



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

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**RELEASE OF INFORMATION**  
**RE: JOHN R. HERSHBERGER, BPR #21519**  
**CONTACT: WILLIAM C. MOODY**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
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February 7, 2017

**SHELBY COUNTY LAWYER CENSURED**

On February 7, 2017, John R. Hershberger of Memphis, Tennessee, was Publicly Censured by order of the Tennessee Supreme Court.

While representing a party in a case pending before the Tennessee Court of Appeals, Mr. Hershberger went to the home of a judge on the Court of Appeals in order to ask her a question pertaining to the case. The judge was not at home and Mr. Hershberger left without speaking with her.

A Hearing Panel found that by attempting to engage in an ex parte communication with the judge, Mr. Hershberger violated Rule of Professional Conduct 8.4(a) (Misconduct) and should be Publicly Censured for this violation. Mr. Hershberger appealed the decision to the Chancery Court for Shelby County, which affirmed the Hearing Panel's decision.

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

Hershberger 2381-9 rel.doc