



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

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RELEASE OF INFORMATION
RE: ERICH WEBB BAILEY, BPR #032614
CONTACT: WILLIAM C. MOODY
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

March 25, 2019

DAVIDSON COUNTY LAWYER CENSURED AND REINSTATED

On March 25, 2019, Erich Webb Bailey was publicly censured by Order of the Tennessee Supreme Court. As a condition of his public censure, Mr. Bailey must enter into a monitoring agreement with the Tennessee Lawyers Assistance Program (TLAP). Mr. Bailey must pay the Board's costs and expenses and the court costs within ninety days of the entry of the Order of Enforcement.

On October 4, 2017, a Petition for Discipline was filed against Mr. Bailey alleging that when he represented the mother in a child custody dispute, he failed to communicate with his client and failed to appear in court when the matter was set for hearing. Mr. Bailey entered into a conditional guilty plea admitting that his actions violated Rules of Professional Conduct 1.3, Diligence; 1.4, Communication; and 8.4, Misconduct.

On July 17, 2017, Mr. Bailey was temporarily suspended by the Tennessee Supreme Court for substantial noncompliance with a previous TLAP monitoring agreement. Mr. Bailey is reinstated from that suspension by this Order.

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

Bailey 2772-5 rel.doc

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

03/25/2019

Clerk of the
Appellate Courts

IN RE: ERICH WEBB BAILEY, BPR #032614
An Attorney Licensed to Practice Law in Tennessee
(Davidson County)

No. M2019-00466-SC-BAR-BP
BOPR No. 2017-2772-5-WM

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Erich Webb Bailey on October 4, 2017; upon Respondent's Answer to Petition for Discipline filed by Mr. Bailey on September 11, 2018; upon entry of a Conditional Guilty Plea filed by Mr. Bailey on February 6, 2019; upon an Order Recommending Approval of Conditional Guilty Plea entered on February 8, 2019; upon service of the Order Recommending Approval of Conditional Guilty Plea on Mr. Bailey by the Executive Secretary for the Board on February 8, 2019; upon consideration and approval by the Board on March 8, 2019; and upon the entire record in this cause.

From all of which the Court approves the Order of the Hearing Panel and adopts the Hearing Panel's Order Recommending Approval of Conditional Guilty Plea as the Court's Order.

On July 17, 2017, Mr. Bailey was temporarily suspended by this Court pursuant to Tenn. Sup. Ct. R. 9, § 12.3 (Case No. M2017-01435-SC-BAR-BP). To date, Mr. Bailey has not requested, nor been granted reinstatement.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT THAT:

(1) Pursuant to Tenn. Sup. Ct. R. 9, § 12.4, Erich Webb Bailey is publicly censured.

(2) Pursuant to Tenn. Sup. Ct. R. 9, § 12.8, as a condition of the public censure, Mr. Bailey must comply with the following:

(a) Within thirty (30) days of the execution of the Conditional Guilty Plea, enter into a mandatory monitoring agreement with the

Tennessee Lawyers Assistance Program which names the Board as a reporting agency.

(b) Failure to comply with this condition may result in further proceedings pursuant to Tenn. Sup. Ct. R. 9.

(3) Further, the Order of Temporary Suspension entered on July 17, 2017, in Case No. M2017-01435-SC-BAR-BP is hereby dissolved.

(4) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1, this Order shall be effective upon entry.

(5) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Mr. Bailey shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$332.30 and shall pay to the Clerk of this Court the costs incurred herein, within ninety (90) days of the entry of this Order, for all of which execution may issue if necessary.

(6) The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 28.11.

PER CURIAM