



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

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RELEASE OF INFORMATION
RE: SAMUEL FRANKLIN LAIN, BPR #18395
CONTACT: KRISANN HODGES
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

October 19, 2012

ANDERSON COUNTY LAWYER SUSPENDED

By Order of the Tennessee Supreme Court entered October 17, 2012, Mr. Samuel Lain was suspended from the practice of law for one (1) year, retroactive to August 22, 2011, and for an indefinite period thereafter until certain conditions have been met. Conditions include participation with the Tennessee Lawyer's Assistance Program, payment of Board costs, payment of registration fees, and compliance with continuing legal education.

The Board filed a Petition and Supplemental Petition for Discipline against Mr. Lain pursuant to Rule 9 of the Rules of the Supreme Court of Tennessee. Mr. Lain appeared in court in an impaired condition and was unable to competently represent clients. Further, Mr. Lain did not have the necessary papers for a client he was representing in an uncontested divorce. Mr. Lain allowed his client to prepare answers to interrogatories which were very prejudicial to the client. Mr. Lain wrote unprofessional and incompetent objections on the discovery responses provided to the opposing party. On another occasion, Mr. Lain appeared before court while he was suspended for failure to meet registration requirements and CLE requirements.

Mr. Lain violated Rules of Professional Conduct 1.1 (Competence), 1.3 (Diligence), 3.4(d) (Fairness to Opposing Party and Counsel), 5.5 (Unauthorized Practice of Law) and 8.4(a) and (d) (Misconduct).

Mr. Lain must comply with Sections 18 and 19 of Tennessee Supreme Court Rule 9, regarding the obligations and responsibilities of suspended attorneys.

Lain 2078-2 rel.doc

PLEASE NOTE

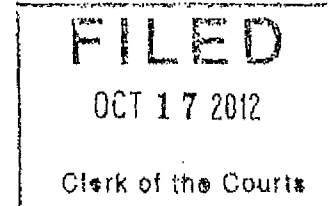
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IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE SAMUEL FRANKLIN LAIN, BPR #018395
An Attorney Licensed to Practice Law in Tennessee
(Anderson County)

No. M2012-02172-SC-BPR-BP
BOPR No. 2011-2078-2-KH



ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed October 4, 2011 in Docket No. 2011-2078-2-KH by the Board of Professional Responsibility ("Board") against Samuel Franklin Lain; upon an Amended Answer to the Petition for Discipline filed by Mr. Lain on October 21, 2011; upon a Supplemental Petition for Discipline filed by the Board on February 13, 2012; upon entry of a Conditional Guilty Plea filed by Mr. Lain on September 12, 2012; upon an Order Recommending Approval of Conditional Guilty Plea entered on September 13, 2012; upon consideration and approval by the Board on September 21, 2012; and upon the entire record in this cause.

From all of which the Court approves the recommendation of the Hearing Panel and accepts the Conditional Guilty Plea.

On August 22, 2011, Mr. Lain was suspended for failure to comply with registration requirements. On August 31, 2011, Mr. Lain was suspended for failure to comply with continuing legal education requirements. To date, Mr. Lain has not requested, nor been granted, reinstatement.

It is therefore, ordered, adjudged and decreed by the Court that:

1. Samuel Franklin Lain shall be and is hereby suspended from the practice of law for one (1) year pursuant to Tenn. Sup. Ct. R. 9, § 4.2. Mr. Lain's one (1) year suspension shall be retroactive to August 22, 2011, and then an indefinite suspension thereafter until the completion of the following conditions:

- a) Mr. Lain shall complete an evaluation as requested by the Tennessee Lawyer's Assistance Program ("TLAP"); and,

b) Mr. Lain shall enter into a monitoring agreement with TLAP for a period of time determined by TLAP to be appropriate.

2. Mr. Lain shall comply in all aspects with Tenn. Sup. Ct. R. 9, § 18 and §19 regarding the obligations and responsibilities of suspended attorneys and procedure for reinstatement. Mr. Lain must meet all continuing legal education requirements and all registration requirements prior to reinstatement.

3. Pursuant to Tenn. Sup. Ct. R. 9, § 18.5, this discipline shall become effective ten (10) days after the filing of this Order.

4. Pursuant to Tenn. Sup. Ct. R. 9, § 24.3, Mr. Lain shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$640.00 and, in addition, 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.

5. The Board shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 18.10.

FOR THE COURT:



WILLIAM C. KOCH, JR., JUSTICE