McBRAYER



CARY B. HOWARD, JR.

Member, Ethics Counsel & General Counsel

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PRIMARY PRACTICE

Legal Ethics and Malpractice

Professional Liability Defense

ADDITIONAL PRACTICE EXPERIENCE

Administrative Law

ADMISSIONS

Kentucky Bar Association, 2003
U.S. District Court for the Eastern District of Kentucky
U.S. District Court for the Western District of Kentucky

EDUCATION

University of Kentucky, Lexington, Kentucky, B.B.A. Finance, 2000

University of Kentucky, Lexington, KY, J.D., 2003

As General and Ethics Counsel at McBrayer PLLC, Cary provides guidance on legal ethics, professional responsibility, and compliance for the firm. He represents lawyers, law firms, and judges in matters involving professional conduct and licensing. He also offers strategic counsel on disciplinary actions, conflicts of interest, and the unauthorized practice of law to ensure compliance with governing rules.

Cary's deep expertise in the law governing lawyers is rooted in his seven-year tenure as Deputy Bar Counsel for the Kentucky Bar Association. There, he investigated and prosecuted disciplinary matters across diverse practice areas, including corporate, family, criminal, tort, and intellectual property law. This experience gives him a distinctive perspective on practice management and the implementation of risk-mitigation best practices.

Cary often says that legal ethics "chose him." He's found that working with attorneys to help them solve problems is endlessly engaging and deeply rewarding.

In addition to his work at the firm, Cary serves on the Lexington-Fayette Urban County Government Ethics Commission. He is driven by a commitment to thoughtful problem-solving and to meeting the evolving technical and ethical demands of today's

legal profession.

CAPABILITIES, SUCCESSES, AND ASSIGNMENTS

- Receiver, appointed by the Federal District Court in *United States v. Eric C. Conn*, Criminal Action No. 5:17-043-DCR, (U.S. District Court, E.D. Ky.), appointed to inventory and distribute over 20,000 client files of disbarred and imprisoned former attorney.
- Served for eight years as Deputy Bar Counsel representing the Kentucky Bar Association (KBA) in investigations and disciplinary prosecutions of licensed Kentucky attorneys. Further served to advise the KBA and its Unauthorized Practice of Law (UPL) Committee on all issues related to UPL.
- As Deputy Bar Counsel, served as lead counsel in the investigation and disciplinary prosecution of some of the most complex class-action, mass tort, and criminal conspiracy cases in Kentucky history.
- In more than a decade of private practice since serving as Deputy Bar Counsel, he has represented lawyers, law firms, and judges from across the country in matters of legal and judicial ethics and professional responsibility.
- Served as both a consulting and testifying expert in ethics and professional responsibility in the state and federal courts of Kentucky.

Among his Published Decisions:

- *Kentucky Bar Association v. Conley*, 2023 S.W.3d 142 (Ky. 2006)
- *Kentucky Bar Association v. Griffiths*, 225 S.W.3d 393 (Ky. 2007)
- *Kentucky Bar Association v. Rice*, 229 S.W.3d 903 (Ky. 2007)
- *Kentucky Bar Association v. Carmichael,* 244 S.W.3d 111 (Ky. 2008)
- *Roberts v. Kentucky Bar Association*, 245 S.W.3d 207 (Ky. 2008)
- *Gallion v. Kentucky Bar Association*, 266 S.W.3d 802 (Ky. 2008)
- *Cunningham v. Kentucky Bar Association*, 266 S.W.3d 808 (Ky. 2008)
- *Kentucky Bar Association v. Bierbauer*, 282 S.W.3d 318 (Ky. 2008)
- *Kentucky Bar Association v. Justice*, 302 S.W.3d 70 (Ky. 2010)
- *Kentucky Bar Association v. Mills*, 318 S.W.3d 89 (Ky. 2010)
- *Kentucky Bar Association v. Gray,* 318 S.W.3d 94 (Ky. 2010)
- *Kentucky Bar Association v. Helmers,* 353 S.W.3d 599 (Ky. 2011)

- *Kentucky Bar Association v. Tarpinian,* 337 S.W.3d 627 (Ky. 2011)
- *Kentucky Bar Association v. Bamberger*, 354 S.W.3d 576 (Ky. 2011)
- *Kentucky Bar Association v. Edwards*, 377 S.W.3d 557 (Ky. 2012)
- *Kentucky Bar Association v. Chesley*, 393 S.W.3d 584 (Ky. 2013)

Kentucky Leader

- Ethics Commission, Lexington-Fayette Urban County Government, Member (2013 - present)

Professional Activities

- Fayette County Bar Association
- Kentucky Bar Association
- Association of Professional Responsibility Lawyers, Member (2013 - present)
- American Bar Association, Center for Professional Responsibility, (2020 - present)
- General Counsel Roundtable - Mid-size Firms (2021 - present)

News

Members Cary Howard and Valerie Michael present at "The Ethics of Helping and Well-Being"
October 6, 2026

Cary B. Howard, Jr., Named Legal Ethics Practice Chair
May 12, 2026

Corporate Transparency Act/FinCEN Litigation Update
February 20, 2025

Ethics Counsel Cary B. Howard, Jr. Interviewed by LEX 18 News
November 30, 2021

A Very Happy New Year for McBrayer with Addition of Seven Attorneys
January 21, 2021

Seminars & Speaking Engagements

Member Cary Howard, Jr. Speaks at AAMVA 2026 Workshop & Law Institute
March 18, 2026