



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

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**RELEASE OF INFORMATION**  
**RE: EDMUND VICTOR SMITH, BPR #26986**  
**CONTACT: ALAN D. JOHNSON**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

September 1, 2015

**CHRISTIAN COUNTY, KENTUCKY LAWYER CENSURED**

On September 1, 2015, Edmund Victor Smith, of Christian County, Kentucky was publicly censured by the Tennessee Supreme Court.

The Board of Professional Responsibility filed a Petition for Discipline, and a Supplemental Petition for Discipline, against Mr. Smith pursuant to Rule 9, Rules of the Supreme Court. Mr. Smith submitted a Conditional Guilty Plea acknowledging violations of Tennessee Supreme Court Rule 8, Rules of Professional Conduct 1.4 (communication); 1.5 (fees); 1.16(d) (6) (declining and terminating representation); and 8.4(a) (misconduct).

Mr. Smith did not promptly refund an advance payment of fees after he withdrew from representation. He also failed to enter into a written fee agreement with another client and did not adequately communicate with his clients.

For these violations, the Tennessee Supreme Court publicly censured Edmund Victor Smith. A public censure is a rebuke and warning to the attorney, but does not affect the attorney's ability to practice law.

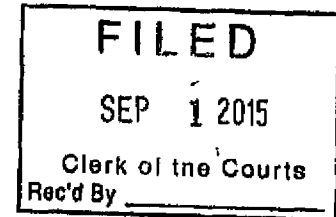
IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**IN RE: EDMUND VICTOR SMITH, BPR #26986**  
An Attorney Licensed to Practice Law in Tennessee  
(Christian County, Kentucky)

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No. M2015-01660-SC-BAR-BP  
BOPR No. 2014-2388-0-AJ

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**ORDER OF ENFORCEMENT**

This matter is before the Court upon a Petition for Discipline filed against Edmund Victor Smith on November 6, 2014; upon a Response to Petition for Discipline filed by Mr. Smith on March 6, 2015; upon a Supplemental Petition for Discipline filed on May 4, 2015; upon a Response to Supplemental Petition for Discipline filed by Mr. Smith on May 26, 2015; upon entry of a Conditional Guilty Plea filed by Mr. Smith on July 21, 2015; upon an Order Recommending Approval of Conditional Guilty Plea entered on July 31, 2015; upon consideration and approval by the Board on August 11, 2015; 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.

On July 25, 2014, Mr. Smith was temporarily suspended by this Court pursuant to Tenn. Sup. Ct. R. 9, § 12.3 (Case No. M2014-01412-SC-BAR-BP). To date, Mr. Smith has not requested, nor been granted reinstatement.

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

(1) Edmund Victor Smith is publically censured, pursuant to Tenn. Sup. Ct. R. 9, § 12.4, subject to the following conditions:

- (a) Mr. Smith shall pay restitution to Johnny Miller in the amount of \$3,500.00. In the event restitution to Mr. Miller is paid by the Tennessee Lawyers Fund for Client Protection (TLFCP), Mr. Smith

will be responsible for reimbursement to the TLFCP of the same amount.

- (b) Failure to make restitution to Mr. Miller within ninety (90) days from the date of the Supreme Court's Order of Enforcement, or pay TLFCP within ninety (90) days from notification that payment is owed, shall constitute a separate violation of the Rules of Professional Conduct and will subject Mr. Smith to disciplinary action by the Board.

(2) Further, the Order of Temporary Suspension entered on July 25, 2014 in Case No. M2014-01412-SC-BAR-BP is hereby dissolved.

(3) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Mr. Smith shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$212.16 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.

(4) The Board of Professional Responsibility shall cause notice of this discipline to be published.

PER CURIAM