



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

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**RELEASE OF INFORMATION**  
**MICHAEL E. GILMER, BPR 12974**  
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**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

April 25, 2006

**LAW LICENSE OF COLUMBIA ATTORNEY SUSPENDED**

On April 21, 2006, the Supreme Court of Tennessee entered an order suspending the law license of Michael E. Gilmer for a period of five (5) years.

Mr. Gilmer abandoned his law practice without notice to his clients, made misrepresentations to clients about their cases and failed to finish clients' cases. He failed to adequately communicate with clients, failed to return client files and failed to respond to complaints filed with the Board of Professional Responsibility. He failed to respond to the Board of Professional Responsibility regarding the disciplinary charges filed against him. As a result of his failure to respond, his law license was temporarily suspended on January 13, 2005.

Disciplinary Counsel filed a Petition for Discipline and Supplemental Petition for Discipline against the Respondent pursuant to Rule 9, Rules of the Supreme Court of Tennessee. Mr. Gilmer filed no answers to the Petitions nor did he appear at the hearing in the matter. A Hearing Panel of the Board of Professional Responsibility recommended a five (5) year suspension finding the following existing aggravating circumstances: specific and significant harm to the profession; multiple complaining parties and clients and monetary loss to these clients. Mr. Gilmer did not appeal the Hearing Panel's Findings and Judgment.

Section 18 of Tennessee Supreme Court Rule 9 requires Mr. Gilmer to notify by registered or certified mail all clients being represented in pending matters; all co-counsel and opposing counsel of the Supreme Court's Order suspending his license. Section 18 also requires Mr. Gilmer to deliver to all clients any papers or property to which they are entitled.

This disciplinary matter was held pursuant to Supreme Court Rules 8 and 9. Tennessee suspended lawyers may, after the passage of their suspension, apply for reinstatement of their law licenses. To succeed with a reinstatement, lawyers must carry their burden of proof by clear and convincing evidence that their reinstatement will not be detrimental to the integrity and standing of the bar or the administration of justice or subversive to the public interest.

Additionally, the Hearing Panel in Mr. Gilmer's case found that any future Hearing Panel reviewing Mr. Gilmer's reinstatement should consider:

- (A) Mr. Gilmer's restitution as determined by court or other appropriate agency; and
- (B) Mr. Gilmer's proof of maintaining his continuing legal education; and
- (C) Mr. Gilmer's proof of payment of his annual dues; and
- (D) Mr. Gilmer's proof of his medical and/or mental health examination showing that Mr. Gilmer is physically and emotionally fit to practice law; and
- (E) Mr. Gilmer's supervision by a practice monitor.

Gilmer 1501-6 rel.doc

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