

IN DISCIPLINARY DISTRICT VI
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE

IN RE: JOSHUA HOWARD POLK, BPR NO. 021647
Respondent, an attorney licensed
to practice law in Tennessee
(Wayne County)

FILE NO. 75033-6-SC

PUBLIC CENSURE

The above complaint was filed against Joshua Howard Polk, #021647, 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 June 13, 2025.

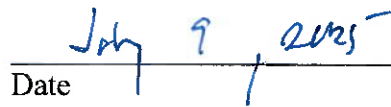
Mr. Polk was retained to defend clients in a water rights case out of Wayne County Chancery Court. In early 2022, a third party joined the litigation and upon consulting with his clients, Mr. Polk determined that a conflict of interest was created by the joinder. The information that Mr. Polk previously learned from his former co-counsel could have materially impacted his continued representation of his current clients and there was a risk that the information Mr. Polk gained would materially limit his ability to continue in the case. This created a concurrent conflict of interest and a mandated withdrawal by Mr. Polk. While it was reasonable for Mr. Polk to want to help his clients identify subsequent counsel, he waited fourteen (14) months to withdraw resulting in unnecessary delay in the litigation, halting any progress on the case, and postponing a hearing on the opposing party's Motion for Summary Judgment that had been pending for several months.

By these acts, Mr. Polk has violated Rules of Professional Conduct 1.3 (diligence), 1.7(a)(2) (conflict of interest), 1.16(a) (declining or terminating representation), 3.2 (expediting litigation), and 8.4(d) (misconduct) and is hereby Publicly Censured for these violations.

FOR THE BOARD OF
PROFESSIONAL RESPONSIBILITY



R. Culver Schmid, Chair



Date