



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

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RELEASE OF INFORMATION
RE: SCOTT THOMAS BEALL, BPR# 13711
CONTACT: KRISANN HODGES
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

November 13, 2009

MEMPHIS LAWYER CENSURED

On October 29, 2009, Scott Thomas Beall, of Memphis, Tennessee, received a Public Censure from the Tennessee Supreme Court.

The Board of Professional Responsibility filed a Petition for Discipline against Scott Thomas Beall pursuant to Rule 9 of the Rules of the Supreme Court of Tennessee. Mr. Beall submitted a Conditional Guilty Plea agreeing to accept a Public Censure. Mr. Beall violated the Rules of Professional Conduct by instructing a client in North Carolina to shred duplicate photocopies of account statements the client had illegally taken from a former employer against Mr. Beall's specific instructions to the client not to take such documents. The client did not initially advise Mr. Beall that he had taken confidential customer information. Instead, the client signed two (2) affidavits stating he had not taken confidential customer information and failed to tell Mr. Beall or his local counsel in North Carolina that the affidavits contained a statement that the client knew was not true. Mr. Beall advised the client to destroy the photocopies in his possession so that the information could not be illegally used by the new employer and so that the client would again be in compliance with federal and state financial privacy laws. Mr. Beall and local counsel disclosed the client's perjury and shredding of documents to opposing counsel and the Court.

Although Mr. Beall's instructions were not intended to mislead or prevent disclosure of his client's wrongdoing, under the totality of the circumstances, his instructions were not proper and have led to this agreed censure. His actions violate the following Rule of Professional Conduct: 8.4 (Misconduct).

For this violation, the Supreme Court of Tennessee publicly censures Scott Thomas Beall. A public censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

Beall 1803-9 rel.doc

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