



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

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RELEASE OF INFORMATION
RE: STEPHEN F. LIBBY, #015542
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BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

October 14, 2019

SHELBY COUNTY LAWYER CENSURED

On October 11, 2019, Stephen F. Libby, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Libby represented a client in a car accident matter in which he understood the client to have suffered relatively minor temporary injuries. Due to an office scheduling error, Mr. Libby missed the statute of limitations for filing a lawsuit for his client. Though he discovered the error within a few weeks, Mr. Libby did not tell the client of the error for one year. Mr. Libby failed to respond to multiple inquiries from the client about whether the lawsuit had been filed. After informing the client of the error, Mr. Libby made a settlement offer to his client without complying with Rule 1.8 (a) (conflict of interest), including advising his client in writing to seek the advice of counsel. In mitigation, the client had a civil remedy for Mr. Libby's error which she pursued.

By these acts, Mr. Libby has violated Rules of Professional Conduct 1.3 (diligence), 1.4 (communication), 1.8 (conflict of interest, specific rules), 8.4(c) (conduct involving misrepresentation), and 8.4(d) (prejudice to the administration of justice), and he is hereby publicly censured.

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

Libby 46719-9 rel.doc