



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

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RELEASE OF INFORMATION
RE: DARREN T. COLE, BPR #25816
CONTACT: A. RUSSELL WILLIS
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

February 5, 2015

FORMER MAURY COUNTY LAWYER SUSPENDED

On February 3, 2015, the Supreme Court of Tennessee entered an order suspending Darren T. Cole of St. George, Utah, for three (3) years. Mr. Cole formerly maintained an office in Maury County, Tennessee. Mr. Cole was further ordered to pay the costs and expenses of the disciplinary proceeding against him.

The Board of Professional Responsibility filed a Petition for Discipline against Mr. Cole based upon four (4) complaints of misconduct. In the first matter, Mr. Cole failed to account to his client for work performed and expenses incurred and used his trust account to pay personal expenses. In the second matter, Mr. Cole advised his client he was moving to California, and over the objection of his client, Mr. Cole transferred the representation to another attorney. In the third matter, Mr. Cole engaged in the practice of law as corporate counsel for a California company without registering with the State Bar of California and paying the required fee. In the fourth matter, Mr. Cole made materially false statements in his bar application.

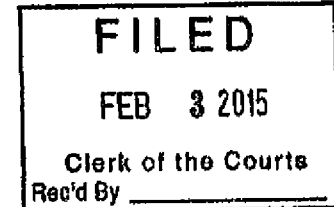
A hearing panel for the Board of Professional Responsibility imposed the sanction of disbarment. Mr. Cole appealed the Hearing Panel's judgment, and the Chancery court modified the judgment of the hearing panel and imposed a suspension of three (3) years. The hearing panel and the trial court determined Mr. Cole violated Rules of Professional Conduct 1.5(e)(1) and (e)(2), Fees; 1.15(a) and (b), Safekeeping Property and Funds; 1.16(d), Declining or Terminating Representation; 5.5(a), Unauthorized Practice of Law; 8.1, Bar Admission and Disciplinary Matters; and 8.4(a) and (c), Misconduct.

Mr. Cole must comply with the requirements of Tennessee Supreme Court Rule 9, Section 18 (2006) and Tennessee Supreme Court Rule 9, Section 30.4(d) (2014) regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: DARREN T. COLE, BPR #25816
An Attorney Licensed to Practice Law in Tennessee
(Maury County)

No. M2015-00126-SC-BAR-BP
BOPR No. 2011-2068-6-RS



ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Darren T. Cole on August 29, 2011; upon Respondent's Answer to Petition for Discipline filed by Mr. Cole on October 18, 2011; upon the Order and Judgment of Hearing Panel filed December 4, 2012; upon the Verified Petition for Writ of Certiorari filed in the Chancery Court for Williamson County on February 4, 2013; upon the Return to Writ of Certiorari filed on February 14, 2013; upon the Answer of the Board of Professional Responsibility to the Verified Petition for Writ of Certiorari filed February 21, 2013; upon the Pretrial Brief of Plaintiff filed October 16, 2013; upon the Brief of the Board of Professional Responsibility filed November 5, 2013; upon the Order Setting Hearing filed February 13, 2014; upon the Motion for Continuance submitted by Mr. Cole on April 24, 2014; upon the Response of the Board of Professional Responsibility to Motion for Continuance of Oral Argument filed April 28, 2014; upon the Order Continuing Hearing filed May 2, 2014; upon the Board of Professional Responsibility's Petition for an Order Setting Oral Argument filed May 22, 2014; upon the Order Setting Hearing filed June 4, 2014; upon the Memorandum and Order of the Chancery Court of Williamson County filed November 5, 2014; upon the time for appeal having expired with no appeal taken; and upon the entire record in this cause.¹

On October 25, 2010, Mr. Cole was suspended by this Court pursuant to Tenn. Sup. Ct. R. 9, § 20.3, for failure to pay the annual registration fee. On June 14, 2011, Mr. Cole was suspended by this Court pursuant to Tenn. Sup. Ct. R. 43, § 14, for failure to certify his IOLTA account status. On August 31, 2011, Mr. Cole was suspended by this Court pursuant to Tenn. Sup. Ct. R. 21, § 7, for failure to meet his annual CLE requirements. To date, Mr. Cole has not filed a petition for reinstatement.

¹This case was initiated prior to January 1, 2014, and is governed by Tenn. Sup. Ct. R. 9 (2006) except as otherwise noted.

From all of which the Court approves the Memorandum and Order of the Chancery Court for Williamson County and adopts the same as the Court's Order.

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

(1) Pursuant to Tenn. Sup. Ct. R. 9, § 4.2 (2006), Darren T. Cole is suspended from the practice of law for three (3) years.

(2) Mr. Cole shall comply in all aspects with Tenn. Sup. Ct. R. 9, § 18 (2006) and § 30.4(d) (2014) regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

(3) Prior to reinstatement, Mr. Cole must meet all CLE requirements, pay all outstanding registration fees from the date of suspension through reinstatement, and submit all required IOLTA certifications.

(4) Pursuant to Tenn. Sup. Ct. R. 9, § 18.5 (2006), this Order shall be effective ten (10) days after the date of entry.

(5) Pursuant to Tenn. Sup. Ct. R. 9, § 24.3 (2006), Mr. Cole shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$1,585.09 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, § 18.10 (2006).

PER CURIAM