



**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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