



BOARD OF PROFESSIONAL RESPONSIBILITY
of the
SUPREME COURT OF TENNESSEE

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RELEASE OF INFORMATION
IN RE: JOHN CARLIN MASK, JR., BPR #5947
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BOARD OF PROFESSIONAL RESPONSIBILITY
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February 2, 2005

HARDEMAN COUNTY LAWYER DISBARRED

On February 1, 2005, the Supreme Court of Tennessee entered an Order disbaring John Carlin Mask, Jr., from the practice of law.

Mr. Mask's license to practice law had previously been temporarily suspended by the Tennessee Supreme Court based upon allegations of his misappropriation of client funds, posing a threat of irreparable harm to the public, and for lack of Continuing Legal Education compliance. Disciplinary Counsel filed a petition for discipline pursuant to Rule 9, Rules of the Supreme Court of Tennessee. Mr. Mask filed no answer to the petition nor did he appear at the hearing in the matter. The Hearing Panel of the Board of Professional Responsibility concluded that Mr. Mask engaged in misconduct; failed to act competently; failed to represent his clients zealously; failed to represent a client within the bounds of the law; and had engaged in the unauthorized practice of law. The Hearing Panel further found that aggravating circumstances existed because of the length of time Mr. Mask had practiced law (twenty-six (26) years), his prior history of unethical conduct, his dishonesty and his failure to make restitution. Furthermore, the Hearing Panel found there were no mitigating circumstances. Neither Mr. Mask nor the Board appealed the Hearing Panel's Findings.

Based upon the Hearing Panel's recommendation, the Tennessee Supreme Court ordered that Mr. Mask be disbarred from the practice of law in the State of Tennessee and should not be allowed to apply for reinstatement for a period of five (5) years; and that John Carlin Mask, Jr., should not be allowed to apply for reinstatement to the practice of law in the State of Tennessee unless he makes full restitution to Alabama Credit Corporation d/b/a International Teachers and Executives and/or the Tennessee Lawyers Protection Fund and files an affidavit in this cause of action with proper documentary evidence that restitution has been made.

Section 18 of Tennessee Supreme Court Rule 9 requires Mr. Mask to notify by registered or certified mail all clients being represented in pending matters; all co-counsel and opposing

counsel of the Supreme Court's order disbaring him. Section 18 also requires Mr. Mask to deliver to all clients any papers or property to which they are entitled.

This disciplinary matter was held pursuant to Supreme Court Rules 8 and 9. In Tennessee disbarred lawyers may, after the passage of five years apply for reinstatement of their law licenses. However, to succeed these lawyers must carry their burden of proof by clear and convincing evidence that their reinstatement will not be detrimental to the integrity and standing of the bar or the administration of justice or subversive to the public interest.

LLC:mw

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