



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

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RELEASE OF INFORMATION
RE: HARVEY RANDOLPH FALLIN, BPR #015127
CONTACT: EILEEN BURKHALTER SMITH
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

July 13, 2022

JOHNSON COUNTY LAWYER CENSURED

On July 13, 2022, Harvey Randolph Fallin, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Fallin represented a man charged with first degree murder, and he also represented the man's wife who was charged with conspiracy to commit the same murder. Mr. Fallin did not have a written fee agreement with his two clients, and he did not otherwise discuss with them the potential conflict of interest in representing both of them. There was a significant risk that Mr. Fallin's representation of the wife would be materially limited by his representation of the man charged with the murder.

Mr. Fallin's daughter worked in his law office, and she agreed to act as the legal representative under a power of attorney for the two clients in exchange for payment. In her position as the power of attorney, Mr. Fallin's daughter made at least one payment to Mr. Fallin for legal expenses. At no time did Mr. Fallin discuss with his clients the business relationship they entered with his daughter as power of attorney. Mr. Fallin was aware of his daughter's conduct as addressed in Rule of Professional Conduct 5.3 (responsibilities regarding nonlawyer assistance).

By the aforementioned acts, Harvey Randolph Fallin has violated Rules of Professional Conduct 1.7(c)(2) (conflict of interest), 1.8(a) (conflict of interest, business relationship), and 8.4(d) (prejudice to the administration of justice) and is hereby Publicly Censured for these violations.

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