

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
10/17/2018
Clerk of the
Appellate Courts

IN RE: ELIZABETH CATHERINE VELASQUEZ, BPR #028884
An Attorney Licensed to Practice Law in Tennessee
(Sevier County)

No. M2018-01839-SC-BAR-BP
BOPR No. 2018-2820-1-KH

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed by the Board of Professional Responsibility (“Board”) against Elizabeth Catherine Velasquez on January 29, 2018; upon a Motion for Default and that Charges in the Petition be Admitted filed by the Board on April 20, 2018; upon entry of an Order of Default on June 14, 2018; upon a final hearing held before the hearing panel on June 28, 2018; upon entry of Findings of Fact, Conclusions of Law, and Judgment on July 13, 2018; upon service of the Findings of Fact, Conclusions of Law, and Judgment by the Executive Secretary for the Board on July 13, 2018; upon Application for Assessment of Costs filed by the Board on July 6, 2018; upon entry of Findings and Assessment of Costs on July 23, 2018; upon service of the Findings and Assessment of Costs by the Executive Secretary for the Board on July 23, 2018; upon consideration and approval by the Board on September 14, 2018; upon the expiration of the time for appeal with no appeal taken; and upon the entire record in this cause.

From all of which the Court approves and adopts the hearing panel’s Findings of Facts, Conclusions of Law, and Judgment as the Court’s Order.

On November 3, 2017, Ms. Velasquez was temporarily suspended by this Court pursuant to Tenn. Sup. Ct. R. 9, § 12.3 (Case No. M2017-02156-SC-BPR-BP). To date, Ms. Velasquez has not requested, nor been granted, reinstatement.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT THAT:

(1) Elizabeth Catherine Velasquez is suspended from the practice of law for five (5) years with three (3) years to be served as an active suspension, pursuant to Tenn. Sup. Ct. R. 9, § 12.2, and the remainder to be served on probation subject to the following conditions:

- a) Prior to any application for reinstatement, Ms. Velasquez shall make restitution to Monica Peace in the amount of \$500.00. To the extent restitution is paid by the Tennessee Lawyer's Fund for Client Protection ("TLFCP"), Ms. Velasquez shall reimburse TLFCP for said amount and shall remain obligated to the individual listed above for any unpaid restitution.
- b) Prior to any application for reinstatement, Ms. Velasquez should be required to contact the Tennessee Lawyers Assistance Program ("TLAP") for evaluation. If TLAP determines that a monitoring agreement is appropriate, Ms. Velasquez shall comply with the terms and conditions of the TLAP monitoring agreement.
- c) Ms. Velasquez, at her cost, if any, shall engage the services of a Practice Monitor who shall be selected and approved in accordance with Tenn. Sup. Ct. R. 9, § 12.9(c). The Practice Monitor shall meet with Ms. Velasquez monthly and assess her case load, case management, timeliness of performing tasks, adequacy of communication with clients and accounting procedures. The Practice Monitor shall provide a monthly written report of her progress to Disciplinary Counsel.
- d) During the period of active suspension and probation, Ms. Velasquez shall incur no new complaints of misconduct that relate to conduct occurring during the period of suspension and probation and that results in the recommendation by the Board that discipline be imposed.

(2) In the event Ms. Velasquez fails to meet any condition of probation, the probation may be revoked pursuant to Tenn. Sup. Ct. R. 9, § 14.2.

(3) Ms. Velasquez shall apply for reinstatement pursuant to Tenn. Sup. Ct. R. 9, § 30.4. Probation shall not commence until the Supreme Court enters an order of reinstatement pursuant to that section.

(4) Reinstatement to the active practice of law shall be conditioned upon Ms. Velasquez meeting all CLE requirements, payment of all registration fees due and owing, payment of all professional privilege taxes due and owing, payment of all Board costs assessed in this matter and payment of all court costs taxed in this matter.

(5) The Order of Temporary Suspension entered on November 3, 2017, in Case No. M2017-02156-SC-BPR-BP, is hereby dissolved.

(6) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Ms. Velasquez shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount

of \$796.66, and shall pay to the Clerk of this Court the costs incurred herein, within ninety (90) days of the entry of this Order, for all of which execution may issue if necessary.

(7) The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 28.11.

PER CURIAM