



**BOARD OF PROFESSIONAL RESPONSIBILITY**  
of the  
**SUPREME COURT OF TENNESSEE**

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December 18, 2006

**RELEASE OF INFORMATION**  
**STUART W. FIELDS, BPR NO. 17354**  
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**BOARD OF PROFESSIONAL RESPONSIBILITY**  
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**NASHVILLE LAWYER DISBARRED**

On December 12, 2006, the Supreme Court of Tennessee entered an order disbaring Stuart W. Fields from the practice of law. Previously, the Supreme Court temporarily suspended Mr. Fields' right to practice for misappropriation of funds of his client to his own use.

A petition for discipline involving three disciplinary complaints was filed on March 22, 2004. A supplemental petition for discipline involving two disciplinary complaints was filed on August 9, 2005. A motion for default judgment was filed on March 13, 2006, and an order granting default judgment on both petitions was entered on June 19, 2006.

A hearing on the discipline to be imposed was scheduled and noticed for August 10, 2006. The hearing was conducted at that date but respondent did not appear. On August 29, 2006, the hearing panel entered a judgment recommending disbarment.

The hearing panel found that respondent settled a legal matter without his client's consent and participated in forging the client's name to the settlement check and retaining the proceeds. Respondent also issued a worthless check on his trust account to pay a loan. Respondent also received fees from clients and failed to do any work for the clients. Respondent missed three court dates and was late for two others on a case to terminate his client's parental rights. Respondent had been paid to represent the client. Respondent entered an agreement with another client that he would pay medical bills incurred by the client and failed to do so. Neither party appealed the judgment of the hearing panel and it is now final.

Based upon the hearing panel's recommendation the Supreme Court entered an order of disbarment. A disbarred attorney may not apply for reinstatement for at least five years after the effective date of disbarment. An attorney petitioning for reinstatement after disbarment must have a hearing before a hearing panel of the Board of Professional Responsibility. After the hearing, the hearing panel makes a written report to the Supreme Court recommending for or against reinstatement. The attorney shall be reinstated only by order of the Supreme Court. The burden of proof requires that an attorney applying for reinstatement show by clear and convincing evidence that the attorney has the moral qualifications, competency and learning in the law to practice law in this state and that resumption of practice will not be detrimental to the integrity and standing of the bar or the administration of justice, or subversive to the public interest.

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