



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

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**RELEASE OF INFORMATION**  
**RE: ELIZABETH CATHERINE COX, BPR #28884**  
**CONTACT: KEVIN D. BALKWILL**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

February 14, 2014

**SEVIER COUNTY LAWYER CENSURED**

On February 13, 2014, Elizabeth Catherine Cox, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Ms. Cox was retained by a client to file a post-trial Motion for Consideration after the client was dissatisfied with the outcome of her divorce. Ms. Cox failed to communicate with her client about the status of the matter and later alleged to her client and the Board that she had timely filed the motion but that the judge had denied the motion without a hearing. After an investigation, it was determined that Ms. Cox had never filed the motion.

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

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

Cox 35846-1 rel.doc

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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

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PUBLIC CENSURE

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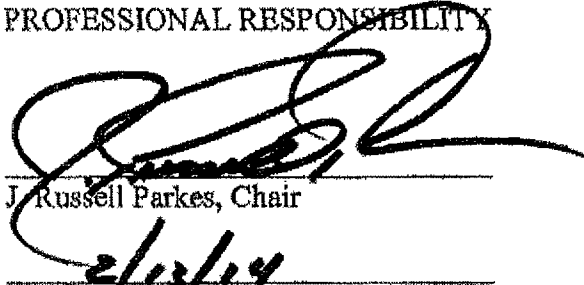
The above complaint was filed against Elizabeth Catherine Cox, an attorney licensed to practice law in Tennessee, alleging certain acts of misconduct. Pursuant to Supreme Court Rule 9, the Board of Professional Responsibility considered these matters at its meeting on December 6, 2013.

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

Date

2/12/14