

FILED

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

BOARD OF PROFESSIONAL
RESPONSIBILITY
Ree
EXEC. SEC'Y

IN RE: ETANDRA FENAE DOUGLAS

Docket No. 2010-1975-9-SG(14)

Respondent

JUDGMENT OF THE HEARING PANEL

This cause came on for hearing on July 18, 2011, before the Hearing Panel (hereinafter "the Panel") of the Board of Professional Responsibility (hereinafter "the Board") upon the Petition For Final Discipline submitted by Disciplinary Counsel for the Board. Respondent, Etandra Fena Douglas (hereinafter "Respondent") was represented by Counsel at the hearing as was the Board. Based on the testimony of the witnesses and the Respondent, and the entire record in this cause, the Panel finds the following:

1. Respondent is an attorney licenced to practice law in the State of Tennessee, holding Board of Professional Responsibility number 017335.
2. Respondent is subject to the disciplinary jurisdiction of the Supreme Court of Tennessee and the Board of Professional Responsibility.
3. Respondent was licenced in 1995 and worked at AutoZone, Inc., for approximately one year followed by two and one half years in private practice. She worked at the Shelby County Public Defender's Office from 1998 until 2009.
4. Respondent was arrested November 25, 2009 at Macy's for theft. In March of

2010, she was arrested again at Macy's and charged with theft. On or about August 25, 2010, the Respondent submitted a guilty plea in the Criminal Court of Shelby County, Tennessee to felony theft over \$1,000 for the two cases and was sentenced to diversion for two years.

5. From the year 2000 Respondent was having problems with major depression, generalized anxiety disorder, obsessive compulsive disorder, prescription substance abuse and impulse control disorder. She has sought and received extensive mental health treatment. Her psychiatrist, Dr. Valerie Augustus testified about the treatment and expressed her opinion that Respondent's prognosis is good if she continues to comply with her therapy and treatment.

6. After her arrests in 2009 and 2010, Respondent was terminated from her job with the Shelby County Public Defender's Office and has not practiced since that time.

7. No prior disciplinary proceedings against Respondent were alleged or shown by counsel for the Board.

8. The facts set forth in this Order were not contested and were, in fact, admitted by both parties.

Upon consideration by the Panel of all of the above facts, the Panel finds that the conviction of the Respondent for a felony is a "serious crime" as defined in Rule 9, Section 14 of the Supreme Court Rules, and as such discipline against the Respondent is proper and required. The Panel has considered the aggravating factors which included dishonest motive, dishonesty with her treating physician and her husband, a pattern of misconduct, driving under the influence and abusing prescription drugs. The Panel has considered the mitigating facts presented by counsel for the Respondent including but not limited to the fact that the thefts were not from a client or in any way related to the practice of law, that Respondent was suffering from mental health conditions which altered her judgment and for which she is now receiving

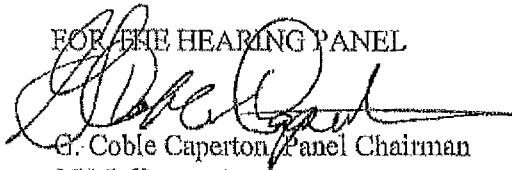
treatment.

Considering all of the above facts presented to the Panel, the Panel concludes that:

1. Respondent shall be suspended from the practice of law for a period of two years which should be retroactively applied to begin October 11, 2010, the date of Respondent's suspension by the Supreme Court.
2. At the termination of the suspension, Respondent shall be placed on probation for an additional two years.
3. As a part of the requirements during the period of suspension and the period of probation, Respondent must enter into a monitoring contract with the Tennessee Lawyers Assistance Program and must comply with all of the terms therein.
4. Pursuant to Rule 24.3, Supreme Court Rules, the costs of the proceedings are assessed against the Respondent.

The above is so Ordered this the 21 day of September, 2011.

FOR THE HEARING PANEL



G. Coble Caperton, Panel Chairman
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cc:

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IN DISCIPLINARY DISTRICT IX
OF THE
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FILED
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BOARD OF PROFESSIONAL
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RW EXEC. SEC'Y

IN RE: ETANDRA FENAE DOUGLAS

Docket No. 2010-1975-9-SG(14)

Respondent

AMENDED JUDGMENT OF THE HEARING PANEL

This cause came on for hearing on July 18, 2011, before the Hearing Panel (hereinafter "the Panel") of the Board of Professional Responsibility (hereinafter "the Board") upon the Petition For Final Discipline submitted by Disciplinary Counsel for the Board. Respondent, Etandra Fena Douglas (hereinafter "Respondent") was represented by Counsel at the hearing as was the Board. Based on the testimony of the witnesses and the Respondent, and the entire record in this cause, the Panel finds the following:

1. Respondent is an attorney licenced to practice law in the State of Tennessee, holding Board of Professional Responsibility number 017335.
2. Respondent is subject to the disciplinary jurisdiction of the Supreme Court of Tennessee and the Board of Professional Responsibility.
3. Respondent was licenced in 1995 and worked at AutoZone, Inc., for approximately one year followed by two and one half years in private practice. She worked at the Shelby County Public Defender's Office from 1998 until 2009.
4. Respondent was arrested November 25, 2009 at Macy's for theft. In March of

2010, she was arrested again at Macy's and charged with theft. On or about August 25, 2010, the Respondent submitted a guilty plea in the Criminal Court of Shelby County, Tennessee to felony theft over \$1,000 for the two cases and was sentenced to diversion for two years.

5. From the year 2000 Respondent was having problems with major depression, generalized anxiety disorder, obsessive compulsive disorder, prescription substance abuse and impulse control disorder. She has sought and received extensive mental health treatment. Her psychiatrist, Dr. Valerie Augustus testified about the treatment and expressed her opinion that Respondent's prognosis is good if she continues to comply with her therapy and treatment.

6. After her arrests in 2009 and 2010, Respondent was terminated from her job with the Shelby County Public Defender's Office and has not practiced since that time.

7. No prior disciplinary proceedings against Respondent were alleged or shown by counsel for the Board.

8. The facts set forth in this Order were not contested and were, in fact, admitted by both parties.

Upon consideration by the Panel of all of the above facts, the Panel finds that the conviction of the Respondent for a felony is a "serious crime" as defined in Rule 9, Section 14 of the Supreme Court Rules, and as such discipline against the Respondent is proper and required. The Panel has considered the aggravating factors which included dishonest motive, dishonesty with her treating physician and her husband, a pattern of misconduct, driving under the influence and abusing prescription drugs. The Panel has considered the mitigating facts presented by counsel for the Respondent including but not limited to the fact that the thefts were not from a client or in any way related to the practice of law, that Respondent was suffering from mental health conditions which altered her judgment and for which she is now receiving

treatment.

Considering all of the above facts presented to the Panel, the Panel concludes that:

1. Respondent shall be suspended from the practice of law for a period of four years which should be retroactively applied to begin October 11, 2010, the date of Respondent's suspension by the Supreme Court.
2. Respondent shall serve two years active suspension retroactive to October 11, 2010, and Respondent shall be placed on probation for the remaining two years.
3. As a part of the requirements during the period of active suspension and the period of probation, Respondent must enter into a monitoring contract with the Tennessee Lawyers Assistance Program and must comply with all of the terms therein.
4. Pursuant to Rule 24.3, Supreme Court Rules, the costs of the proceedings are assessed against the Respondent.

The above is so Ordered this the 3rd day of October, 2011.

FOR THE HEARING PANEL

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