



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

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**RELEASE OF INFORMATION**  
**RE: KATHERINE EVETT SMITH, BPR #23028**  
**CONTACT: EILEEN BURKHALTER SMITH**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

January 23, 2014

**SHELBY COUNTY LAWYER CENSURED**

On January 22, 2014, Katherine Evett Smith, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Ms. Smith improperly used her trust account as an operating account for more than one year. On three occasions Ms. Smith commingled client settlement funds with the lawyer's funds.

In another matter, after receiving client settlement funds, Ms. Smith issued payment to a client's medical provider by cashier's checks. The medical provider did not receive the cashier's checks and notified Ms. Smith in writing four times. Five months later, Ms. Smith issued new cashier's checks to the provider. As such, Ms. Smith failed to promptly deliver funds to a third party which the third party was entitled to receive.

In another matter, Ms. Smith failed to file a final judgment on a petition for custody for five months and failed to respond to requests for information from her client.

By these acts, Katherine Evett Smith has violated Rules of Professional Conduct 1.15(d) (safekeeping funds), 1.3 (diligence), and 1.4 (communication), 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.

Smith 35061-9; 35217-9; 35425-9 rel.doc

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

IN RE: Katherine Evett Smith, BPR NO. 23028 FILE NO. 35061-9-ES, 35217-9-ES, 35425-9-ES  
Respondent, an attorney licensed  
to practice law in Tennessee  
(Shelby County)

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PUBLIC CENSURE

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The above complaints were filed against Katherine Evett Smith, an attorney licensed to practice law in Tennessee, alleging certain acts of misconduct. Pursuant to Tenn. Sup. Ct. R. 9, the Board of Professional Responsibility considered these matters at its meeting on December 6, 2013.

Respondent improperly used her trust account as an operating account from June 1, 2011, until June 29, 2012. On three occasions in October, 2011, and March, 2012, Respondent commingled client settlement funds with other funds.

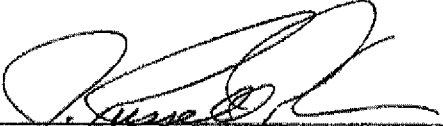
In another matter, after receiving client settlement funds, Respondent issued payment to a client's medical provider by cashier's checks. The medical provider did not receive the cashier's checks and notified Respondent in writing four times. Five months later, Respondent issued new cashier's checks to the provider. As such, Respondent failed to promptly deliver funds to a third party which the third party was entitled to receive.

In another matter, Respondent failed to file a final judgment on a petition for custody for five months and failed to respond to requests for information from her client.

By the aforementioned acts, Katherine Evett Smith has violated Rules of Professional

Conduct 1.15(d) (safekeeping funds), 1.3 (diligence), 1.4 (communication), and is hereby publicly censured for these violations.

FOR THE BOARD OF  
PROFESSIONAL RESPONSIBILITY



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J. Russell Parkes, Chair

1/22/14  
Date