



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

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RELEASE OF INFORMATION
RE: THOMAS EWING COWAN, BPR# 2026
CONTACT: KRISANN HODGES
BOARD OF PROFESSIONAL RESPONSIBILITY
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February 23, 2011

ELIZABETHTON LAWYER SUSPENDED

On February 17, 2011, Thomas Ewing Cowan, of Elizabethton, Tennessee, was suspended from the practice of law for three (3) years by the Tennessee Supreme Court. Mr. Cowan must also pay restitution to a former client, Herman Geidel, in the amount of \$1,500.00. Mr. Cowan must pay the Board's costs in the amount of \$19,616.99 prior to reinstatement.

In addition to this disciplinary suspension, Mr. Cowan has been suspended since March 1, 2010 pursuant to Section 14 of Tennessee Supreme Court Rule 9.

After a full evidentiary hearing held April 20th and 21st, 2009, a Hearing Panel determined that Mr. Cowan misrepresented his licensure status to the Chancery Court by failing to advise the Court that he had been administratively suspended due to a failure to pay registration fees. His conduct resulted in an Order setting aside a judgment of a three (3) day trial. In another matter, Mr. Cowan failed to appear in Circuit Court following the issuance of a show cause Order requiring his attendance. The Hearing Panel determined that in a majority of the disciplinary complaints filed by clients, Mr. Cowan demonstrated extremely negligent office management which resulted in a pattern of dilatory conduct. Specifically, Mr. Cowan failed to comply with deadlines, to respond to motions, to draft and file orders, and to communicate the status of cases to his clients and third parties. Further, Mr. Cowan failed to avoid a conflict of interest. Finally, the Hearing Panel found that Mr. Cowan either failed to respond or provided a late response to all of the disciplinary complaints.

Mr. Cowan's actions violate the following Rules of Professional Conduct: 1.1, Competence; 1.2, Scope of Representation; 1.3, Diligence; 1.4, Communication; 1.5, Fees; 1.15, Safekeeping Property; 1.16, Declining and Terminating Representation; 3.2, Expediting Litigation; 3.3(a), Candor Toward the Tribunal; 8.1, Bar Admission and Disciplinary Matters; and 8.4(a)(c)(d), Misconduct. Mr. Cowan's actions also violate the following Disciplinary Rules: 1-102; 6-101; and 7-101.

Mr. Cowan must comply with Sections 18 and 19 of Supreme Court Rule 9 regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

Cowan 1439-1; 1571-1; 1776-1.rel.doc

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