

IN DISCIPLINARY DISTRICT I
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE

IN RE: Elizabeth Catherine Cox, BPR NO. 28884
Respondent, an attorney licensed to practice
Law in Tennessee
(Sevier County)

FILE NO. 35846-1-RW

PUBLIC CENSURE

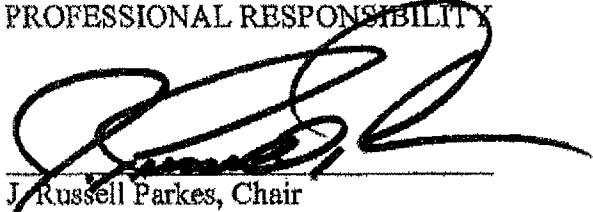
The above complaint was filed against Elizabeth Catherine Cox, an attorney licensed to practice law in Tennessee, alleging certain acts of misconduct. Pursuant to Supreme Court Rule 9, the Board of Professional Responsibility considered these matters at its meeting on December 6, 2013.

Ms. Cox was retained to represent a client in the filing of a post-trial Motion for Reconsideration related to the client's Final Decree of Divorce. Ms. Cox alleged that she sent a Motion for Reconsideration to the court via facsimile prior to the 30-day filing deadline and received confirmation from the clerk's office that they had received the Motion. Ms. Cox further asserted that she mailed a copy of the Motion to the opposing counsel. Lastly, Ms. Cox alleged that the clerk's office contacted her approximately 10 days after she faxed her Motion to the court and was advised by a clerk that the presiding judge dismissed her Motion without a hearing. The Clerk and Master conducted an internal investigation and determined that the court never received Ms. Cox's Motion and that no clerk would have called to advise an attorney as to the outcome of a Motion. The presiding judge had no indication that a Motion was ever received and did not make a ruling on such Motion. Opposing counsel stated that he never received a

copy of Ms. Cox's Motion for Reconsideration. Ms. Cox's omission failed to preserve the appeal rights of her client.

By the aforementioned acts, Elizabeth Catherine Cox, has violated Rules of Professional Conduct 1.3 (diligence), 1.4 (communication), 8.1(a) (bar admission and disciplinary matters), and 8.4(c) and (d) (misconduct) and is hereby Publicly Censured for these violations.

FOR THE BOARD OF
PROFESSIONAL RESPONSIBILITY



J. Russell Parkes, Chair

2/12/14
Date