

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

FILED

2011 OCT 25 AM 11:54

BOARD OF PROFESSIONAL
RESPONSIBILITY

RW EXEC. SEC^Y

IN RE: MIMI PHILLIPS, BPR NO. 6320
Respondent, an attorney licensed
to practice law in Tennessee
(Shelby County)

FILE NO. 33899-9-PS

PUBLIC CENSURE

The above complaint was filed against Mimi Phillips, 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 September 9, 2011.

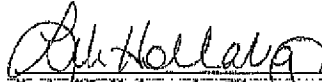
The Respondent alleged in a petition in a child custody case that her client had always paid child support. However, the Respondent failed to include in the petition that her client owed a child support arrearage of about \$3,000. The trial judge expressed concern that the Respondent, in alleging her client had always paid his child support, had violated Rule of Professional Conduct 3.3, because a material fact, his child support arrearage, had not been disclosed. In a letter of explanation to the judge, the Respondent misrepresented her prior disciplinary history.

By stating in the petition that her client had always paid his child support without disclosing his substantial child support arrearage, the Respondent violated Rule 3.3. Also, the Respondent's representation to the court about her prior disciplinary history was incorrect. In addition to violating Rule 3.3, this statement violated Rule 8.4(c).


By the aforementioned facts, Mimi Phillips has violated Rules of Professional Conduct

3.3 (candor to the tribunal) and 8.4(e) (misrepresentation) and is hereby Publicly Censured for these violations.

FOR THE BOARD OF
PROFESSIONAL RESPONSIBILITY



Lela Hollabaugh, Chair



Date