



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

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RELEASE OF INFORMATION
RE: CHARLES MARTIN DUKE, BPR #023607
CONTACT: ANDREW B. CAMPBELL
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

May 9, 2022

DAVIDSON COUNTY LAWYER SUSPENDED

On May 9, 2022, Charles Martin Duke, an attorney licensed to practice law in Tennessee, was suspended from the practice of law for three years with one-year active suspension. Mr. Duke is required to engage a practice monitor and must pay the Board of Professional Responsibility the costs incurred in the proceeding and the court costs.

On February 1, 2018, a Petition for Discipline was filed against Mr. Duke. Mr. Duke was retained by his client to prosecute a personal injury action. Mr. Duke failed to file an action within the statute of limitations and falsified a tolling agreement in an effort to mislead his client. Mr. Duke entered a Conditional Guilty Plea acknowledging his conduct violated Rules of Professional Conduct 1.1 (competence), 1.3 (diligence), 1.4(a) (communication), 3.1 (meritorious claims and contentions), 3.3(a)(1) (candor toward the tribunal), 3.4(b) (fairness to opposing counsel and others), 4.1(a) (truthfulness in statements to others), and 8.4(a), (b), (c), and (d) (misconduct).

Mr. Duke must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 20, regarding the obligations and responsibilities of suspended attorneys and may not return to the active practice of law until an order of reinstatement has been entered by the Supreme Court.

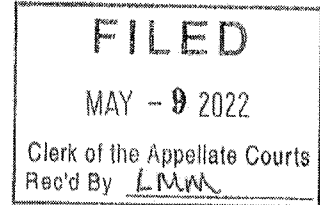
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IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: CHARLES MARTIN DUKE BPR #023607

An Attorney Licensed to Practice Law in Tennessee
(Davidson County)

No. **M2022-00585-SC-BAR-BP**
BOPR No. 2018-2823-5-AJ



ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Charles Martin Duke on February 1, 2018; upon Answer of Charles Martin Duke to Petition for Discipline filed on April 6, 2018; upon Conditional Guilty Plea filed by Mr. Duke on October 7, 2019; upon an Order rejecting Mr. Duke's Conditional Guilty Plea and referring the matter back to the Board for further proceedings filed on February 20, 2020; upon a second Conditional Guilty Plea filed by Mr. Duke on February 24, 2022; upon approval of the second Conditional Guilty Plea by the Hearing Panel on March 2, 2022; upon approval of same by the Board on March 11, 2022; 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 Amended Order Recommending Approval of the Conditional Guilty Plea as the Court's Order.

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

(1) Pursuant to Tenn. Sup. Ct. R. 9, § 12.2, Charles Martin Duke, is hereby suspended from the practice of law for three (3) years, with one (1) year served as active suspension and the remainder on probation, subject to the following conditions of probation:

- (a) Mr. Duke, at his cost, shall engage a practice monitor who shall be selected and approved in accordance with Tenn. Sup. Ct. R. 9, § 12.9(c). The Practice Monitor shall meet with Mr. Duke monthly for six (6) months, and four (4) times per year for the duration of the period of probation. The Practice Monitor shall assess Mr. Duke's case load, case management, timeliness of performing tasks and

adequacy of communication with clients. The Practice Monitor shall provide a monthly written report of Mr. Duke's progress to Disciplinary Counsel for the first six (6) months, and quarterly thereafter for the duration of the probation; and

- (b) Mr. Duke shall not, during the period of probation, incur any new complaints of misconduct that relate to conduct occurring during the period of probation and result in a recommendation by the Board that discipline be imposed. In the event that Mr. Duke violates or otherwise fails to meet said condition of probation, Disciplinary Counsel shall be authorized to file a petition to revoke Mr. Duke's probation, and upon a finding that revocation is warranted, Mr. Duke shall serve the previously deferred period of suspension.

(2) Prior to seeking reinstatement, Mr. Duke must have met 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.

(3) Additionally, Mr. Duke 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.

(4) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Mr. Duke shall pay to the Board of Professional Responsibility the expenses and costs incurred to date by the Board in this matter in the amount of \$1,260.46. Mr. Duke shall be assessed \$100.00 for the cost of filing this matter and pay this filing fee to the Board and shall pay to the Clerk of this Court the court costs incurred herein. All costs, fees and expenses awarded or assessed herein shall be paid within ninety (90) days of the entry of this Order for which execution, if necessary, may issue.

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

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

PER CURIAM