

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