

IN DISCIPLINARY DISTRICT VI
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE

IN RE: CHARLES CRAIG MORROW BPR NO. 3269 FILE NO. 32410-6-KB; 32538-6-KB
Respondent, an attorney licensed
to practice law in Tennessee
(Davidson County)

PUBLIC CENSURE

The above complaint was filed against Charles Craig Morrow, an attorney licensed to practice law in Tennessee, alleging certain acts of misconduct. Pursuant to Supreme Court Rule 9, the Board of Professional Responsibility considered these matters at its meeting on December 11, 2009.

Informant represented parties in a personal injury matter who settled the case with the understanding that they would be responsible for any subrogation claims that may be brought later. After settlement of the case, Informant's former clients were brought into a civil action by an insurer seeking to subrogate a claim paid on their behalf. Informant was also brought into the civil action. Informant retained Tom Smith to defend him in the civil action. On July 21, 2009, Mr. Smith sent correspondence to Informant's former clients advising that he represented Informant in the matter. On July 27, 2009, Informant's former clients contacted Respondent about representation in the matter, which was scheduled in court for July 29, 2009. Respondent advised that he was unavailable for court on that day, but did not think it would be a problem to get a continuance. The civil action was continued and on July 30, 2009, Respondent discussed the matter further with Informant's former client. Respondent called Tom Smith on July 30,

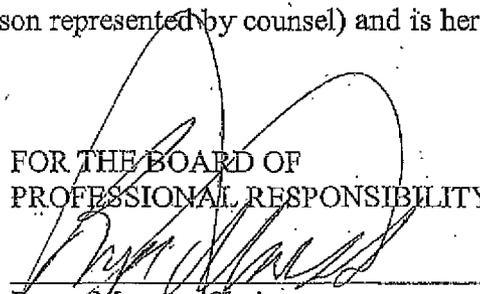
2009, to further discuss the case and a message was left for Informant, but no detail was made regarding Respondent's reason for the call. On July 31, 2009, Respondent sent a letter to Informant acknowledging Tom Smith's representation of Informant. On July 31, 2009, Informant returned Respondent's call. When it was evident to Informant that Respondent intended to discuss the civil action involving Informant's former clients, Informant advised Respondent that he was represented by Mr. Smith and did not wish to discuss the matter further. Informant alleges that Respondent refused to discontinue the conversation and stated that he had already contacted Informant's attorney but had received no response. Informant also alleges that Respondent made reference to the letter Mr. Smith sent to Informant's former clients which indicated that Mr. Smith represented Informant. Informant further alleges that Respondent threatened to report him to the Board of Professional Responsibility if he refused to pay half of plaintiff's settlement demand in the civil action. Respondent states in a letter to Disciplinary Counsel that "[t]he bottom line is that on July 31st when [Informant] was talking to me at first, I didn't know that Tom Smith had been retained as his attorney until we were over half way through the conversation."

Respondent represented the husband in a contentious divorce. The husband was under an Order of Protection that prohibited contact with his wife. Informant represented the wife in the divorce. Respondent and Informant worked out an agreement whereby the husband could come to the marital residence to retrieve some of his personal property. Respondent advised the husband to bring a witness with him in case problems arose. When the husband arrived at the marital home, the wife refused to allow husband's witness to retrieve the property. Husband contacted Respondent and informed him of the problem. Respondent was unable to get in contact with Informant, and contacted the wife directly to find out why she would not allow the

husband to retrieve the personal property. Respondent admitted to Disciplinary Counsel that he had communication with the wife without consent of Informant. Informant filed a Motion to Recuse and Respondent voluntarily withdrew from the case.

By the aforementioned facts, Charles Craig Morrow has violated Rules of Professional Conduct RPC 4.2 (communication with person represented by counsel) and is hereby Publically Censured for these violations.

FOR THE BOARD OF
PROFESSIONAL RESPONSIBILITY



Roger Maness, Chair

1-14-10

Date