



BOARD OF PROFESSIONAL RESPONSIBILITY
of the
SUPREME COURT OF TENNESSEE

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RELEASE OF INFORMATION
RE: W. ALLEN BARRETT, BPR #10894
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BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

January 29, 2004

NASHVILLE ATTORNEY CONDITIONALLY CENSURED

On January 27, 2004, the Board of Professional Responsibility publicly censured Nashville attorney W. Allen Barrett. Barrett was given notice of the censure and did not request a hearing.

The complaint giving rise to the censure concerned Barrett's representation of a client in a child support case. The client paid Barrett \$2,500.00 to appeal a child support case. After a warning from the Court of Appeals, Barrett failed to file the required brief and the client's appeal was dismissed. Barrett signed a contract with the client on April 16, 2001 acknowledging Barrett was guilty of professional negligence/legal malpractice. Barrett further contracted with the client that in exchange for the client giving up his right to sue Barrett, Barrett agreed to pay the client \$750.00 per month until Barrett had paid a total of \$27,000.00 plus 10% interest. Barrett then executed this contract and a promissory note. Barrett paid the client through August 2002. The client subsequently obtained new counsel who sued Barrett and obtained a judgment by default against Barrett in the amount of \$23,615.04 on June 17, 2003. Since the client obtained this judgment, Barrett still has not paid the client. The Board of Professional Responsibility publicly censures Barrett for his violations of Rules 1.1; 1.3; 1.8(h) and 8.4(a)(d) and (g). The Board's public censure of Barrett is conditioned upon Barrett's resumption of and continued timely payments to the client. Should Barrett fail to timely pay the client, the Board shall revoke the censure and file formal disciplinary charges against Barrett.

A censure declares Barrett's actions to be improper conduct, but does not limit Barrett's right to practice law.

SG:mw

Barrett 26449 rel.doc