

FILED

10/29/2019

Clerk of the
Appellate Courts

IN THE SUPREME COURT OF TENNESSEE
AT KNOXVILLE

IN RE: WENDELL KYLE HALL, BPR #017749

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

No. M2019-01833-SC-BAR-BP
BOPR No. 2018-2850-2-WM

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Wendell Kyle Hall on April 13, 2018; upon Answer to Petition for Discipline filed by Mr. Hall on May 15, 2018; upon entry of the Findings of Fact, Conclusions of Law and Judgment of the Hearing Panel on October 29, 2018; upon service of the Findings of Fact, Conclusions of Law and Judgment by the Executive Secretary of the Board on October 29, 2018; upon entry of an Amended Findings of Fact, Conclusions of Law and Judgment on November 9, 2018; upon service of the Amended Findings of Fact, Conclusions of Law and Judgment by the Executive Secretary of the Board on November 9, 2018; upon entry of the Findings and Judgment for Assessment of Costs entered on November 19, 2018; upon service of the Findings and Judgment for Assessment of Costs by the Executive Secretary of the Board on November 19, 2018; upon a Petition for Review filed on January 16, 2019 in the Knox County Chancery Court; upon the Judgment entered by the Chancery Court on August 23, 2019; upon no appeal being taken from the Judgment entered by the Chancery Court; and upon the entire record in this cause.

From all of which the Court approves the Judgment entered by the Chancery Court and adopts the Chancery Court's Judgment as the Court's Order.

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

(1) Wendell Kyle Hall is suspended from the practice of law for two (2) years, pursuant to Tenn. Sup. Ct. R. 9, § 12.2, with sixty (60) days active suspension and the remainder on probation, subject to the following conditions of probation:

- (a) Mr. Hall, 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. Hall monthly and assess Mr. Hall's case load, case management, trust account, compliance with trust

account rules, accounting procedures, and office management procedures, in accordance with Tenn. Sup. Ct. R. 9, § 12.9(b). The Practice Monitor shall provide a monthly written report of Mr. Hall's trust accounting to Disciplinary Counsel.

- (b) Within sixty (60) days of entry of this judgment, Mr. Hall shall engage the services of a Certified Public Accountant at Mr. Hall's cost for the purpose of performing an audit of existing trust accounts for the two (2) year period prior to the entry of the Hearing Panel's Judgment (entered on November 9, 2018), and Mr. Hall shall make the results of the audit available to Disciplinary Counsel.
- (c) Mr. Hall shall open a new IOLTA account. After the date of entry of this judgment, any deposit of client's funds shall be made to the new IOLTA account. Mr. Hall shall use his existing trust account solely for the purpose of distributing the funds in the account to the new account.
- (d) Mr. Hall shall obtain fifteen (15) hours of continuing legal education on law office management and trust accounting procedures on or before December 31, 2020.
- (e) Mr. Hall shall provide Disciplinary Counsel with sufficient proof of compliance with these conditions.
- (f) During the period of active suspension and probation, Mr. Hall 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.

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

(3) Prior to seeking reinstatement, Mr. Hall 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.

(4) Additionally, Mr. Hall 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.

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

(6) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Mr. Hall shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$1,565.70 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