



BOARD OF PROFESSIONAL RESPONSIBILITY
of the
SUPREME COURT OF TENNESSEE

1101 KERMIT DRIVE, SUITE 730
NASHVILLE, TENNESSEE 37217
TELEPHONE: (615) 361-7500
(800) 486-5714
FAX: (615) 367-2480
E-MAIL: ethics@tbpr.org
Website: www.tbpr.org

RELEASE OF INFORMATION
RE: JAMES RICHARD MCFALL, JR. BPR #13882
CONTACT: JESSE D. JOSEPH
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

April 26, 2006

MEMPHIS LAWYER SUSPENDED

On April 21, 2006, the Tennessee Supreme Court entered an Order suspending the law license of James Richard McFall, Jr., for five (5) years retroactive to November 21, 2000 - - the date McFall was granted disability inactive status by the Court in a prior order.

Since 2000, McFall has demonstrated to the Board's satisfaction that he has complied fully with his contract for peer assistance entered into with the Tennessee Lawyers' Assistance Program ("TLAP"), and that his disability has been removed according to his treating physicians.

McFall submitted a conditional guilty plea to a petition for discipline filed against him in return for a 5 year suspension, wherein he admitted seriously neglecting many divorce and other general civil legal matters entrusted to him by clients, failing to adequately communicate with and providing false information to many of his clients regarding the status of their legal matters, receiving and taking dominion and control over unearned attorney fees and unexpended costs due clients and other third parties, and failing in the past to comply with a 1999 order temporarily suspending his law license and with the Tennessee Supreme Court's rules regarding the obligations of suspended attorneys.

McFall is not automatically reinstated to the practice of law upon entry of the Supreme Court's April 21, 2006 Order, but is required to file a separate petition for reinstatement and comply with the provisions of Tennessee Supreme Court Rule 9, Section 19, if he desires to request reinstatement. He is also required as a condition precedent to any reinstatement of his law license to provide evidence of having reimbursed the Tennessee Lawyers' Fund for Client Protection ("TLFCP") the amounts of any and all claims paid by the TLFCP to any of his former clients who are complainants in the petition for discipline, and any further amounts he is adjudged to

pay by the appropriate reinstatement committee which represents unearned fees and unexpended costs he previously received while his law license was active and in good standing. McFall is also required to continue to comply with his TLAP contract for peer assistance, and to pay the Board's costs in this matter.

This disciplinary matter was conducted in accordance with Tennessee Supreme Court Rules 8 and 9. Pursuant to Supreme Court Rule 9, Section 19, McFall is eligible to immediately file a petition for reinstatement but he must carry the burden of proof by clear and convincing evidence that his reinstatement will not be detrimental to the integrity and standing of the bar or to the administration of justice, or be subversive to the public interest.

McFall 1162 – 1200-9 rel.doc

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