



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

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**RELEASE OF INFORMATION**  
**RE: JAMES T. NEAL, BPR #6838**  
**CONTACT: LAURA L. CHASTAIN**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

January 28, 2002

**CHATTANOOGA LAWYER REINSTATED TO THE PRACTICE OF LAW**

On January 23, 2002 the Tennessee Supreme Court entered an order reinstating James T. Neal to the practice of law subject to certain conditions.

On May 20, 1997 Neal's law license was suspended for a period of three years and seven months. Thereafter Neal filed a Petition for Reinstatement. On November 29, 2001 a hearing committee heard Neal's petition for reinstatement. The hearing committee found that Neal had proved by clear and convincing evidence that his law license should be reinstated subject to the following conditions:

1. Neal shall not engage in a sole practice setting for a period of five years; during which he shall practice in a law firm and have the supervision of the partners in that law firm, with that firm filing semi-annual reports to the Board of Professional Responsibility regarding his progress and any problems he is having. If there is any ethical violations by Neal the law firm must report such violations to the Board of Professional Responsibility immediately; and,
2. Neal must self-report any problem of ethical violation that occurs; and
3. Neal must insure that all settlement checks or fee checks will be made in the name of the law firm as opposed to being paid to him; that they be placed in a trust account of the firm and that he not have any control over or signatory power on that account for a five (5) year period; and
4. Neal must obtain malpractice coverage in the amount of \$1,000,000.00 with a copy provided to the Board of Professional Responsibility; and
5. Neal shall be mentored by Jerry Summers, Jim Robinson and Max Bahner who shall submit an annual report

to the Board of Professional Responsibility, but if they believe any ethical or psychological problem is occurring said mentors shall notify the Board of Professional Responsibility immediately; and,

6. Neal shall have completed 1.75 ethics hours and 10 general hours of CLE by December 31, 2001; and,
7. Neal shall continue seeing Dr. West or some other psychological professional with a Ph.D or above on a monthly basis for a period of five (5) years, unless the mental health professional believes Neal needs treatment on a basis of more than once a month then Neal shall submit to such treatment as is deemed necessary by the mental health professional, with such professional sending a quarterly report to the Board of Professional Responsibility of any problems that are existing so that Board of Professional Responsibility can take appropriate monitoring actions. If Neal sees someone other than Dr. West he shall immediately notify the Board of Professional Responsibility as to the person he is seeing; and
8. Neal shall waive the statute of limitations and submit to binding arbitration with Mr. Dennis Bailey within six (6) months. He shall immediately notify Mr. Bailey by certified mail, return receipt requested, that he is willing to submit to such binding arbitration. If the parties cannot agree, this needs to be stated in a letter. If they can agree on an arbitrator then they shall proceed. If they cannot agree on an arbitrator they shall each send a panel of three potential arbitrators' names to the Board of Professional Responsibility to be forwarded to this Hearing Panel who will select the arbitrator. Neal shall pay all costs of the arbitration. The binding arbitration shall be concluded by June, 2002; and
9. As to the Whittenton debt or possible indebtedness and the McMahan possible indebtedness, if there is a judgment or settlement or an agreement at mediation then these two indebtednesses shall be paid by Neal in a reasonably timely fashion; and
10. Neal shall pay the costs of the reinstatement proceeding.

The Court accepted and approved the order of the Hearing Panel and entered an order reinstating the law license of James T. Neal subject to the above mentioned conditions.

LLC:mw