



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

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RELEASE OF INFORMATION
RE: JAMES HENRY FLOOD, BPR #16091
CONTACT: EILEEN BURKHALTER SMITH
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

August 14, 2013

WILSON COUNTY LAWYER CENSURED

On August 7, 2013, James Henry Flood, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Flood entered a fee contract with his client which stated he would receive a fee of 25% of past due social security benefits owed to the client. The client made periodic payments to Mr. Flood to be held for expenses or for satisfaction of the contingency fee. Mr. Flood received six payments from the client, and failed to deposit three of the payments into his trust account. An overdraft resulted in Mr. Flood's trust account when he wrote a check to himself for the earned fees. In another matter, Mr. Flood earned an attorney fee in May 2012 and failed to remove the fee from his trust account for more than seven months.

By these acts, James Henry Flood has violated Rule of Professional Conduct 1.15 (safekeeping property and funds), and is hereby Publicly Censured for this violation.

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

Flood 35769-4 rel.doc

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

IN RE: JAMES HENRY FLOOD,
BPR NO. 16091, Respondent, an
attorney licensed to practice law
in Tennessee
(Wilson County)

FILE NO. 35769-4(N)-ES

PUBLIC CENSURE

The above complaint was filed against Respondent James Henry Flood, an attorney licensed to practice law in Tennessee, alleging certain acts of misconduct. Pursuant to Supreme Court Rule 9, the Board of Professional Responsibility considered these matters at its meeting on June 14, 2013.

Respondent entered a fee contract with his client which stated he would receive a fee of 25% of past due social security benefits owed to the client. The client made periodic payments to Respondent to be held for expenses or for satisfaction of the contingency fee. Respondent received six payments from the client, and failed to deposit three of the payments into Respondent's trust account. An overdraft resulted in Respondent's trust account when he wrote a check to himself for the earned fees. In another matter Respondent earned an attorney fee of \$503.52 in May 2012 and failed to remove the fee from his trust account for more than seven months.

By the aforementioned facts, James Henry Flood, has violated Rule of Professional Conduct 1.15 and is hereby Publicly Censured for this violation.

FOR THE BOARD OF
PROFESSIONAL RESPONSIBILITY

Lela Hollabaugh
Lela Hollabaugh, Chair

August 7, 2013
Date