

FILED
January 17, 2007
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE
Mary Woodruff
Executive Secretary

**IN DISCIPLINARY DISTRICT IX
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE**

**IN RE: DAVID E. CAYWOOD, BPR #7827
 Respondent, An Attorney
 Licensed to Practice
 Law in Tennessee
 (Shelby County)**

**FILE NO. 29462-9-SG
FILE NO. 29503-9-SG
FILE NO. 29491c-9-SG**

PUBLIC CENSURE

FILE NO. 29462-9-SG

The Complainant retained the Respondent in July, 2003, to represent the Complainant in a child support case. The Complainant paid to the Respondent \$6,400 for a settlement which was not in writing and fell through. The Respondent still has not finalized the Complainant's case and infrequently returns the Complainant's calls. In mitigation, the Respondent states that delays with the Complainant's case have been a result of the Respondent's and his wife's health problems. The Respondent continues to represent the Complainant at no charge. The Respondent's neglect of the Complainant's child support case and his failure to

communicate with his client violates Rules 1.3; 1.4 and 8.4(a)(d) of the Tennessee Rules of Professional Conduct.

FILE NO. 29503-9-SG

The Complainant retained the Respondent in November, 2003, regarding the Complainant's husband's Petition to Decrease Child Support. On June 23, 2004, the Complainant did have a hearing on her husband's Petition for Modification of parenting Plan. This hearing was postponed at the end of the second day. The Complainant's case has never been set for a hearing. In mitigation, the Respondent states the Complainant's case has been neglected due to the Respondent and his wife's health problems. The Respondent's neglect of the Complainant's case and the Respondent's failure to be responsive to the Complainant's inquiries violates Rules 1.3; 1.4 and 8.4(a)(d) of the Tennessee Rules of Professional Conduct.

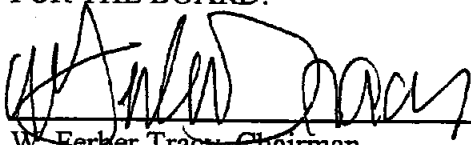
FILE NO. 29491c-9-SG

Approximately eight (8) years ago, the Complainant retained the Respondent to represent her in her divorce. Since January 4, 1999, the Respondent has neglected to prepare a Qualified Domestic Relations Order (QDRO) for the Complainant. In mitigation, the Respondent states the Complainant's QDRO has been delayed by the Respondent's and the Respondent's wife's health problems. The Respondent's neglect and failure to communicate

with his client, the Complainant, regarding her QDRO for seven (7) years violates Rules 1.3; 1.4 and 8.4(a)(d) of the Tennessee Rules of Professional Conduct.

It is therefore **ORDERED** by the Board of Professional Responsibility that the Respondent is issued a Public Censure.

FOR THE BOARD:



W. Ferber Tracy, Chairman
Board of Professional Responsibility
of the Supreme Court of Tennessee

DATE: 1/12/07