



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

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RELEASE OF INFORMATION
RE: LYNDA W. SIMMONS, BPR #14424
CONTACT: EILEEN BURKHALTER SMITH
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

October 23, 2012

OVERTON COUNTY LAWYER CENSURED

On October 22, 2012, Lynda W. Simmons, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Supreme Court of Tennessee.

In agreement with her client's daughter, Ms. Simmons prepared a deed transferring her client's real property to Ms. Simmons' husband, which she did not intend to record unless the client was being improperly influenced. The client executed the deed. Almost one year later, Ms. Simmons recorded the deed. Twelve days later, at the request of the client, Ms. Simmons' husband executed a deed returning the property. Also, Ms. Simmons disclosed confidential information about her client.

By the above acts, Lynda W. Simmons has violated Rules of Professional Conduct 1.6 (confidential information) and 1.8 (conflict of interest) and is hereby Publicly Censured for this violation.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

Simmons 35263-4 rel.doc

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

IN RE: LYNDA W. SIMMONS, BPR NO. 14424
Respondent, an attorney licensed
to practice law in Tennessee
(Overton County)

FILE NO. 35263-4-ES

PUBLIC CENSURE

The above complaint was filed against Lynda W. Simmons, an attorney licensed to practice law in Tennessee, alleging certain acts of misconduct. Pursuant to Tenn. Sup. Ct. R. 9, the Board of Professional Responsibility considered these matters at its meeting on September 21, 2012.

Respondent prepared a will for her client, which left his real property to his gravely-ill daughter, or if she was no longer living, to a family friend. The client's daughter was concerned that the family friend would take advantage of the client. In an attempt to protect her client, Respondent and daughter agreed that Respondent would prepare two deeds—one transferring the client's property to Respondent's husband, and one returning the property—which Respondent would hold in her office to be recorded only in the event that the client was being influenced by the family friend.

The client executed a deed transferring his real property to Respondent's husband, but he does not recall doing so. Almost one year later, the daughter died, and Respondent recorded the deed transferring the client's real property to Respondent's husband. At the request of subsequent counsel for the client, Respondent's husband executed a deed returning the property

twelve days later. In the course of these events, Respondent told two nursing home workers and the client's niece confidential information about her client.

By the aforementioned acts, Lynda W. Simmons, has violated Rules of Professional Conduct 1.6 (confidential information) and 1.8 (conflict of interest) and is hereby Publicly Censured for these violations.

FOR THE BOARD OF
PROFESSIONAL RESPONSIBILITY



Lela Hollabaugh, Chair

October 22, 2012

Date