



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

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RELEASE OF INFORMATION
RE: GLEN ROY FAGAN, BPR #034666
CONTACT: BRITTANY LAVALLE
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

April 16, 2021

HAMILTON COUNTY LAWYER SUSPENDED

On April 16, 2021, the Supreme Court of Tennessee entered an order suspending Glen Roy Fagan from the practice of law for a period of six (6) years, with five (5) years active suspension and the remainder on probation pursuant to Tennessee Supreme Court Rule 9 Section 12.2. Mr. Fagan was further ordered to engage the services of a Practice Monitor, complete six (6) additional continuing legal ethics hours and reimburse the Board for all costs in the disciplinary proceeding.

A hearing panel found Mr. Fagan, a Georgia lawyer employed as in-house counsel in Tennessee, created a fictitious complaint; a fictitious settlement; and authorized the transfer of funds from his employer to himself under the company's mistaken belief the company was settling the complainant. Mr. Fagan violated Rules of Professional Conduct 4.1 and 8.4(b), (c), and (d). The Panel also found that Mr. Fagan falsified a second complaint and authorized the transfer of money from his employer to himself. The hearing panel found both aggravating and mitigating factors in the case.

Mr. Fagan must comply with the requirements of Tennessee Supreme Court Rule 9, Section 30, regarding the obligations and responsibilities of suspended attorneys and may not return to the active practice of law in Tennessee until further order of the Supreme Court.

Fagan 3075-3 rel.doc

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

04/16/2021

Clerk of the
Appellate Courts

IN RE: GLEN ROY FAGAN, BPR #034666

AN ATTORNEY FORMERLY LICENSED TO PRACTICE LAW IN TENNESSEE AS IN-HOUSE
COUNSEL
(Hamilton County)

NO. M2021-00357-SC-BAR-BP
BOPR NO. 2020-3075-3-BL

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Attorney Glen Roy Fagan on February 24, 2020; upon a Motion for Default Judgment and That Charges in Petition for Discipline Be Deemed Admitted filed June 25, 2020; upon an Order for Default Judgment entered July 10, 2020; upon final hearing held August 5, 2020; upon Judgment of the Hearing Panel entered September 2, 2020; upon service of the Judgment of the Hearing Panel on Mr. Fagan by the Executive Secretary of the Board on September 2, 2020; upon the Board's Application for Assessment of Costs filed September 15, 2020; upon Findings and Judgment of Assessment of Costs entered October 5, 2020; upon service of the Findings and Judgment of Assessment of Costs upon Mr. Fagan on October 5, 2020; upon consideration and approval by the Board on December 11, 2020; 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 Order of the Hearing Panel and adopts the Hearing Panel's Order 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, Glen Roy Fagan is suspended from the practice of law for a period of six (6) years with five (5) years served as an active suspension, and the remainder served on probation, subject to the following conditions of probation:

(a) During his probation, Mr. Fagan, 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. Fagan monthly and supervise Mr. Fagan, confirm that he is meeting once a month with a counselor or therapist, and confirm that he is attending AA meetings twice per month. The practice monitor shall provide a monthly written report of Mr. Fagan's progress to Disciplinary Counsel.

(c) Mr. Fagan shall attend six (6) additional hours of continuing legal education relating to the ethical practice of law in addition to all other required continuing legal education hours. These hours must be completed by the end of the six (6) year period.

(d) During the period of active suspension and probation, Mr. Fagan shall incur no new complaints of misconduct that relate to conduct occurring during the period of suspension and probation and which results in the recommendation by the Board that discipline be imposed.

(3) Mr. Fagan shall comply in all respects with Tenn. Sup. Ct. R. 9, §§ 28 and 30.4 regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

(4) Prior to seeking reinstatement, Mr. Fagan must meet all CLE requirements except the requirement to participate in six (6) additional ethics hours by the end of the six (6) year period; 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.

(5) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1, this Order shall be effective immediately.

(6) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3, Mr. Fagan shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$525.01 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.

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

PER CURIAM