



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

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**RELEASE OF INFORMATION**  
**JOSEPH T. KIRKLAND, JR., BPR #7503**  
**CONTACT: RACHEL L. WATERHOUSE**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

July 18, 2012

**MEMPHIS LAWYER SUSPENDED**

On July 13, 2012, Joseph T. Kirkland, Jr., of Memphis, Tennessee, was suspended by the Tennessee Supreme Court for one (1) year, consisting of ninety (90) days active suspension and the remainder on probation, pursuant to Supreme Court Rule 9, Section 4.2. The suspension will become effective on July 23, 2012.

On June 15, 2011, the Board of Professional Responsibility filed a Petition for Discipline against Mr. Kirkland, pursuant to Supreme Court Rule 9. Mr. Kirkland submitted a Conditional Guilty Plea that was approved by the Hearing Panel, the Board and the Supreme Court. Mr. Kirkland violated the Rules of Professional Conduct by using previously disbursed and unclaimed funds belonging to third persons from his trust account to pay for operating expenses of his law firm. The unclaimed funds related to real estate transactions. Mr. Kirkland voluntarily reported his actions to the Board. All funds were replaced in the trust account and then properly disbursed, resulting in no financial loss to the third persons. Mr. Kirkland's actions violated Rules of Professional Conduct 1.15 (Safekeeping Property and Funds) and 8.4 (Misconduct).

Mr. Kirkland was further ordered to engage a practice monitor during the probationary period who will review and monitor his office practices. Mr. Kirkland must pay the expenses and costs of the disciplinary proceedings against him, pursuant to Supreme Court Rule 9, Section 24.3, and fully comply in all respects with the requirements and obligations of suspended attorneys as set forth in Supreme Court Rule 9, Section 18.

Kirkland 2054-9 rel.doc

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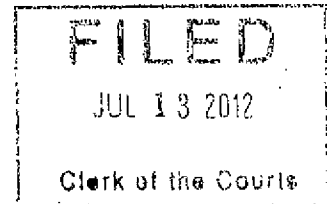
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IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**IN RE JOSEPH T. KIRKLAND, JR., BPR #007503**

An Attorney Licensed to Practice Law in Tennessee  
(Shelby County)

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No. M2012-01403-SC-BPR-BP  
BOPR No. 2011-2054-9-RW  
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**ORDER OF ENFORCEMENT**

This matter is before the Court upon a Petition for Discipline filed June 15, 2011 in Docket No. 2011-2054-9-RW by the Board of Professional Responsibility ("Board") against Joseph T. Kirkland, Jr.; upon Mr. Kirkland's Answer to the Petition for Discipline filed July 8, 2011; upon entry of a Conditional Guilty Plea filed by Mr. Kirkland on March 19, 2012; upon an Order Recommending Approval of Conditional Guilty Plea entered on May 8, 2012; upon consideration and approval by the Board on June 22, 2012; and upon the entire record in this cause.

From all of which the Court approves the recommendation of the Hearing Panel and accepts the Conditional Guilty Plea.

It is therefore, ordered, adjudged and decreed by the Court that:

1. Joseph T. Kirkland, Jr. shall be and is hereby suspended from the practice of law for one (1) year, pursuant to Tenn. Sup. Ct. R. 9, § 4.2. Mr. Kirkland's suspension shall consist of ninety (90) days active suspension and the remainder on probation.

2. The one (1) year suspension is subject to the following condition:

- During the probationary period, Mr. Kirkland shall engage a practice monitor who will report on a monthly basis to Disciplinary Counsel. Mr. Kirkland shall submit the names of several candidates for practice monitor to Disciplinary Counsel who will then approve the selection of one candidate. The practice monitor shall be charged with reviewing and monitoring Mr. Kirkland's office practices. Failure of Mr. Kirkland to

cooperate with the practice monitor or to demonstrate compliance with the monitor's expectations for performance may result in a revocation of the probationary period and imposition of suspension for the remainder of the period.

3. The suspension shall become effective ten (10) days after the filing of this Order.

4. Mr. Kirkland shall comply in all aspects with Tenn. Sup. Ct. R. 9, § 18 regarding the obligations and responsibilities of suspended attorneys.

5. Pursuant to Tenn. Sup. Ct. R. 9, § 24.3, Mr. Kirkland shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$397.32 and, in addition, 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.

6. The Board shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 18.10.

FOR THE COURT:



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WILLIAM C. KOCH, JR., JUSTICE