



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

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RELEASE OF INFORMATION
RE: JAMES EDWIN KIRBY, BPR #006160
CONTACT: KATE B. MELBY
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

October 23, 2026

DAVIDSON COUNTY LAWYER CENSURED

On October 23, 2026, James Edwin Kirby, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Kirby agreed to appear for a client on a General Sessions collection action. He failed to confirm that an intended continuance had been entered or to monitor the case, and a default judgment was not discovered until the time for filing a de novo appeal or timely motion to set aside had expired. Mr. Kirby did not respond to the client's communications concerning the judgment. He later filed a motion to set aside outside the ten-day period imposed by Tennessee Code Annotated § 16-15-727(b), without identifying a basis for avoiding the statutory deadline and without consulting the client or obtaining her authorization. Mr. Kirby also failed to communicate the scope or terms of the expanded representation. The default judgment was later set aside, and the case was settled.

By these acts, James Edwin Kirby has violated Rules of Professional Conduct 1.2(a) (allocation of authority between client and lawyer), 1.3 (diligence), 1.4 (communication), 1.5(b) (scope of representation), and 3.1 (meritorious claims and contentions) 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.

Kirby 101884-5 rel.doc