



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

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RELEASE OF INFORMATION
RE: MICHAEL SCOTT COLLINS, BPR #19065
CONTACT: A. RUSSELL WILLIS
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

December 12, 2013

SUMNER COUNTY LAWYER SUSPENDED

On December 10, 2013, Michael Scott Collins, of Sumner County, Tennessee, was suspended from the practice of law by Order of the Tennessee Supreme Court for three (3) years. Pursuant to the Order of Enforcement, Mr. Collins shall contact Tennessee Lawyers Assistance Program (TLAP), pay restitution to two (2) former clients, and pay the cost and expense of the disciplinary proceedings. Payment of restitution and contact with TLAP as required are conditions precedent to Mr. Collins' reinstatement to the practice of law.

The Board of Professional Responsibility filed a Petition for Discipline against Mr. Collins on February 26, 2013. A Hearing Panel determined that Mr. Collins received a \$27,500.00 retainer fee to represent a client in a post-divorce criminal contempt proceeding and failed to deposit the retainer into his trust account. Mr. Collins was also retained by the client's relative to recover certain personal property. The Panel determined Mr. Collins failed to provide agreed upon legal services to his clients, failed to communicate timely with his clients regarding the status of their respective cases and misled his clients regarding the status and progress of their respective cases. The Panel found the retainer fees charged by Mr. Collins were unreasonable. In addition, the Hearing Panel specifically found Mr. Collins charged the client \$10,000.00 to become a member of his "professional family" and that said charge was unrelated to any legal services and constituted an improper and unreasonable fee.

Mr. Collins' actions violated Rules of Professional Conduct 1.2 (scope of representation), 1.3 (diligence), 1.4 (communication), 1.5 (fees), 1.15 (safekeeping property and funds), 3.2 (expediting litigation), 8.1 (disciplinary matters), and 8.4(a) and (d) (misconduct).

Mr. Collins must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 18 and 19, regarding the obligations and responsibilities of suspended attorneys and satisfy all continuing legal education requirements prior to reinstatement.

Collins 2192-6 rel.doc

PLEASE NOTE

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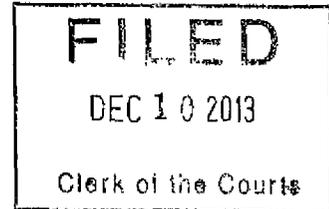
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IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: MICHAEL SCOTT COLLINS, BPR# 19065

An Attorney Licensed to Practice Law in Tennessee
(Sumner County)

No. **M2013-02669-SC-BAR-BP**
BOPR No. 2013-2192-6-AW



ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Michael Scott Collins on February 26, 2013; upon the Board's Motion for Default Judgment and that Charges in the Petition for Discipline be Deemed Admitted filed May 13, 2013; upon the Order for Default Judgment entered June 6, 2013; upon the Final Judgment of the Hearing Panel entered on August 26, 2013; upon service of the Final Judgment on Mr. Collins by the Executive Secretary for the Board on August 26, 2013; upon consideration and approval by the Board on September 13, 2013, and upon expiration of the time for appeal with no appeal taken and upon the entire record in this cause.

Mr. Collins was suspended for Continuing Legal Education non-compliance on August, 31, 2012, and has not been reinstated.

From all of which the Court approves the Order of the Hearing Panel and adopts the Final Judgment of the Hearing Panel as the Court's Order.

It is, therefore, ordered, adjudged and decreed by the Court that:

- (1) Pursuant to Tenn. Sup. Ct. R. 9, § 4.2, Michael Scott Collins is suspended from the practice of law for three (3) years, subject to terms and conditions as follows:
 - a) As a condition precedent to any reinstatement, Mr. Collins shall make restitution to Dr. Frederick Scott Starr in the amount of \$27,500.00 and Gwendolyn Joy Starr in the amount of \$2,103.00 or the Lawyers Fund for Client Protection, if applicable.
 - b) As a condition precedent to any reinstatement, Mr. Collins shall contact the Tennessee Lawyers Assistance Program (TLAP) for

evaluation. If TLAP determines that a monitoring agreement is appropriate, Mr. Collins shall comply with the terms and conditions of the TLAP monitoring agreement.

- c) As condition precedent to any reinstatement, Mr. Collins shall fully comply with any outstanding restitution previously ordered;
- d) In the event Michael Scott Collins seeks reinstatement of his license, the Hearing Panel recommends Mr. Collins be required to engage a practice monitor approved by Disciplinary Counsel.

(2) Additionally, Mr. Collins shall comply in all aspects with Tenn. Sup. Ct. R. 9, § 18 regarding the obligations and responsibilities of suspended attorneys and satisfy all continuing legal education requirements prior to reinstatement.

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

(4) Pursuant to Tenn. Sup. Ct. R. 9, § 24.3, Mr. Collins shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$1,293.34 and in addition, 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.

(5) The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 18.10.

FOR THE COURT:

Cornelia A. Clark
CORNELIA A. CLARK, JUSTICE