



**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
Website: www.tbpr.org

RELEASE OF INFORMATION
RE: FLETCHER WHALEY LONG, BPR #18775
CONTACT: KRISANN HODGES
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

October 30, 2014

CLARKSVILLE LAWYER CENSURED

On October 29, 2014, Fletcher Whaley Long, of Clarksville, Tennessee, was publicly censured by Order of the Tennessee Supreme Court. He was further ordered to pay restitution to two (2) former clients and to pay the Board's costs in the disciplinary matter.

The Board of Professional Responsibility filed a Petition for Discipline against Mr. Long on June 13, 2013, which included two (2) complaints of ethical misconduct. In the first, Mr. Long was hired to handle a divorce and child custody matter. Mr. Long failed to properly communicate with or to advise his client about the objectives of the representation in a divorce matter. Due to the lack of appropriate communication between Mr. Long and his client, the client's divorce case was dismissed for lack of jurisdiction because Tennessee was not the proper forum to determine child custody and property issues. In the second complaint, a client hired Mr. Long to represent her in an appeal of a child custody matter from Juvenile Court. Mr. Long filed the appeal in the wrong court; however, the opposing party agreed to enter an Order for the purpose of filing a proper appeal. Mr. Long failed to enter the agreed order in a timely manner because it was not entered until a year later.

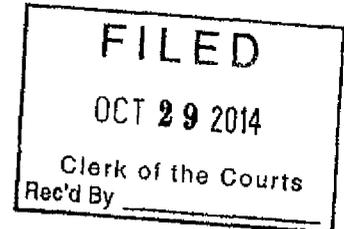
Mr. Long's actions violate the following Rules of Professional Conduct: 1.1, Competence; 1.4(a) and (b), Communication; 1.5(a) Fees; 3.1, Meritorious Claims and Contentions; 8.4(a) and (d), Misconduct.

For these violations, the Tennessee Supreme Court publicly censured Mr. Long. A public censure is a rebuke and warning to the lawyer, but does not affect the lawyer's ability to practice law.

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: FLETCHER WHALEY LONG, BPR# 18775
An Attorney Licensed to Practice Law in Tennessee
(Montgomery County)

No. M2014-02058-SC-BAR-BP
BOPR No. 2013-2225-6-KH



ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Fletcher Whaley Long on June 13, 2013; upon Answer to Petition for Discipline filed by Mr. Long on July 15, 2013; upon the Board's Notice of Partial Voluntary Dismissal filed on May 9, 2014; upon an Order of Partial Voluntary Dismissal entered May 16, 2014; upon entry of an Offer of Discipline by Consent filed by Mr. Long on July 15, 2014; upon an Order Recommending Approval of Offer of Discipline by Consent entered on July 15, 2014; upon consideration and approval by the Board on September 19, 2014; and upon the entire record in this cause.

From all of which the Court approves the Order of the Hearing Panel and adopts the Hearing Panel's Order Recommending Approval of Offer of Discipline by Consent 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, §§ 4.4 and 4.7 (2006), Fletcher Whaley Long is publicly censured and shall be required to make restitution as set forth below:

- a) Mr. Long shall pay restitution to Dr. Kent Colburn in the amount of \$5000.00, payable in two payments of \$2,500.00 on or before September 15, 2014, and \$2,500.00 on or before November 15, 2014. Mr. Long shall provide proof of each payment to the Board no later than five (5) days after payment is made.

b) Mr. Long shall pay restitution to Christy Sandlin in the amount of \$3,500.00, payable in two payments of \$1,750.00 on or before September 15, 2014 and \$1,750.00 on or before November 15, 2014. Mr. Long shall provide proof of each payment to the Board no later than five (5) days after payment is made.

(2) Failure to make restitution by the dates set forth above will result in revocation of the agreement and immediate hearing before the Panel, or in a proceeding for contempt if noncompliance occurs after entry of the Order of Enforcement.

(3) Pursuant to Tenn. Sup. Ct. R. 9, § 24.3 (2006), Mr. Long shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$753.42 and shall pay to the Clerk of this Court the costs incurred herein, within one hundred twenty (120) 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.

PER CURIAM