



BOARD OF PROFESSIONAL RESPONSIBILITY

of the

SUPREME COURT OF TENNESSEE

1101 KERMIT DRIVE, SUITE 730
NASHVILLE, TENNESSEE 37217
TELEPHONE: (615) 361-7500
(800) 486-5714
FAX: (615) 367-2480
E-MAIL: ethics@tbpr.org

LANCE B. BRACY
CHIEF DISCIPLINARY COUNSEL

LAURA L. CHASTAIN

RELEASE OF INFORMATION
RE: SAMUEL L. PERKINS, BPR #11857
CONTACT: JESSE D. JOSEPH
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

December 30, 2004

MEMPHIS LAWYER CENSURED

Samuel L. Perkins, of Memphis, was publicly censured by the Board of Professional Responsibility on December 28, 2004. The censure was issued by the Board pursuant to Rule 9, Section 8 of the Rules of the Tennessee Supreme Court. Perkins did not request a hearing on the matter.

In one complaint filed against Perkins, the Board found that he failed to render effective assistance of counsel to a former client in a homicide prosecution, by failing to discover a material witness, by not calling such witness to testify at trial and by losing all record of the witness. In late 1998, the Tennessee Court of Criminal Appeals upheld the client's post-conviction petition and remanded the matter to the Shelby County Criminal Court.

The Board placed this disciplinary investigation in abeyance while further proceedings in the client's matter were before the trial and appellate courts after the 1998 remand. In early 2003, the Board reactivated its investigation after learning that respondent's former client was convicted of second degree murder at retrial, and that the client received a 15 year sentence. In November 2004, Disciplinary Counsel and respondent entered into a conditional settlement agreement whereby respondent would be publicly censured for his neglect, and whereby respondent would be required to cooperate with his practice assistance monitor and ensure said monitor provides quarterly progress reports to the Board for one year after the filing date of any Public Censure imposed. Respondent's practice assistance monitor has agreed to review his caseload periodically, and to review with respondent and provide further instructions on ensuring respondent's compliance with the Criminal Defense Standards applicable to investigation and preparation.

On December 10, 2004, the Board approved the conditional settlement agreement negotiated between Disciplinary Counsel and respondent.

JDJ:mw
Perkins 21170 rel.doc