



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

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RELEASE OF INFORMATION
RE: CARLOS E. MOORE, BPR #028649
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BOARD OF PROFESSIONAL RESPONSIBILITY
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May 14, 2019

TENNESSEE LAWYER CENSURED

On May 13, 2019, the Tennessee Supreme Court imposed a Public Censure on attorney Carlos E. Moore of Grenada, Mississippi.

Mr. Moore represented the plaintiff in a personal injury case. His contingency fee agreement provided, "Should I refuse to make any settlement which my attorneys advise me is reasonable and should be taken, then I understand that I am responsible for their fee on the basis of that offer, unless they waive this provision." Mr. Moore recommended that his client accept a settlement offer, his client refused and Mr. Moore moved to withdraw as his client's attorney.

A hearing panel found that Mr. Moore had violated the Rules of Professional Conduct and recommended that he be publicly censured. Mr. Moore appealed the decision to the Shelby County Chancery Court, which affirmed the decision of the hearing panel. Mr. Moore then appealed to the Tennessee Supreme Court. The Tennessee Supreme Court affirmed the judgment of the trial court.

The Supreme Court found that Mr. Moore violated Rules of Professional Conduct 1.5, Fees; 1.8, Conflicts of Interest; and 8.4(a), Misconduct, because his fee was not contingent on the eventual recovery but rather on his client's refusal to accept the settlement offer that he advised to be accepted.

A public censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.