



**BOARD OF PROFESSIONAL RESPONSIBILITY
of the
SUPREME COURT OF TENNESSEE**

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MARTY, JAMES O.

BPR # 007937

December 21, 1998

County: Shelby

District: 9

Public censure on December 21, 1998. He improperly signed the name of Allen B. Couch, a Mississippi lawyer, as local counsel on several pleadings, motions and documents filed in the Mississippi Supreme Court without Couch's express permission while representing a client in a partition suit. He relied on past consent Couch had given him in prior unrelated suits allowing Marty to practice in Mississippi pro hac vice. He neglected the matter before the Mississippi Supreme Court by failing to comply with applicable rules of procedure, resulting in the dismissal of his client's appeal. In another matter, he failed to pay his client's hospitalization insurer until February of 1997, after the client was sued, while the client's personal injury suit settled in March of 1996. He had paid only a small number of the medical lienholders as of late April 1997, when the client retained new counsel, although he received more than enough in total settlement in March 1996 to have paid all of the claims. He then failed to provide the client's new lawyer with a complete copy of the case file until August 1998.



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