



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

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RELEASE OF INFORMATION
RE: BARRY KEITH MAXWELL, BPR #9572
CONTACT: ALAN D. JOHNSON
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

November 15, 2013

MONROE COUNTY LAWYER CENSURED

On November 14, 2013, Barry Keith Maxwell, Monroe County, Tennessee, was publicly censured by the Tennessee Supreme Court, and also ordered to pay restitution to his client.

The Board of Professional Responsibility filed a Petition for Discipline against Mr. Maxwell pursuant to Rule 9, Rules of the Supreme Court. Mr. Maxwell submitted a Conditional Guilty Plea acknowledging violation of Tennessee Supreme Court Rule 8, Rules of Professional Conduct 1.16 (terminating representation).

Mr. Maxwell did not promptly refund an advance payment of fees when it became clear that the work for which he had been retained was unnecessary.

For these violations, the Tennessee Supreme Court publicly censured Barry Keith Maxwell. A public censure is a rebuke and warning to the attorney, but does not affect the attorney's ability to practice law.

Maxwell 2197-3 rel.doc

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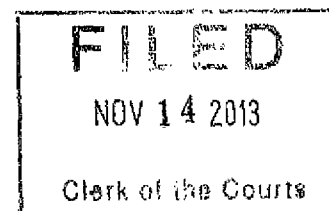
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IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

BARRY KEITH MAXWELL, BPR #9572
An Attorney Licensed to Practice Law in Tennessee
(Monroe County)

NO. M2013-02236-SC-BAR-BP

BOPR No. 2013-2197-3-AJ



ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Barry Keith Maxwell, on March 27, 2013; upon Answer to Petition for Discipline filed by Mr. Maxwell on April 23, 2013; upon entry of a Conditional Guilty Plea filed by Mr. Maxwell on August 27, 2013; upon an Order of Recommendation of Conditional Guilty Plea entered on September 3, 2013; upon consideration and approval by the Board on September 13, 2013; 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 of Recommendation of Conditional Guilty Plea as the Court's Order.

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

(1) Barry Keith Maxell is publicly censured pursuant to Tenn. Sup. Ct. R. 9, § 4.4.

(2) Pursuant to Tenn. Sup. Ct. R. 9, § 24.3, Mr. Maxwell shall make restitution to Mr. and Mrs. Alread by satisfying the judgment obtained against him in the Monroe County General Sessions Court, Case No. C12-636. Satisfaction of said judgment shall be made no later than one year from the date the Conditional Guilty Plea was signed by Mr. Maxwell. In the event restitution is paid by the Tennessee Lawyers Fund for Client Protection (TLFCP), Mr. Maxwell shall reimburse TLFCP the amount so paid. Full payment of restitution by Mr. Maxwell is a condition of his Conditional Guilty Plea and failure to comply with this provision shall constitute a separate violation of the Rules of Professional Conduct and subject Mr. Maxwell to future disciplinary proceedings.

(3) Pursuant to Tenn. Sup. Ct. R. 9, § 24.3, Mr. Maxwell shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$431.92 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.

(4) The Board shall cause notice of this discipline to be published.

FOR THE COURT:

Cornelia A. Clark
CORNELIA A. CLARK

Lee, Sharon G., J., Not Participating