



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

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RELEASE OF INFORMATION
RE: JAMES WILLIAM FRIAUF, BPR #027238
CONTACT: DOUGLAS R. BERGERON
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

July 28, 2021

KNOX COUNTY LAWYER CENSURED

On July 28, 2021, James William Friauf, an attorney licensed to practice law in Tennessee, received a Public Censure from the Supreme Court of Tennessee.

Mr. Friauf was retained to prosecute an employment action, and a written fee agreement was executed by his client providing Mr. Friauf with a forty percent (40%) contingency fee upon any recovery through settlement or trial, or the fees awarded by the Court through statutory fee shifting, whichever is higher. The fee agreement also allowed Mr. Friauf to charge an undisclosed hourly rate if he chose to withdraw from the representation. During an unsuccessful mediation, Mr. Friauf used the fee agreement to pressure his client to settle his action. Thereafter, Mr. Friauf, without providing any written bill detailing his services, demanded payment of \$63,261.46 in attorney fees at an hourly rate not previously agreed to and misrepresented to his client that Ethics counsel at the Board of Professional Responsibility had ratified Mr. Friauf's demand for fees and expenses.

Mr. Friauf executed a Conditional Guilty Plea acknowledging his conduct violated Rules of Professional Conduct 1.2 (Scope of Representation), 1.5 (Fees), 1.8 (Conflict of Interests), 7.1 (Information about Legal Services) and 8.4(a) (Misconduct).

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