

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

FILED

2011 FEB -2 PM 3:10

BOARD OF PROFESSIONAL  
RESPONSIBILITY

*aw* EXEC. SEC'Y

IN RE: THOMAS WOOD SMITH, BPR NO. 6340  
Respondent, an attorney licensed  
to practice law in Tennessee  
(Greene County)

FILE NO. 32355c-1-KS

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PUBLIC CENSURE

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The above complaint was filed against Thomas Wood Smith, 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 10, 2010.

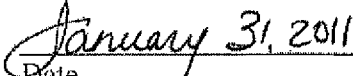
The Respondent was retained by his client to represent her in a property dispute. The Respondent filed a complaint on his client's behalf. Thereafter, the Respondent failed to reasonably communicate with his client or promptly pursue the matter. Over two years after the complaint was filed, the Respondent represented his client during a mediation of the property dispute and agreed to draft the resulting partnership agreement which would govern the sale of the property. The Respondent failed to draft the agreement. Seven months after the mediation, the client discharged the Respondent; the Respondent failed to promptly return the client's deeds, plats, and surveys.

In a related matter, the Respondent agreed to file an objection to the appointment of his client's sibling as the executrix of their mother's estate. The Respondent failed to promptly pursue this matter and failed to reasonably communicate with his client regarding this matter.

By the aforementioned facts, Thomas Wood Smith has violated Rules of Professional Conduct 1.3 (diligence and promptness), 1.4 (communication), and 1.16(d) (returning property of client) and is hereby Publicly Censured for these violations.

FOR THE BOARD OF  
PROFESSIONAL RESPONSIBILITY

  
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Lela M. Hollabaugh, Chair

  
\_\_\_\_\_  
Date