



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

10 CADILLAC DRIVE, SUITE 220  
BRENTWOOD, TENNESSEE 37027  
TELEPHONE: (615) 361-7500  
(800) 486-5714  
FAX: (615) 367-2480  
E-MAIL: [ethics@tbpr.org](mailto:ethics@tbpr.org)  
Website: [www.tbpr.org](http://www.tbpr.org)

**RELEASE OF INFORMATION**  
**RE: KRISTEN ELIZABETH MENKE, BPR #24600**  
**CONTACT: KRISANN HODGES**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

June 21, 2017

**DAVIDSON COUNTY LAWYER CENSURED**

On June 21, 2017, Kristen Elizabeth Menke of Davidson County, Tennessee, was publicly censured by Order of the Tennessee Supreme Court. The Court further ordered Ms. Menke to pay costs and expenses to the Board of Professional Responsibility.

On February 19, 2016, a Petition for Discipline was filed against Kristen Elizabeth Menke. The Petition for Discipline included one (1) complaint of disciplinary misconduct alleging that Ms. Menke made several inappropriate comments in a closing argument. Ms. Menke was an Assistant District Attorney for Davidson County. During her argument in a criminal case, Ms. Menke made direct and indirect references to the defendant's decision not to testify. Further, Ms. Menke improperly injected personal opinion about the justness of the cause in her closing argument.

A hearing panel determined that Ms. Menke violated Rules of Professional Conduct 3.4(e)(1), (2) and (3) (Fairness to the Opposing Party and Counsel); and 8.4(a) and (d) (Misconduct). For these violations, the Supreme Court of Tennessee publicly censured Ms. Menke.

A public censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

Menke 2553-5 rel.doc

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

FILED

06/21/2017

Clerk of the  
Appellate Courts

**IN RE: KRISTEN ELIZABETH MENKE, BPR #24600**

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

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**No. M2017-01242-SC-BAR-BP**  
BOPR No. 2016-2553-5-KH

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**ORDER OF ENFORCEMENT**

This matter is before the Court upon a Petition for Discipline filed against Kristen Elizabeth Menke on February 19, 2016; upon an Answer to the Petition for Discipline filed by Ms. Menke on April 1, 2016; upon a final hearing held on January 17 and 18, 2017; upon the Findings of Fact, Conclusions of Law, and Judgment entered by a hearing panel on March 14, 2017; upon service of the Findings of Fact, Conclusions of Law, and Judgment by the Executive Secretary for the Board on March 14, 2017; upon the Board's Application for Assessment of Costs filed on March 17, 2017; upon Ms. Menke's Verified Response in Opposition to the Board's Application for Costs filed on March 29, 2017; upon entry of the Findings and Order on Costs on April 7, 2017; upon consideration and approval by the Board on June 5, 2017; and upon the entire record in this cause. The time for appeal has expired with no appeal taken.

From all of which the Court approves the Findings of Fact, Conclusions of Law, and Judgment entered by the hearing panel as the Court's Order.

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

- (1) Pursuant to Tenn. Sup. Ct. R. 9, § 12.4, Kristen Elizabeth Menke is publicly censured.
- (2) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1, this Order shall be effective upon entry.
- (3) Pursuant to Tenn. Sup. Ct. R. 9, § 31, Ms. Menke shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$10,962.76 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.

(4) 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