



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

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RELEASE OF INFORMATION
RE: FRED T. HANZELIK, BPR #004773
CONTACT: SANDY GARRETT
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

July 13, 2010

**CHATTANOOGA LAWYER CENSURED, SUSPENDED AND ORDERED
TO PAY RESTITUTION**

On July 7, 2010, Fred T. Hanzelik of Chattanooga, Tennessee, was censured, suspended for thirty (30) days and ordered to pay restitution to a client by the Tennessee Supreme Court pursuant to Rule 9, Section 4.1, of the Rules of the Supreme Court. The Board of Professional Responsibility filed a Petition for Discipline and Supplemental Petition for Discipline against Mr. Hanzelik. After a hearing, the Hearing Panel entered a Judgment which the Supreme Court affirmed censuring, suspending Mr. Hanzelik for thirty (30) days and ordering him to pay restitution totaling \$6,379.34 to a former client.

Mr. Hanzelik violated disciplinary rules by failing to disburse or provide an accounting of a settlement, engaging in a conflict of interest and failing to communicate with the Board of Professional Responsibility and his client. Mr. Hanzelik's actions violated Tennessee Supreme Court Rule 8, Rules of Professional Conduct 1.4 (communication); 1.7 (conflicts); 1.15 (safeguarding property); 8.1 (failure to cooperate with the Board) and 8.4 (misconduct).

Mr. Hanzelik was ordered to pay the expenses and costs of the disciplinary proceedings against him, pursuant to Rule 9, Section 4.7, of the Rules of the Supreme Court and to fully comply in all respects with the requirements and obligations of suspended attorneys as set forth in Rule 9, Section 18.1 of the Rules of the Supreme Court.

Hanzelik 1757-3 rel.doc

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IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: FRED T. HANZELIK, BPR #004773
An Attorney Licensed to Practice Law in Tennessee
(Hamilton County)

NO. 12010-01442-SC-BPO-BP
BOPR No. 2008-1757-3-SG

FILED
JUL 07 2010
Clerk of the Courts

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed on June 24, 2008, by the Board of Professional Responsibility ("Board"); and upon a Supplemental Petition for Discipline filed on July 15, 2008; upon a hearing held on March 17-18, 2010; upon Judgment of the Hearing Panel entered on April 19, 2010, upon an Order Amending Judgment filed May 7, 2010, upon Respondent's written decision not to appeal; upon the approval of the Board given June 11, 2010; and upon the entire record in this cause.

From all of which it appears to the Court that the Judgment of the Hearing Panel imposing public censure, restitution to Complainants totaling \$6,379.34 and a thirty (30) day suspension is appropriate.

It is therefore, **ORDERED, ADJUDGED** and **DECREED** by the Court that:

1. As to the allegations of the original petition, Respondent, Fred T. Hanzelik, be and is hereby censured and Ordered to pay restitution to the Complainants in Board of Professional Responsibility File No. 30750-3(C)-JV in the amount of \$6,379.34.
2. As to the allegations of the supplemental petition, Respondent, Fred T. Hanzelik, is hereby suspended from the practice of law for thirty (30) days.
3. The suspension shall become effective ten (10) days after the filing of this Order.
4. Respondent shall comply in all aspects with Supreme Court Rule 9, Section 18 regarding the obligations and responsibilities of suspended attorneys.
5. Pursuant to Supreme Court Rule 9, Section 24.3, the Respondent shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$12,477.99 and in addition, shall pay to the Clerk of this Court the costs

incurred herein, within ninety (90) days from the entry of this Order, for all of which execution may issue if necessary.

6. The Board shall cause notice of this suspension to be published as required by Supreme Court Rule 9, Section 18.10.

FOR THE COURT:

Cornelia A. Clark
CORNELIA A. CLARK
JUSTICE

I, Michael W. Catalano, Clerk, hereby certify that this is a true and exact copy of the original

filed in the cause.
This 14 day of July, 2010
CLERK OF COURT

By: Michael W. Catalano D.C.