

FILED

2016 MAR 10 PM 4: 16

BOARD OF PROFESSIONAL  
RESPONSIBILITY

*cew* EXEC.

**IN DISCIPLINARY DISTRICT 0  
OF THE  
BOARD OF PROFESSIONAL RESPONSIBILITY  
OF THE  
SUPREME COURT OF TENNESSEE**

IN RE: JAMES A. MEANEY, III \* DOCKET NUMBER  
\*  
\* 2016-2335-U-AW (30.4d)  
BPR Number 013683 \* 2535  
\*

**REPORT AND RECOMMENDATION**

On March 9, 2016, a Hearing Panel consisting of Cameron Strawbridge Hill, Chairman, Michael Everett Jenne, and William Holt Smith, members of the Board of Professional Responsibility, conducted a hearing on Mr. Meaney's Petition for Reinstatement submitted pursuant to Section 30.4 of Rule 9 of the Rules of the Supreme Court of Tennessee. Petitioner James A. Meaney, III, and Disciplinary Counsel Russ Willis participated. After considering the testimony of witnesses presented by the Petitioner, the statements of Petitioner and Disciplinary Counsel, and the record of this proceeding as a whole, this Review Panel finds and recommends as follows:

**Findings of Fact**

1. Brian R. Cahn, an attorney licensed to practice law in Georgia, was called as a witness by the Petitioner. Mr. Cahn testified he has known the Petitioner since 2006, when petitioner joined the law firm of Perrotta,

---

Cahn & Prieto, PC., a Cartersville, Georgia law firm with multiple offices in cities in the northwest Georgia area. Since Petitioner joined the Firm, he has maintained an office in Dalton, Georgia, and has been primarily responsible for representing the firm's clients in various civil and criminal matters in northwest Georgia, including Catoosa, Chattooga, Dade, Murray, Walker and Whitfield counties. Mr. Meaney's area of expertise is as a trial lawyer, and he has represented numerous clients in personal injury and worker's compensation cases, divorce, family law matters, real estate, and other general litigation.

In 2013, Mr. Meaney withdrew from Perrotta, Cahn & Prieto, PC. From 2006 until November of 2013, Petitioner provided monthly reports to the partners detailing what cases he was handling for the firm and providing an accounting of all fees received through his efforts. Mr. Cahn testified that, throughout this time, he (Mr. Cahn) was primarily responsible for reviewing Mr. Meaney's practice, Mr. Cahn and his partners were pleased with Mr. Meaney's work, and neither he nor his partners received any complaints from clients, attorneys, or judges about the quality of Mr. Meaney's work.

Mr. Cahn's practice and area of expertise is bankruptcy and creditor and debtor's rights, so he has only had limited opportunities to observe Mr. Meaney personally, such as when Mr. Meaney would represent another

client's interest in a related bankruptcy proceeding, but Mr. Cahn testified that Petitioner appeared to be well prepared to represent his client's interests in those matters.

Based on Mr. Cahn's professional relationship with the Petitioner, he believes Mr. Meaney is an experienced and diligent advocate and capable of competently practicing law.

2. Joye Thomas Wills, an attorney licensed to practice law in Georgia and Virginia, was called as a witness by the Petitioner. Ms. Wills has known Mr. Meaney since 2003 when Mr. Meaney was opposing counsel in a case involving her firm. More recently, Ms. Wills has been certified as a mediator and mediates cases in the Conasauga Judicial Circuit (Murray and Whitfield counties) in Georgia, as well as representing parties in family law matters.

Ms. Wills testified that Mr. Meaney has mediated cases with her and she has had the opportunity to observe his ability and competency in the practice of law. She testified Mr. Meaney appears to be knowledgeable, well prepared, and a capable negotiator for his clients.

Ms. Wills has also had occasion to observe Mr. Meaney's temperament and skill representing clients in the courtroom and again gave the opinion he is a diligent and capable advocate for his clients and is competent in the practice of law.

---

3. Maria Salaices was called as a witness by the Petitioner. Ms. Salaices is a paralegal. She first worked as a paralegal for a firm in Columbia, South Carolina. In 2006, she was hired as a paralegal with the firm of Perrotta, Cahn & Prieto, PC and now works both for its successor firm, Perrotta, Cahn & Associates, PC, and for Petitioner. She is bi-lingual in Spanish and English.

Ms. Salaices testified she has known and worked for Mr. Meaney since 2006. Many of the firm's and Mr. Meaney's clients are Hispanic and, with her language skills, she is involved in all aspects of Mr. Meaney's law practice, including initial interviews with the clients, preparation of pleadings, briefs, and notices, obtaining and organizing evidence, interviewing witnesses, scheduling depositions, court appearances, and mediations, and in some cases attending court with the clients and Mr. Meaney. As a result, she has had an opportunity to observe Petitioner's ability to practice law and to compare his ability with other practitioners.

Ms. Salaices testified that Mr. Meaney is an experienced and dedicated attorney, is a caring, diligent, and competent advocate for his clients, and is capable of continuing the practice of law.

Ms. Salaices further testified that she believes Mr. Meaney also possesses the moral integrity for reinstatement to the practice of law. She is not aware of any complaints made by anyone that Mr. Meaney has

---

threatened, harassed, intimidated, or tried to embarrass them. Nor is he aware of any detrimental conduct on Mr. Meaney's part. She mentioned that Mr. Meaney is her son's godfather.

4. Mr. Meaney testified. He has been admitted to practice in Georgia since 1974 and in Tennessee since 1989.

When Mr. Meaney was first admitted to practice in Tennessee, he was a member of a firm with an office in Chattanooga. From 1989 until 2004, while a member of that firm, he tried numerous civil and criminal cases in the Circuit, Chancery, and Criminal courts of Hamilton County, as well as surrounding counties and in northwest Georgia. The firm dissolved in 2004, and Mr. Meaney accepted a position as an associate attorney with a multi-state practice civil and insurance defense firm and, from 2004 until 2006, practiced primarily in Georgia, first with an office in Atlanta and from September 2005 until March 2006 in Chattanooga.

In August 2006, Mr. Meaney became associated with Perrotta, Cahn & Prieto, PC, and practiced law in their office in Dalton, Georgia. Mr. Meaney had general practice with an emphasis in litigation and trial work. He focuses on personal injury and worker's compensation claims, divorce and family law matters, and criminal defense. Mr. Meaney believes he is an experienced and skillful advocate and is well qualified and competent to be reinstated to the practice of law in Tennessee.

Mr. Meaney acknowledged that the conduct leading to the disciplinary proceedings was negligent, that he was solely responsible for that conduct, that he sincerely regrets those oversights, and that he does not expect that there will be another similar incident. Mr. Meaney also stated that the inappropriate and negligent conduct did not involve any criminal conduct, fraud, deceit or misrepresentation, and he believes there was no actual or potential injury to any client, the public, or the legal system.

From the petition and the record, it appears that since this disciplinary proceeding first commenced in 2011, Mr. Meaney has maintained his CLE requirements in both Tennessee and Georgia; his professional privilege taxes have been paid; and all remaining costs from the disciplinary proceedings and the appeal to the Chancery Court of Davidson County and all Bar dues have also been paid and are up to date.

Finally, Mr. Meaney testified he has never been convicted of any felony or misdemeanor involving moral turpitude. Except for the disciplinary process in Tennessee that resulted in reciprocal discipline in Georgia, he has not been disciplined by the State Bar of Georgia or any other professional licensing agency. He is member of a men's fraternal and service organization. He has supported Orange Grove Center. Mr. Meaney believes he has the moral integrity to allow him to be reinstated to the practice of law in Tennessee.


### **Conclusion and Recommendation**

After considering the testimony, argument by counsel, and the record as a whole, and in accordance with the provisions of Section 30.4 (d) (1) of Rule 9, this Panel concludes that the Petitioner, James A. Meaney, III, has established by clear and convincing evidence that he has the moral qualifications, competency, and learning in law required for admission to practice law in this State; Petitioner's resumption of the practice of law in Tennessee will not be detrimental to the standing and integrity of the Bar or the administration of justice, or subversive to the public interest; and the Petitioner has substantially complied with all conditions set out in the Order imposing discipline, including the payment of all remaining costs incurred by the Board in prosecuting the preceding disciplinary proceeding and the subsequent appeal of that decision.

It is unclear why, but Petitioner was not able to identify someone who would serve as a Practice Monitor as part of the requirements of his efforts to be reinstated to practice law in Tennessee. Accordingly, this Panel recommends that the Petitioner, James A. Meaney, III, be reinstated to the practice of law in the State of Tennessee, with the condition that the Board of Professional Responsibility appoint a Practice Monitor within thirty (30) days. The Practice Monitor shall submit quarterly reports, for a period of one (1) year from the date of the Supreme Court's Order reinstating Mr.

Meaney to practice, to the Board regarding Mr. Meaney's compliance with all Bar rules and CLE requirements, payment of professional privilege taxes, bar dues, any additional costs associated with this disciplinary matter, and other matters reasonably believed by the Practice Monitor to be relevant to Petitioner's qualifications to practice law in Tennessee.

Respectfully submitted this 10<sup>th</sup> day of March, 2016.

  
Cameron Strawbridge Hill

  
Michael Everett Jenne

  
William Holt Smith

**NOTICE: This judgment may be appealed by filing a Petition for Review in the appropriate Circuit or Chancery Court in accordance with Tenn. Sup. Ct. R. 9, § 33 (2014).**



**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing *Report and Recommendation* has been sent to Petitioner, James A. Meaney, III, 319 Selvidge Street, Dalton, GA 30720, by Electronic Mail and U.S. First Class Mail, and hand-delivered to A. Russell Willis, Disciplinary Counsel, on this the 10<sup>th</sup> day of March, 2016.



Rita Webb  
Executive Secretary