



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

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RELEASE OF INFORMATION
RE: JASON R. MCLELLAN, BPR #024596
CONTACT: JERRY MORGAN
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

May 13, 2020

SULLIVAN COUNTY LAWYER SUSPENDED

Effective May 12, 2020, the Supreme Court of Tennessee entered an order suspending Jason R. McLellan from the practice of law for one (1) year, with two (2) months active suspension and the remainder on probation, pursuant to Tennessee Supreme Court Rule 9, Section 12.2, and the payment to the Board for all costs in the disciplinary proceeding, along with restitution to one former client.

Mr. McLellan admitted to violating the Rules of Professional Conduct in representing one client. Mr. McLellan represented a client involved in a criminal investigation. Mr. McLellan further represented the same client in university disciplinary proceedings that resulted from the criminal investigation. While the client's mother authorized three charges to be made to a credit card for fees, Mr. McLellan made several additional charges. Mr. McLellan failed to respond to communications from the client about the fees, failed to have the client sign an employment agreement, and failed to provide the client any invoices justifying the fees he charged. Mr. McLellan further terminated his representation without notifying the client.

Mr. McLellan has admitted that he violated Rules of Professional Conduct 1.2 (scope of representation), 1.4 (communication), 1.5 (fees), 1.15 (safekeeping property and funds), 1.16 (terminating representation), and 8.4(a) and (d) (misconduct).

Mr. McLellan must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 30.4, regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

McLellan 3016-1 rel.doc

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

05/12/2020

Clerk of the
Appellate Courts

IN RE: JASON R. MCLELLAN, BPR #024596
An Attorney Licensed to Practice Law in Tennessee
(Sullivan County)

No. M2020-00686-SC-BAR-BP
BOPR No. 2019-3016-1-JM

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Jason R. McLellan on July 8, 2019; upon Answer to Petition for Discipline filed by Mr. McLellan on August 15, 2019; upon entry of a Conditional Guilty Plea filed by Mr. McLellan on February 25, 2020; upon an Order Recommending Approval of Conditional Guilty Plea entered on March 12, 2020; upon service of the Order Recommending Approval of Conditional Guilty Plea by the Executive Secretary of the Board dated March 13, 2020; upon consideration and approval by the Board on April 27, 2020; 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) Jason R. McLellan is suspended from the practice of law for one (1) year, pursuant to Tenn. Sup. Ct. R. 9, § 12.2, with two (2) months active suspension and the remainder on probation, subject to the following conditions of probation:

- (a) Mr. McLellan, at his cost, shall engage a practice monitor who shall be selected and approved in accordance with Tenn. Sup. Ct. R. 9, § 12.9(c). The practice monitor shall meet with Mr. McLellan monthly and assess his case load, timeliness of tasks, adequacy of communication with his clients, and his accounting procedures. The practice monitor shall provide a monthly written report of Mr. McLellan's progress to Disciplinary Counsel.

(b) During the period of active suspension and probation, Mr. McLellan shall incur no new complaints of misconduct that relate to conduct occurring during the period of suspension and probation and which results in the recommendation by the Board that discipline be imposed.

(2) In the event Mr. McLellan fails to meet any condition of probation, the probation may be revoked pursuant to Tenn. Sup. Ct. R. 9, § 14.2.

(3) Prior to seeking reinstatement, Mr. McLellan must have met all CLE requirements; have remitted all outstanding registration fees and outstanding professional privilege taxes, including those due from the date of this suspension until the date of reinstatement; and have remitted all court costs and Board costs in this matter.

(4) Additionally, Mr. McLellan shall comply in all aspects with Tenn. Sup. Ct. R. 9, §§ 28 and 30.4, regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

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

(6) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Mr. McLellan shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$1,537.50 within ninety (90) days. In addition, Mr. McLellan shall pay restitution to Lisa Mullins in the amount of \$2,000.00 within ninety (90) days. In the event Mr. McLellan fails to pay the Board expenses and costs or restitution to Ms. Mullins as required herein, the Board may reopen its disciplinary file and conduct further proceedings pursuant to Tenn. Sup. Ct. R. 9, § 12.8.

(7) 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