



BOARD OF PROFESSIONAL RESPONSIBILITY of the SUPREME COURT OF TENNESSEE

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RELEASE OF INFORMATION
RE: CLAY SPENCER NAILS, REG. NO. 17498
CONTACT: THERESA M. COSTONIS
BOARD OF PROFESSIONAL RESPONSIBILITY

September 17, 2001

MISSISSIPPI LAWYER CENSURED

Clay Spencer Nails, a lawyer with offices in Corinth, Mississippi, who is also licensed to practice in Tennessee, was publicly censured by the Board of Professional Responsibility on September 17, 2001. A Public Censure is a form of public discipline which declares the conduct of the lawyer improper, but does not limit the lawyer's right to practice law.

Lawyers are required to attend continuing legal education ("CLE") classes each year to maintain their licenses to practice law. In 1997, Mr. Nails did not attend the required CLE classes, and failed to obtain the required CLE credits after being notified by the Commission on Continuing Legal Education and Specialization that his license to practice law would be suspended if he did not do so. Accordingly, Mr. Nails' license was suspended by Order of the Tennessee Supreme Court on December 23, 1997, until he obtained those credits. A lawyer whose license is suspended may not practice law in Tennessee. Mr. Nails nevertheless did practice law in Tennessee while his license was suspended. Mr. Nails had four cases pending before the United States Bankruptcy Court for the Western District of Tennessee on April 4, 2000, despite the fact that he had not cured his CLE credit deficiency following the notice he received in late 1997 and was still suspended at the time these four matters were pending. Mr. Nails later cured his CLE deficiency and his Tennessee license was reinstated on May 17, 2000.

The censure was issued by the Board of Professional Responsibility and there was no request for a hearing by Mr. Nails. The Board of Professional Responsibility determined Mr. Nails practiced law in violation of the regulations of this jurisdiction, disobeyed an Order of the Supreme Court of Tennessee, and thus engaged in conduct that adversely reflected on his fitness to practice law, in violation of DR 1-102(A)(1)(6), DR 3-101(B), and DR 7-106(C)(5)(6)(7) of the Code of Professional Responsibility.