

IN DISCIPLINARY DISTRICT II
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE

IN RE: JOHN MICHAEL BOUCHER, #022446
Respondent, an attorney licensed
to practice law in Tennessee
(Knox County)

FILE NO. 70502-2-SC

PUBLIC CENSURE

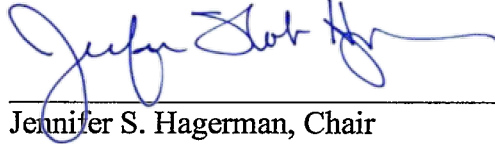
The above complaint was filed against John Michael Boucher, #022446, an attorney licensed to practice law in Tennessee, alleging certain acts of misconduct. Pursuant to Tenn. Sup. Ct. R. 9, the Board of Professional Responsibility considered these matters at its meeting on March 10, 2023.

Mr. Boucher agreed to represent a client in pursuing an employment discrimination claim. Mr. Boucher's client signed a contingency fee agreement. The fee agreement required the client to forward \$5,000 to Mr. Boucher for anticipated case related expenses. The payment was deposited by Mr. Boucher into his trust account following receipt. Mr. Boucher subsequently unilaterally modified the fee agreement by claiming the \$5,000 payment as a fee and removed the payment from his trust account. Mr. Boucher then appeared as the client's legal representative in an administrative complaint filed with the Equal Opportunity Employment Commission, despite the fact that the client's employment discrimination claim had no valid factual or legal basis. Mr. Boucher also failed to maintain good communication during the representation.

By these acts, Mr. Boucher has violated Rules of Professional Conduct 1.4 (communication), 1.8(a) (modification of a fee agreement), 1.15 (client property and funds), 3.1

(meritorious claims), and 8.4(a)(attempting to violate the Rules of Professional Conduct), and is hereby Publicly Censured for these violations. As a condition of the Public Censure, Mr. Boucher shall be required to return the former client's \$5,000 payment within sixty (60) days of the date of acceptance of the Public Censure.

FOR THE BOARD OF
PROFESSIONAL RESPONSIBILITY



Jennifer S. Hagerman, Chair

April 5, 2023

Date