



**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: CLEMENT DALE POTTER, BPR #12757
CONTACT: PRESTON SHIPP
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

July 13, 2015

CAMPBELL COUNTY LAWYER CENSURED

On July 9, 2015, Clement Dale Potter, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

In 2012, Mr. Potter, an assistant public defender, gave his client, who was a criminal defendant charged with attempted rape, incorrect advice regarding the requirements of the sex offender registry and lifetime community suspension. Thus, Mr. Potter failed to take reasonable steps to ensure that his client had all of the relevant information needed to make an intelligent decision as to whether to plead guilty. Based on Mr. Potter's erroneous advice, the Tennessee Court of Criminal Appeals allowed his client to withdraw his guilty plea.

By these acts, Mr. Potter has violated Rule of Professional Conduct 1.1 (competence), 1.3 (diligence) and 1.4 (communication), and is hereby Publicly Censured for these violation(s).

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

Potter 37829-2.doc

IN DISCIPLINARY DISTRICT II
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE

IN RE: Clement Dale Potter, BPR NO.12757
Respondent, an attorney licensed
to practice law in Tennessee
(Campbell County)

FILE NO. 37829-2-PS

PUBLIC CENSURE

The above complaint was filed against Clement Dale Potter, # 12757, an attorney licensed to practice law in Tennessee, alleging certain acts of misconduct. Pursuant to Tenn. Sup. Ct. R. 9, the Board of Professional Responsibility considered these matters at its meeting on June 12, 2015.

In 2012, Mr. Potter, an assistant public defender, represented a defendant in a criminal case in which he was charged with attempted rape. As Mr. Potter was advising his client as to whether to plead guilty, Mr. Potter gave incorrect advice regarding the requirements of the sex offender registry and lifetime community suspension. Thus, Mr. Potter failed to take reasonable steps to ensure that his client had all of the relevant information needed to make an intelligent decision as to whether to plead guilty. Based on Mr. Potter's erroneous advice, the Tennessee Court of Criminal Appeals allowed his client to withdraw his guilty plea.

By the aforementioned acts, Mr. Potter has violated Rule of Professional Conduct 1.1 (competence), 1.3 (diligence) and 1.4 (communication) and is hereby Publicly Censured for these violation(s).

FOR THE BOARD OF
PROFESSIONAL RESPONSIBILITY


Michael King, Chair

7-9-2015

Date