



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

10 CADILLAC DRIVE, SUITE 220  
BRENTWOOD, TENNESSEE 37027  
TELEPHONE: (615) 361-7500  
(800) 486-5714  
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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.

Friauf 3096-2 - rel.doc

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

FILED

07/28/2021

Clerk of the  
Appellate Courts

**IN RE: JAMES WILLIAM FRIAUF, BPR NO. 027238**

An Attorney Licensed to Practice Law in Tennessee  
(Knox County)

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**No. M2021-00820-SC-BAR-BP**  
BOPR No. 2020-3096-2-BL

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**ORDER OF ENFORCEMENT**

This matter is before the Court upon a Petition for Discipline filed against James William Friauf on May 21, 2020; upon Response to Petition for Discipline filed by Mr. Friauf on July 1, 2020; upon the Conditional Guilty Plea filed by Mr. Friauf on April 6, 2021; upon the Hearing Panel entering its Order Recommending Approval of Conditional Guilty Plea on April 8, 2021; upon the Executive Secretary of the Board forwarding a copy of the Order Recommending Approval of Conditional Guilty Plea to Mr. Friauf on April 8, 2021; and upon the Board of Professional Responsibility considering and approving the Order of the Hearing Panel on June 11, 2021; 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.

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

(1) James William Friauf is disciplined by a public censure pursuant to Tenn. Sup. Ct. R. 9. § 12.4.

(2) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Mr. Friauf shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$350.00 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.

(3) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1, this Order shall be effective upon entry.

(4) 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