



BOARD OF PROFESSIONAL RESPONSIBILITY
of the
SUPREME COURT OF TENNESSEE

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RELEASE OF INFORMATION
RE: LARRY E. FITZGERALD, BPR #10953
CONTACT: SANDY GARRETT
BOARD OF PROFESSIONAL RESPONSIBILITY
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October 24, 2003

MEMPHIS ATTORNEY CENSURED

On October 21, 2003, Larry E. Fitzgerald, of Memphis, Tennessee, received a Public Censure from the Board of Professional Responsibility. Fitzgerald was given notice of the censure and did not request a hearing.

The Complainant advised the Board of Professional Responsibility (the Board) that an individual with a Memphis bonding company had telephoned her in Texas to advise her that her sister and her mother had been arrested in Memphis. The Complainant further states that this individual advised her that he had obtained lawyer Fitzgerald to represent the Complainant's sister and mother but requested the Complainant send \$5,000. The Complainant refused to send the \$5,000 but did fly to Memphis and was met by this individual and Fitzgerald at the airport coffee shop. The Complainant paid Fitzgerald \$5,000 in cash. Fitzgerald initially represented both the Complainant's mother and sister. The Complainant states Fitzgerald put pressure on her sister to take the blame for the crime so their mother could go free. The Complainant requested a refund from Fitzgerald one day after paying Fitzgerald the \$5,000. Fitzgerald declined to provide any refund until approximately six weeks later after the Complainant contacted the Board. Fitzgerald did take his name off of the jacket for the Complainant's mother as counsel of record. The individual that contacted the Complainant and suggested the Complainant retain Fitzgerald was not an approved and qualified bail bondsman.

Fitzgerald's actions violate Rules 1.4; 1.5; 1.7; 1.8; 1.16; 7.3 and 8.4 of the Tennessee Rules of Professional Conduct and for these actions the Board publicly censures Fitzgerald. The censure declares Fitzgerald's action to be improper but does not limit his right to practice law.

SG:mw
Fitzgerald 26247-9-SG rel.doc