BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE

<u>RELEASE OF INFORMATION</u>
<u>RE: MITCHELL STANLEY GIVENS, JR., BPR #6819</u>
<u>CONTACT: A. RUSSELL WILLIS</u>
<u>BOARD OF PROFESSIONAL RESPONSIBILITY</u>
<u>615-361-7500</u>

August 14, 2015

<u>WASHINGTON COUNTY LAWYER SUSPENDED</u>

On August 13, 2015, Mitchell Stanley Givens, Jr., of Johnson City, Tennessee, was suspended from the practice of law by Order of the Tennessee Supreme Court for one (1) year with thirty (30) days to be served as an active suspension and the remainder served on probation, subject certain obligations set forth in the Supreme Court's Order. Mr. Givens must pay the Board's costs and expenses and the court costs within ninety (90) days of the entry of the Order of Enforcement. The order is effective upon entry.

The Board of Professional Responsibility filed a Petition for Discipline against Mr. Givens on August 4, 2014, and a Supplemental Petition for Discipline on March 27, 2015, alleging Mr. Givens misrepresented himself online as a Supreme Court Rule 31 listed mediator; failed to have his client execute a written contingency fee agreement; failed to promptly distribute settlement proceeds to his client; and misled his client to believe her personal injury action was still pending. Mr. Givens entered into a Conditional Guilty Plea admitting to the misconduct. In mitigation, Mr. Givens forfeited his contingency fee and cooperated fully with the Board.

Mr. Givens' actions violated Rules of Professional Conduct 1.3 (diligence), 1.4 (communication), 1.5 (fees), 1.15 (safekeeping property), 1.16 (terminating representation), 7.1 (communications concerning a lawyer's services) and 8.4 (misconduct). Mr. Givens must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 30 (2014), regarding the obligations and responsibilities of suspended attorneys.

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