



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

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RELEASE OF INFORMATION
SHELLEY ROTHMAN-BRANNING, BPR# 10830
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BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

September 4, 2012

MEMPHIS LAWYER SUSPENDED

On August 31, 2012, Shelley Rothman-Branning of Memphis, Tennessee, was suspended by the Tennessee Supreme Court for eleven (11) months, twenty-nine (29) days, consisting of sixty (60) days active suspension and the remainder on probation, pursuant to Supreme Court Rule 9, Section 4.2. The suspension will become effective on September 10, 2012.

The Board of Professional Responsibility had previously filed a Petition for Discipline against Ms. Rothman-Branning, pursuant to Supreme Court Rule 9. Ms. Rothman-Branning submitted a Conditional Guilty Plea that was approved by the Hearing Panel, the Board and the Supreme Court. Ms. Rothman-Branning violated the Rules of Professional Conduct by agreeing to use previously disbursed and unclaimed funds belonging to third persons from her firm's trust account to pay operating expenses of the law firm. The unclaimed funds related to real estate transactions. Ms. Rothman-Branning voluntarily reported her actions to the Board. All funds were replaced in the trust account and then properly disbursed, resulting in no financial loss to the third persons. Ms. Rothman-Branning's actions violated Rules of Professional Conduct 1.15 (Safekeeping Property and Funds) and 8.4 (Misconduct).

Ms. Rothman-Branning was further ordered to perform forty (40) hours of *pro bono* work at a provider of her choice. Ms. Rothman-Branning must pay the expenses and costs of the disciplinary proceedings, pursuant to Supreme Court Rule 9, Section 24.3, and fully comply in all respects with the requirements and obligations of suspended attorneys as set forth in Supreme Court Rule 9, Section 18.

Rothman-Branning 2054-9 rel.doc

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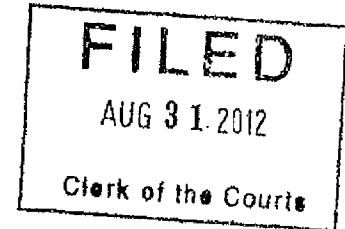
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IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE **SHELLEY ROTHMAN-BRANNING, BPR #10830**

An Attorney Licensed to Practice Law in Tennessee
(Shelby County)

No. M2012-01828-SC-BPR-BP
BOPR No. 2011-2054-9-RW



ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed June 15, 2011 in Docket No. 2011-2054-9-RW by the Board of Professional Responsibility ("Board") against Shelley Rothman-Branning; upon Ms. Rothman-Branning's Answer to the Petition for Discipline filed July 8, 2011; upon Ms. Rothman-Branning's Amended Answer to the Petition for Discipline filed October 13, 2011; upon entry of a Conditional Guilty Plea filed by Ms. Rothman-Branning on June 20, 2012; upon an Order Recommending Approval of Conditional Guilty Plea entered on June 27, 2012; upon consideration and approval by the Board on August 14, 2012; and upon the entire record in this cause.

From all of which the Court approves the recommendation of the Hearing Panel and accepts the Conditional Guilty Plea.

It is therefore, ordered, adjudged, and decreed by the Court that:

1. Shelley Rothman-Branning shall be and is hereby suspended from the practice of law for eleven (11) months, twenty-nine (29) days, pursuant to Tenn. Sup. Ct. R. 9, § 4.2. Ms. Rothman-Branning's suspension shall consist of sixty (60) days active suspension and the remainder on probation.

2. The eleven (11) month, twenty-nine (29) day suspension is subject to the following condition:

During the probationary period, Ms. Rothman-Branning shall perform forty (40) hours of *pro bono* work at a provider of her choice, and then provide proof of such to Disciplinary Counsel.

3. The suspension shall become effective ten (10) days after the filing of this Order.

4. Ms. Rothman-Branning shall comply in all aspects with Tenn. Sup. Ct. R. 9, § 18 regarding the obligations and responsibilities of suspended attorneys.

5. Pursuant to Tenn. Sup. Ct. R. 9, § 24.3, Ms. Rothman-Branning shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$563.99 and, in addition, shall pay to the Clerk of this Court the costs incurred herein, within ninety (90) days of the entry of this Order, for all of which execution may issue if necessary.

6. The Board shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 18.10.

FOR THE COURT:



WILLIAM C. KOCH, JR., JUSTICE