



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

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RELEASE OF INFORMATION
RE: MICHAEL LEE WEST, BPR #1868
CONTACT: A. RUSSELL WILLIS
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

November 19, 2014

HAMILTON COUNTY LAWYER DISBARRED

On November 14, 2014, Michael Lee West, of Hamilton County, Tennessee, was disbarred by the Tennessee Supreme Court, pursuant to Tennessee Supreme Court Rule 9 Section 4.2 and ordered to pay restitution to four (4) former clients. The order of disbarment is effective November 24, 2014.

On April 11, 2014, a Petition for Discipline was filed against Mr. West based upon three complaints of misconduct. Subsequent to the filing of the Petition for Discipline, the Board received three additional ethical complaints. In the first complaint, Mr. West misappropriated approximately \$45,000.00 in settlement proceeds he held in trust for his client and/or third-party medical providers. In the second complaint, Mr. West accepted a retainer fee to file a detainer action but delayed filing the detainer action for a year. After being terminated, Mr. West refused to refund the retainer fee or communicate with his client. In the third complaint, Mr. West deposited a non-refundable earned fee into his trust account and, thereafter, wrote a trust check payable to himself for the fee. The bank honored Mr. West's trust check; however, the client's check was subsequently returned for insufficient funds placing the trust account in a negative balance. Mr. West represented to the Board he would deposit funds into his trust account sufficient to reimburse the bank for its loss but did not honor his commitment. In the fourth and fifth complaints, Mr. West failed to provide legal services for which he was retained, failed to communicate with his clients to apprise them of the status of their respective case and failed to respond to requests for refunds by the clients. In the last complaint, Mr. West engaged in the unauthorized practice law in violation of the Order of Temporary Suspension entered by the Supreme Court on March 18, 2014.

Mr. West has admitted his conduct is in violation of Rules of Professional Conduct 1.3 (diligence); 1.4 (communication); 1.5 (fees); 1.15 (safekeeping property and funds); 1.16 (declining or terminating representation); 3.2 (expediting litigation) and 8.4(a), (c) and (d) (misconduct).

Mr. West must comply with Tennessee Supreme Court Rule 9, Section 18 (2006) and Rule 9, Section 30.4 (2014) regarding the obligations and responsibilities of disbarred attorneys and the procedure for reinstatement. Mr. West must pay the Board's costs and expenses prior to reinstatement to the practice of law.