



**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: DONALD WALTER FISHER, BPR #14714
CONTACT: WILLIAM C. MOODY
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

August 24, 2015

DAVIDSON COUNTY LAWYER SUSPENDED

On August 21, 2015, Donald Walter Fisher of Nashville, Tennessee, was suspended from the practice of law by Order of the Tennessee Supreme Court for one (1) year, with ninety (90) days served as active suspension and the remainder on probation. The order was effective upon entry. Mr. Fisher must pay the Board's costs and expenses and the court costs within ninety days of the entry of the Order of Enforcement.

Mr. Fisher failed to properly supervise non-lawyer assistants in a personal injury practice by allowing them to have too much responsibility for client communication and settlement negotiations. A non-lawyer employee of Mr. Fisher made a telephone solicitation of two potential clients soon after their automobile accidents. The same employee gave gas cards to two clients. That employee signed Mr. Fisher's name to a complaint. Mr. Fisher filed a complaint on behalf of two persons with adverse interests. Mr. Mr. Fisher failed to adequately communicate with his clients and failed to adequately supervise his non-lawyer employees.

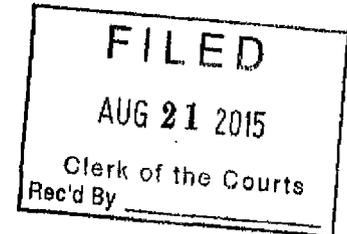
Mr. Fisher's actions violated RPC 1.4 (communication), 1.7(a) (conflicts of interest: current clients), 1.8(e) (conflicts of interest: specific rules), 5.3(b) (responsibilities regarding non-lawyer assistants), 7.3(a) (solicitation of potential clients) and 8.4(a) (misconduct).

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

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: DONALD WALTER FISHER, BPR #14714
An Attorney Licensed to Practice Law in Tennessee
(Davidson County)

No. M2015-01574-SC-BAR-BP
BOPR No. 2014-2372-5-WM



ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Donald Walter Fisher on September 29, 2014; upon Answer to Petition for Discipline filed by Mr. Fisher on October 17, 2014; upon a hearing on March 24, 2015; upon the Findings of Fact and Conclusions of Law entered on May 4, 2015; upon service of the Findings of Fact and Conclusions of Law on Mr. Fisher by the Executive Secretary of the Board on May 4, 2015; upon the Board of Professional Responsibility's Application for Assessment of Costs filed May 14, 2015; upon the Hearing Panel's Judgment on Board of Professional Responsibility's Application for Assessment of Costs entered June 5, 2015; upon service of the Hearing Panel's Judgment on Board of Professional Responsibility's Application for Assessment of Costs upon Mr. Fisher on June 5, 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 Order of the Hearing Panel and adopts the Hearing Panel's Findings of Fact and Conclusions of Law as the Court's Order.

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

(1) Donald Walter Fisher is suspended for one (1) year with ninety (90) days to be served as an active suspension, pursuant to Tenn. Sup. Ct. R. 9, § 12.2 (2014), and the remainder to be served on probation, pursuant to Tenn. Sup. Ct. R. 9, § 14.1 (2014), subject to the following conditions of probation:

- (a) Mr. Fisher shall engage a practice monitor for the entire period of probation. Mr. Fisher shall provide a list of three (3) proposed

practice monitors for selection by the Board within fifteen (15) days of entry of an order reinstating him to the practice of law.

- (b) The practice monitor shall submit monthly reports to the Board addressing the following areas: Mr. Fisher's communication practices with his clients, training and supervision of his employees, client intake practices, solicitation of clients, tracking and monitoring of client communications and settlement communications.
- (c) During the period of probation, Mr. Fisher shall not violate any of the Tennessee Rules of Professional Conduct.

(2) In the event Mr. Fisher fails to meet any condition of probation, the probation may be revoked pursuant to Tenn. Sup. Ct. R. 9, § 14.2 (2014).

(3) Prior to seeking reinstatement, Mr. Fisher must meet 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.

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

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

(6) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d) (2014), Mr. Fisher shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$2,566.57 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. § 28.11 (2014).

PER CURIAM