

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
02/08/2019
Clerk of the
Appellate Courts

IN RE: EARL FRANK JOHNSON, BPR #019811
An Attorney Licensed to Practice Law in Tennessee
(Shelby County)

No. M2019-00198-SC-BAR-BP
BOPR No. 2018-2845-9-KH

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed by the Board of Professional Responsibility (“Board”) against Earl Frank Johnson on March 26, 2018; upon Mr. Johnson’s Answer filed May 17, 2018; upon a Conditional Guilty Plea filed by Mr. Johnson on September 28, 2018; upon an Order Recommending Approval of Conditional Guilty Plea entered October 16, 2018; upon service of the Order Recommending Approval of Conditional Guilty Plea on Mr. Johnson by the Executive Secretary for the Board on October 16, 2018; upon consideration and approval by the Board on December 14, 2018; and upon the entire record in this cause.

From all of which the Court approves and adopts the hearing panel’s Order Recommending Approval of Conditional Guilty Plea as the Court’s Order.

On August 31, 2012, Mr. Johnson was suspended for CLE non-compliance. On November 28, 2012, Mr. Johnson was suspended for non-compliance with mandatory IOLTA reporting requirements and non-payment of annual registration fee. To date, Mr. Johnson has not requested, nor been granted, reinstatement from these suspensions.

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

(1) Earl Frank Johnson is suspended from the practice of law for six (6) months pursuant to Tenn. Sup. Ct. R. 9, § 12.2, subject to the following condition:

Mr. Johnson shall contact the Tennessee Lawyers Assistance Program (TLAP) for evaluation no later than thirty (30) days after the execution of the Conditional Guilty Plea and follow any and all recommendations of TLAP. If TLAP determines that a monitoring agreement is appropriate, Mr. Johnson shall comply with the terms and conditions of the TLAP

monitoring agreement and shall give TLAP permission to communicate with the Board regarding the monitoring agreement.

(2) Prior to seeking reinstatement, Mr. Johnson must meet all CLE and registration 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) Mr. Johnson shall comply in all aspects with Tenn. Sup. Ct. R. 9, §§ 28 and 30.4(d), regarding the obligations and responsibilities of suspended attorneys.

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

(5) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Mr. Johnson shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$826.42 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.

(6) 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