



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

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**RELEASE OF INFORMATION**  
**RE: ROBERT JOHN FOY, BPR #025919**  
**CONTACT: JOSEPH K. BYRD**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

August 17, 2020

**RUTHERFORD COUNTY LAWYER SUSPENDED**

On August 17, 2020, the Supreme Court of Tennessee entered an order suspending Robert John Foy from the practice of law for a period of seven (7) years, with five (5) years active, and the remainder on probation pursuant to Tennessee Supreme Court Rule 9, Section 12.2. Mr. Foy was further ordered to obtain an evaluation with the Tennessee Lawyers Assistance Program and engage the services of a Practice Monitor. Mr. Foy must pay the Board of Professional Responsibility's costs and expenses and court costs within ninety (90) days.

Mr. Foy converted client settlement funds to his own business and personal use. He also failed to promptly pay third-party lien holders from the settlement funds. During the investigation of this matter, Mr. Foy falsified bank records to prevent discovery of his misappropriation. In addition, Mr. Foy failed to keep client funds and estate funds in his trust account. Mr. Foy reimbursed the estate and his clients in full for the funds he misappropriated.

Mr. Foy executed a conditional guilty plea acknowledging his conduct violated Rules of Professional Conduct (RPC) 1.15 (safekeeping property); 3.4 (fairness to the opposing party and counsel); 4.1 (truthfulness and candor in statements to others); and 8.4 (a) and (c), (misconduct).

Mr. Foy must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 30.4 regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE



**IN RE: ROBERT JOHN FOY, BPR #025919**  
An Attorney Licensed to Practice Law in Tennessee  
(Rutherford County)

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**No. M2020-01079-SC-BAR-BP**  
BOPR No. 2019-3050-4-TL

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**ORDER OF ENFORCEMENT**

This matter is before the Court upon a Petition for Discipline filed against Robert John Foy on November 7, 2019; upon a Supplemental Petition for Discipline filed January 24, 2020; upon entry of a Conditional Guilty Plea filed by Mr. Foy on May 15, 2020; upon an Order Recommending Approval of Conditional Guilty Plea entered on May 20, 2020; upon the denial of the first Guilty Plea by the Board on June 12, 2020; upon entry of a second Conditional Guilty Plea filed by Mr. Foy on June 12, 2020; upon an Order Recommending Approval of Conditional Guilty Plea entered on July 13, 2020; upon service of the Order Recommending Approval of Conditional Guilty Plea by the Executive Secretary of the Board on July 13, 2020; upon consideration and approval of the second Conditional Guilty Plea by the Board on July 22, 2020; and upon the entire record in this cause.

From all of which the Court approves the Order of the Hearing Panel and adopts the Hearing Panel's Order Recommending Approval of Conditional Guilty Plea as the Court's Order.

On July 3, 2019, Mr. Foy was temporarily suspended by this Court, pursuant to Tenn. Sup. Ct. R. 9, § 12.3 (Case No. M2019-01187-SC-BPR-BP). Mr. Foy has neither sought nor been granted dissolution of the temporary suspension.

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

- (1) Pursuant to Tenn. Sup. Ct. R. 9, § 12.2, Robert John Foy is hereby suspended from the practice of law for a period of seven (7) years, with five (5) years served as an active suspension, and the remainder served on probation, subject to the following conditions of probation:

- (a) Mr. Foy shall continue his current TLAP monitoring agreement during the term of his suspension and probation and follow any and all recommendations of TLAP. Further, Mr. Foy shall execute, as needed, an appropriate authorization for TLAP to communicate with the Board regarding his monitoring agreement.
  - (b) Mr. Foy, at his cost, shall engage a practice monitor who shall be selected and approved in accordance with Tenn. Sup. Ct. R. 9, § 12.9(c). The practice monitor shall meet with Mr. Foy monthly and assess his case load, timeliness of tasks, adequacy of communication with his clients, and his accounting procedures. The practice monitor shall provide a monthly written report of Mr. Foy's progress to Disciplinary Counsel.
  - (c) Mr. Foy shall attend the Board's trust accounting workshop.
  - (d) During the period of active suspension and probation, Mr. Foy shall incur no new complaints of misconduct that relate to conduct occurring during the period of suspension and probation and which results in the recommendation by the Board that discipline be imposed.
- (2) In the event Mr. Foy fails to meet any condition of probation, the probation may be revoked pursuant to Tenn. Sup. Ct. R. 9, § 14.2.
  - (3) Prior to seeking reinstatement, Mr. Foy must have met all CLE requirements; have remitted all outstanding registration fees and outstanding professional privilege taxes, including those due from the date of this suspension until the date of reinstatement; and have remitted all court costs and Board costs in this matter.
  - (4) Additionally, Mr. Foy shall comply in all aspects with Tenn. Sup. Ct. R. 9, §§ 28 and 30.4, regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.
  - (5) Further, the Order of Temporary Suspension entered on July 3, 2019, in M2019-01187-SC-BAR-BP is hereby dissolved.
  - (6) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1, this Order shall be effective upon entry.
  - (7) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Mr. Foy shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$1,371.05 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.

- (8) The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 28.11.

PER CURIAM