



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

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RELEASE OF INFORMATION
RE: AUNDREAS W. SMITH, BPR #17169
CONTACT: ALAN D. JOHNSON
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

April 4, 2018

WILLIAMSON COUNTY LAWYER CENSURED

On April 4, 2018, Aundreas W. Smith of Williamson County, Tennessee, was publicly censured by Order of the Tennessee Supreme Court. The Court further ordered Ms. Smith to pay restitution to one client, complete an additional three hours of continuing legal education with a focus on management of IOLTA accounts and accounting associated with contingency fee cases, and pay costs and expenses to the Board of Professional Responsibility.

On May 23, 2017, the Board filed a Petition for Discipline against Ms. Smith. The Petition for Discipline included one (1) complaint of disciplinary misconduct alleging that Ms. Smith took her fee from medical payments issued by her client's insurance company and deposited the medical payment checks into her operating account rather than her IOLTA account. She also failed to provide her client with a written settlement statement.

A hearing panel determined that Ms. Smith violated Rules of Professional Conduct 1.5(c) (fees), 1.15 (safekeeping property), and 8.4(a) (misconduct). For these violations, the Supreme Court of Tennessee publicly censured Ms. Smith.

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

Smith 2720-6 rel.doc

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
04/04/2018
Clerk of the
Appellate Courts

IN RE: AUNDREAS W. SMITH, BPR #17169
An Attorney Licensed to Practice Law in Tennessee
(Williamson County)

No. M2018-00600-SC-BAR-BP
BOPR No. 2017-2720-6-AJ

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Attorney Aundreas W. Smith on May 23, 2017; upon Ms. Smith's Response to the Petition for Discipline filed on July 24, 2017; upon a Conditional Guilty Plea filed by Ms. Smith on January 30, 2018; upon an Order Recommending Approval of Conditional Guilty Plea entered February 6, 2018; upon service of the Order Recommending Approval of Conditional Guilty Plea on Ms. Smith by the Executive Secretary of the Board on February 6, 2018; upon consideration and approval by the Board on March 9, 2018; and upon the entire record in this cause.

From all of which the Court approves the Order of the Hearing Panel and adopts the Hearing Panel's Order Recommending Approval of Conditional Guilty Plea as the Court's Order.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT THAT:

- (1) Pursuant to Tenn. Sup. Ct. R. 9, § 12.4, Aundreas W. Smith is publicly censured.
- (2) Pursuant to Tenn. Sup. Ct. R. 9, § 12.7, Ms. Smith shall pay restitution to Tamika Parker in the amount of \$1,274.84 no later than thirty (30) days from entry of this Order of Enforcement.
- (3) Pursuant to Tenn. Sup. Ct. R. 9, § 12.8, as conditions of the public censure, Ms. Smith must comply with the following:
 - (a) Within ninety (90) days from entry of this Order of Enforcement, Ms. Smith shall complete an additional three (3) hours of Continuing

Legal Education (CLE) that focuses on the ethics of attorney fees, client billing and management of client funds.

(b) Provide Disciplinary Counsel with proof of compliance of this condition.

(c) Failure to comply with any of these conditions may result in further proceedings pursuant to Tenn. Sup. Ct. R. 9.

(4) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1, this Order shall be effective upon entry.

(5) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Ms. Smith shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$273.10 and 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 of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 28.11.

PER CURIAM