



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

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RELEASE OF INFORMATION
RE: MICHAEL GLEN HATMAKER, BPR #005391
CONTACT: A. RUSSELL WILLIS
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

October 12, 2018

CAMPBELL COUNTY LAWYER SUSPENDED

On October 12, 2018, the Supreme Court of Tennessee entered an order suspending Michael Glen Hatmaker from the practice of law for a five-year (5) period with minimum of four (4) years served as an active suspension and the remainder served on probation. The suspension is effective upon the entry of the Order. The grant of probation is conditioned upon satisfaction of an outstanding judgment, the engagement of a Practice Monitor pursuant to Tennessee Supreme Court Rule 9, Section 12.9(c) and incurring no new disciplinary complaints resulting in a recommendation by the Board for discipline.

Mr. Hatmaker executed a conditional guilty plea acknowledging he made material misrepresentations to clients and opposing counsel, failed to expedite litigation and diligently represent clients, failed to reasonably communicate with clients, and failed to properly maintain client funds in his trust account. Mr. Hatmaker acknowledged his conduct violated Rules of Professional Conduct 1.3 (Diligence), 1.4 (Communication), 1.5 (Fees), 1.15 (Safekeeping Property and Funds), and 8.4 (Misconduct).

Mr. Hatmaker must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 30.4, regarding the obligations and responsibilities of suspended attorneys.

Hatmaker 2700-2 rel.doc

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
10/12/2018
Clerk of the
Appellate Courts

IN RE: MICHAEL GLEN HATMAKER, BPR #005391
An Attorney Licensed to Practice Law in Tennessee
(Campbell County)

No. M2018-01869-SC-BAR-BP
BOPR No. 2017-2700-2-AW

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Michael Glen Hatmaker on April 5, 2017; upon Answer to Petition for Discipline filed on May 19, 2017; upon a Supplemental Petition for Discipline filed against Mr. Hatmaker on November 7, 2017; upon Answer to Petition for Discipline filed on December 22, 2017; upon Answer to Supplemental Petition for Discipline filed on December 22, 2017; upon a Second Supplemental Petition for Discipline filed on March 20, 2018; upon Answer to Second Supplemental Petition for Discipline filed on April 6, 2018; upon a Conditional Guilty Plea filed on August 16, 2018; upon Order Recommending Approval of Conditional Guilty Plea entered on August 17, 2018; upon consideration and approval by the Board on September 14, 2018; and upon the entire record in this cause, and from all of which the Court approves the Hearing Panel's Order Recommending Approval of Conditional Guilty Plea as the Court's Order.

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

(1) Michael Glen Hatmaker is suspended from the practice of law for five (5) years, with a minimum of four (4) years to be served as an active suspension, with the remainder on probation, pursuant to Tenn. Sup. Ct. R. 9, § 12.2, subject to the following conditions of probation:

- (a) Mr. Hatmaker shall satisfy the outstanding judgment entered in favor of Pat Donahue in the General Sessions Court of Campbell County, Case No. 2016-CV-404, in the principal amount of \$21,200.00.
- (b) Mr. Hatmaker shall engage a practice monitor for the entire period of probation, at his cost, selected and approved in accordance with Tenn. Sup. Ct. R. 9, § 12.9. The practice monitor shall meet face to face with Mr.

Hatmaker at least monthly and assess Mr. Hatmaker's case load, case management, timeliness in the performing of his professional tasks, adequacy of communication with clients, and trust accounting procedures and provide monthly written reports to the Board.

(c) Mr. Hatmaker shall immediately contact the Tennessee Lawyers Assistance Program (TLAP) for an assessment. If TLAP determines that a monitoring agreement is appropriate, Mr. Hatmaker shall comply with the terms and conditions of the TLAP monitoring agreement.

(d) During the period of suspension and probation, Mr. Hatmaker shall incur no new complaints of misconduct that relate to conduct occurring during the period of suspension or probation which results in the recommendation by the Board that discipline be imposed.

(2) Prior to filing for reinstatement, Mr. Hatmaker 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.

(3) In addition, Mr. Hatmaker 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.

(4) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Mr. Hatmaker shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$2,400.27, 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.

(5) In the event any payment is made by the Tennessee Lawyer's Fund for Client Protection (TLFCP), Mr. Hatmaker shall reimburse TLFCP in the same amount.

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

(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