

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
01/22/2018
Clerk of the
Appellate Courts

IN RE: BARRY KEITH MAXWELL, BPR #009572
An Attorney Licensed to Practice Law in Tennessee
(Monroe County)

No. M2017-02417-SC-BAR-BP
BOPR No. 2015-2477-3-AJ

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Attorney Barry Keith Maxwell on August 17, 2015; upon Answer to Petition for Discipline filed by Mr. Maxwell on September 14, 2015; upon the parties filing a Joint Motion to Continue Trial on April 27, 2016; upon Order Continuing Trial entered on May 2, 2016; upon the Trial on December 1, 2016; upon the entry of the Hearing Panel's Order on December 12, 2016; upon the Executive Secretary of the Board forwarding a copy of the Order of the Hearing Panel to Mr. Maxwell on December 13, 2016; upon the Board filing an Application for Assessment of Costs on December 19, 2016; upon the entry of the Hearing Panel's Judgment on Board of Professional Responsibility's Application for Assessment of Costs on January 12, 2017; upon the Executive Secretary of the Board forwarding a copy of the Judgment on Board of Professional Responsibility's Application for Assessment of Costs to Mr. Maxwell on January 12, 2017; upon the Board filing a Petition for Review in the Chancery Court for Monroe County, Tennessee, on March 13, 2017; upon a Hearing before the Chancellor on August 16, 2017; upon entry of the Chancellor's Order on September 5, 2017; upon the Board's filing an Application for Assessment of Costs on September 18, 2017; upon the Judgment on Board of Professional Responsibility's Application for Assessment of Costs entered September 22, 2017; upon consideration and approval by the Board on October 10, 2017; upon expiration of the appeal period with no appeal taken; and upon the entire record in this cause.

From all of which the Court approves the Order of the Hearing Panel as modified by the Chancery Court and adopts the Order of the Chancery Court 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, § 12.2, Barry Keith Maxwell is suspended from the practice of law for seventy-five (75) days. Upon completion of his suspension, Mr. Maxwell will be placed on probation for one (1) year, subject to the condition that he submit to an evaluation by Tennessee Lawyers Assistance Program (TLAP), and comply with any monitoring requirements TLAP deems necessary.

(2) In the event Mr. Maxwell fails to meet any condition of probation, the probation may be revoked pursuant to Tenn. Sup. Ct. R. 9, § 14.2.

(3) Mr. Maxwell 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) Mr. Maxwell must meet 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.

(5) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1, this Order shall be effective immediately.

(6) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3, Mr. Maxwell shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$1,495.20, 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.

(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

SHARON G. LEE, J., not participating