



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

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RELEASE OF INFORMATION
RE: DAPHNE MICHELLE DAVIS, BPR #028128
CONTACT: ALAN D. JOHNSON
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

February 4, 2019

WILSON COUNTY LAWYER SUSPENDED

On February 4, 2019, the Supreme Court of Tennessee suspended Daphne Michelle Davis from the practice of law for three years. Ms. Davis must pay restitution to a former client as a condition of reinstatement to the practice of law. Ms. Davis must pay the Board of Professional Responsibility's costs and expenses and court costs within ninety (90) days of the date of the order.

A Petition for Discipline was filed against Ms. Davis on May 18, 2018, alleging that Ms. Davis missed a court date in General Sessions Court resulting in a default judgment against her client in the amount of \$25,151.50. After appealing the case to Circuit Court, she unilaterally cancelled a mediation and failed to inform her client of the date the case was set for hearing. Ms. Davis failed to appear, and the appeal was dismissed. Ms. Davis did not inform her client who learned about the dismissal when he received a copy of the judgment from opposing counsel. In another complaint, Ms. Davis promised to refund a fee to her client, but failed to do so until the client filed a complaint with the Board. Finally, Ms. Davis was appointed to represent a client in Criminal Court who entered into a diversion program and as part of probation, was required to pay \$1,968.50 in court costs. The client requested Ms. Davis' assistance in seeking a waiver or reduction of the court costs. Ms. Davis sent the client a questionnaire to complete and return, which the client did. Thereafter, Ms. Davis ceased communicating with her client. Ms. Davis did not respond to the Board in this case.

Ms. Davis entered a Conditional Guilty Plea admitting her guilt of violating Rules of Professional Conduct 1.2(a) (scope of representation), 1.3 (diligence), 1.4 (communication), 1.5(a), (b) and (f), (fees), 1.16 (d) and (f) (terminating representation), 3.2 (expediting litigation) 8.1(b) (bar and disciplinary matters) and 8.4(a), (b), (c), and (d) (misconduct).

Ms. Davis must comply with Tennessee Supreme Court Rule 9, Section 28 regarding the obligations and responsibilities of suspended attorneys.