



BOARD OF PROFESSIONAL RESPONSIBILITY
of the
SUPREME COURT OF TENNESSEE

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RELEASE OF INFORMATION
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March 8, 2005

BRENTWOOD LAWYER DISBARRED

On March 4, 2005, the Supreme Court of Tennessee entered an order disbarring Thomas L. Whiteside from the practice of law. Previously on January 28, 2004, the Supreme Court temporarily suspended Mr. Whiteside's right to practice for failure to respond to a disciplinary complaint.

A petition for discipline involving three disciplinary complaints was filed on June 28, 2004. On August 12, 2004, a motion for default judgment on the petition for discipline was filed.

On November 19, 2004, a hearing panel of the Board of Professional Responsibility convened. The respondent, Thomas L. Whiteside, was given proper notice of the hearing but failed to appear.

The hearing panel heard testimony and other proof and issued a Judgment of the Hearing Panel on December 15, 2004. The hearing panel found that the respondent abandoned his law practice, knowingly failed to perform services to clients and neglected legal matters of clients causing serious injury to his clients. The hearing panel found that Whiteside took client funds under false pretenses and deceived his clients.

The hearing panel granted the motion for default judgment and recommended that the respondent be disbarred. Neither party appealed the Judgment of the Hearing Panel.

Based upon the hearing panel's recommendation the Supreme Court entered the order of disbarment. A disbarred attorney may not apply for reinstatement for at least five years after the effective date of disbarment. An attorney petitioning for reinstatement after disbarment must have a hearing before a hearing panel of the Board of Professional Responsibility. After the hearing, the hearing panel makes a written report to the Supreme Court recommending for or against reinstatement. The attorney shall be reinstated only by order of the Supreme Court. The burden of proof requires that an attorney applying for reinstatement show by clear and

convincing evidence that reinstatement will not be detrimental to the integrity and standing of the bar or the administration of justice or subversive to the public interest.

CAH:mw

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