



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

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RELEASE OF INFORMATION
RE: TERRY RENEASE CLAYTON, BPR #012392
CONTACT: EILEEN BURKHALTER SMITH
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

July 26, 2021

DAVIDSON COUNTY LAWYER CENSURED

On July 26, 2021, Terry Renease Clayton, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Clayton represented a client in the recovery of back child support. In August 2020, Mr. Clayton received the funds and timely issued a check to his client. After issuing another check in the case, Mr. Clayton issued a check to himself for fees, which resulted in an overdraft of the account. The check was returned by the bank.

Mr. Clayton then discovered that he had accidentally overpaid his client due to his mathematical error. Mr. Clayton asked his client to return the overpaid funds, which she did. After the error, Mr. Clayton delayed in removing his earned fee from trust, doing so in multiple payments over three months. Mr. Clayton did not have a client ledger on this matter. Mr. Clayton's conduct resulted in the commingling of his funds with client funds for three months.

By these acts, Terry Renease Clayton has violated Rule of Professional Conduct 1.15 (safekeeping funds) and is hereby Publicly Censured with the condition that he attend the next Trust Account Workshop by the Board of Professional Responsibility in September 2021.

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

Clayton 65589n-5 rel.doc

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

IN RE: Terry Renease Clayton, #012392
Respondent, an attorney licensed
to practice law in Tennessee
(Davidson County)

FILE NO. 65589n-5-ES

PUBLIC CENSURE

The above complaint was filed against Terry Renease Clayton, 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 this matter at its meeting on June 11, 2021.

Mr. Clayton represented an employee in the recovery of back child support. In August 2020, Mr. Clayton received the funds and timely issued a check to his client. After issuing another check in the case, Mr. Clayton issued a check to himself for fees, which resulted in an overdraft of the account. The check was returned by the bank.

Mr. Clayton then discovered that he had accidentally overpaid his client due to his mathematical error. Mr. Clayton asked his client to return the overpaid funds, which she did. After the error, Mr. Clayton delayed in removing his earned fee from trust, doing so in multiple payments over three months. Mr. Clayton did not have a client ledger on this matter. Mr. Clayton's conduct resulted in the commingling of his funds with client funds for three months in violation of Rule 1.15 (safekeeping funds).

By these acts, Terry Renease Clayton has violated Rule of Professional Conduct 1.15 (safekeeping funds) and is hereby Publicly Censured with the condition that he attend the next

Trust Account Workshop by the Board of Professional Responsibility in September 2021.

FOR THE BOARD OF
PROFESSIONAL RESPONSIBILITY

Floyd S Flippin

Floyd Flippin, Chair

7.26.21

Date