

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

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RELEASE OF INFORMATION
RE: RICHARD D. CARTWRIGHT, #11242
CONTACT: KRISANN HODGES
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

November 26, 2008

COVINGTON LAWYER SUSPENDED

On November 25, 2008, Richard D. Cartwright, of Covington, Tennessee, was suspended from the practice of law for a total of three years with the first year served as an active suspension followed by two years of probation. Mr. Cartwright must pay restitution to three complainants. Further, he must remain in compliance with the Tennessee Lawyers Assistance Program throughout the suspension and probationary periods. The suspension shall become effective on December 5, 2008.

The Board of Professional Responsibility filed two Petitions for Discipline against Mr. Cartwright pursuant to Rule 9 of the Rules of the Supreme Court of Tennessee. Mr. Cartwright entered a Conditional Guilty Plea which was accepted and approved by a Hearing Panel. Mr. Cartwright represented his wife in a lawsuit in which he failed to respond to multiple discovery requests resulting in discovery sanctions and a judgment against Mr. Cartwright. A summary judgment was also granted against Mr. Cartwright's client due to his failure to file a response to the summary judgment or appear at the final hearing. Further, Mr. Cartwright failed to timely prepare pleadings for a client after taking a fee to do so. Mr. Cartwright failed to respond to his client's inquiries in a timely manner, mailed incorrect paperwork to opposing counsel, and failed to complete an adoption by the date agreed upon when he was retained by the client. Lastly, Mr. Cartwright failed to competently represent a client in a bankruptcy matter by filing the wrong pleading. Mr. Cartwright also misplaced a money order provided by the client to pay the trustee and the client's case was thereafter dismissed for failure to pay.

Mr. Cartwright's actions violate the following Disciplinary Rules and Rules of Professional Conduct: DR 1-102, Misconduct; DR 5-101, Refusing Employment When Interests of Lawyer May Impair Independent Professional Judgment; DR 6-101, Failing to Act Competently; DR 7-101, Representing a Client Zealously; DR 7-102, Representing a Client Within the Bounds of the Law; DR 9-102, Preserving the Identity of Funds of the Client; RPC 1.3, Diligence; 1.4, Communication; 1.7, Conflict of Interest – General Rule; 1.15, Safekeeping Property; 3.1, Meritorious Claims and Contentions; 3.4, Fairness to Opposing Party and Counsel; 4.4, Respect for the Rights of Third Persons; 5.1, Responsibilities of a Partner, Managing Lawyer or Supervisory Lawyer; and 8.4, Misconduct.

Mr. Cartwright must comply with Section 18 of Rule 9, Rules of the Supreme Court, regarding the obligations and responsibilities of suspended attorneys.

Cartwright 1619-1671-8 rel.doc

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