this and instead made misrepresentations to his client leading him to believe that the case was ongoing. Mr. Doherty failed to notify his clients that he had been suspended for failing to comply with continuing legal education requirements. Mr. Doherty abandoned his practice. He also failed to respond to requests for information from the Board.

A Hearing Panel found Mr. Doherty's actions violated the following Rules of Professional Conduct: 1.1, Competence; 1.3, Diligence; 1.4, Communication; 1.16, Declining and Terminating Representation; 3.2, Expediting Litigation; 5.5, Unauthorized Practice of Law; 8.1(b), Bar Admissions and Disciplinary Matters; and 8.4(a), (c) and (g), Misconduct.

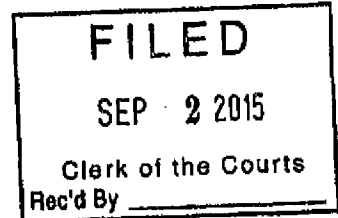
Mr. Doherty was previously suspended for failing to comply with continuing legal education requirements on August 21, 2013 and for failing to respond to requests for information from the Board on December 27, 2013. To date, Mr. Doherty has not been reinstated from his previous suspensions.

Mr. Doherty must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 30 (2014), regarding the obligations and responsibilities of suspended attorneys.

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: JOSEPH JAMES DOHERTY, BPR #14295
An Attorney Licensed to Practice Law in Tennessee
(Hamblen County)

No. M2015-01661-SC-BAR-BP
BOPR No. 2014-2305-1-WM



ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Joseph James Doherty on March 26, 2014; upon a Motion for Default Judgment and that Allegations Contained in Petition Be Deemed Admitted filed on August 26, 2014; upon an Order for Default Judgment entered on September 30, 2014; upon a Supplemental Petition for Discipline filed against Joseph James Doherty on October 22, 2014; upon a Motion for Default Judgment and that Allegations in Supplemental Petition for Discipline Be Deemed Admitted filed on February 4, 2015; upon an Order for Default Judgment entered on February 11, 2015; upon a hearing on May 14, 2015; upon the Judgment of the Hearing Panel entered on May 27, 2015; upon service of the Judgment of the Hearing Panel on Mr. Doherty by the Executive Secretary of the Board on May 27, 2015; upon the Board of Professional Responsibility's Application for Assessment of Costs filed May 27, 2015; upon the Judgment on Board of Professional Responsibility's Application for Assessment of Costs entered June 25, 2015; upon service of the Judgment on Board of Professional Responsibility's Application for Assessment of Costs upon Mr. Doherty on June 25, 2015; upon consideration and approval by the Board on June 12, 2015; upon expiration of the appeal period with no appeal taken; and upon the entire record in this cause.

From all of which the Court approves the Judgment of the Hearing Panel and adopts the Hearing Panel's Judgment recommending a disbarment.

On December 27, 2013, Mr. Doherty was temporarily suspended by this Court pursuant to Tenn. Sup. Ct. R. 9, § 4.3 (2006) (Case No. M2013-02823-SC-BAR-BP). On August 21, 2013, Mr. Doherty was suspended for failure to comply with CLE obligations. To date, Mr. Doherty has not requested, nor been granted reinstatement, from either suspension.

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

(1) Joseph James Doherty is disbarred, pursuant to Tenn. Sup. Ct. R. 9, § 4.1 (2006) and Tenn. Sup. Ct. R. 9, § 12.1 (2014).

(2) Pursuant to Tenn. Sup. Ct. R. 9, § 4.7 (2006), and as a condition precedent to any reinstatement, Mr. Doherty shall make restitution to Jerry Barnard in the amount of \$600.00 and shall furnish to the Board of Professional Responsibility proof of restitution. In the event restitution is made by the Tennessee Lawyer's Fund for Client Protection (TLFCP), Mr. Doherty shall reimburse TLFCP in the same amount.

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

(4) Additionally, Mr. Doherty shall comply in all aspects with Tenn. Sup. Ct. R. 9, §§ 18 (2006), 28 (2014) and 30.4 (2014) regarding the obligations and responsibilities of disbarred attorneys and the procedure for reinstatement.

(5) Further, the Order of Temporary Suspension entered on December 27, 2013 in Case No. M2013-02823-SC-BAR-BP is hereby dissolved.

(6) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1 (2014), this Order shall be effective upon entry.

(7) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d) (2014), Mr. Doherty shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$957.88 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. § 28.11 (2014).

PER CURIAM