

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

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RELEASE OF INFORMATION
RE: ROY PATRICK NEUENSCHWANDER, BPR #921
CONTACT: ALAN JOHNSON
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

February 5, 2015

KNOX COUNTY LAWYER SUSPENDED

On February 2, 2015, Roy Patrick Neuenschwander, of Knoxville, Tennessee, was suspended from the practice of law for eleven (11) months and twenty-nine (29) days by Order of the Tennessee Supreme Court. The suspension is to be served on probation subject to the condition that Mr. Neuenschwander make monthly payments of restitution, and attend a continuing legal education program on ethics which includes IOLTA and trust account materials. Mr. Neuenschwander must pay the Board's costs and expenses and the court costs.

A Petition for Discipline was filed on April 16, 2013, that included one (1) complaint of misconduct. After settling a personal injury case, Mr. Neuenschwander's client asked to keep her settlement proceeds in his trust account until she could decide what to do with them. On two occasions, Mr. Neuenschwander asked if he could borrow money from her settlement proceeds, and she agreed. Shortly after the loans, his client passed away and Mr. Neuenschwander agreed to represent her son in connection with her estate. He then signed a promissory note in which he agreed to re-pay the loan to the son. Mr. Neuenschwander did not advise either client of a conflict of interest and the need to obtain independent legal advice, nor did he obtain the clients' written, informed consent.

A Hearing Panel held that Mr. Neuenschwander violated RPC 1.7, (Conflicts of Interest: Current Clients); 1.8(a) (3), (Conflicts of Interest: Prohibited Transactions); and 8.4, (Misconduct). The Circuit court affirmed the Hearing Panel.

Mr. Neuenschwander must comply with the requirements of Tennessee Supreme Court Rule 9, Section 18 (2006) and Tennessee Supreme Court Rule 9, Section 30.4 (2014), regarding the obligations and responsibilities of suspended attorneys. The effective date of the Court's Order is February 12, 2015.

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