

In the Indiana Supreme Court



In the Matter of: India R. Lane,
Respondent

Supreme Court Case No.
23S-DI-167

Published Order Approving Statement of Circumstances and Conditional Agreement for Discipline

Pursuant to Indiana Admission and Discipline Rule 23(12.1)(b), the Indiana Supreme Court Disciplinary Commission and Respondent have submitted for approval a “Statement of Circumstances and Conditional Agreement for Discipline” stipulating agreed facts and proposed discipline as summarized below.

Stipulated Facts: Respondent represented “Clients A” in a contract dispute. After filing a complaint on behalf of Clients A, Respondent thereafter failed to respond to discovery, schedule court-ordered mediation, or comply with other pretrial orders. When the defendant eventually moved for summary judgment, Respondent failed to timely respond or designate any evidence, her extremely belated response (in which Respondent attributed her untimeliness to mental health issues) was stricken, and summary judgment for the defendant was granted. Respondent thereafter filed a motion for reconsideration that was simply a duplicate of her belated response, which the court denied.

Respondent represented “Client B” in post-conviction proceedings. Respondent delayed filing a petition for post-conviction relief for nearly one year after she first told Client B that a filing was imminent. During this period, Respondent failed to appear for a scheduled meeting with Client B, failed to respond to several inquiries from Client B, and failed to comply with multiple court orders for the return of the transcript Respondent had withdrawn from the Clerk. During the Commission’s investigation, Respondent attempted to have Client B withdraw his grievance, telling him that doing so would help ensure the continuity of Respondent’s representation. In her response to the investigation, Respondent attributed her negligence in Client B’s case to having fallen behind in her work due to an illness.

Finally, Respondent inadvertently overdrafted her trust account in August 2023 when she issued a check to pay filing fees in a case without having first deposited the funds she had received from the client for that purpose.

Violations: The parties agree that Respondent violated these Indiana Professional Conduct Rules prohibiting the following misconduct:

- 1.1: Failing to provide competent representation.
- 1.3: Failing to act with reasonable diligence and promptness.

- 1.4: Failing to keep a client reasonably informed about the status of a matter.
- 1.15: Failing to deposit legal fees and expenses paid in advance into a client trust account.
- 1.16(a)(2): Failing to withdraw from representation when the lawyer's physical or mental condition materially impairs the lawyer's ability to represent the client.
- 8.4(d): Engaging in conduct prejudicial to the administration of justice.

Discipline: The Court, having considered the submission of the parties, now approves the following agreed discipline.

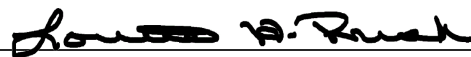
For Respondent's professional misconduct, the Court **suspends Respondent from the practice of law for a period of 60 days, beginning on the date of this order, all stayed subject to completion of at least two years of probation** with monitoring by the Indiana Judges and Lawyers Assistance Program (JLAP). The Court incorporates by reference the terms and conditions of probation set forth in the parties' Conditional Agreement, which include among other things:

- (1) Respondent shall comply with treatment as determined and monitored by JLAP and shall timely execute any release or waiver required by JLAP or any service provider monitored by JLAP under the authority of the parties' conditional agreement.
- (2) Respondent shall have no violations of the Rules of Professional Conduct during her probation.
- (3) Respondent shall promptly report to the Commission any violation of the terms of Respondent's probation and/or JLAP monitoring agreement.
- (4) If Respondent violates the terms of her probation, the stay of her suspension may be vacated and the balance of the stayed suspension may be actively served with or without automatic reinstatement.

Notwithstanding the expiration of the minimum term of probation set forth above, Respondent's probation shall remain in effect until it is terminated pursuant to a petition to terminate probation filed under Admission and Discipline Rule 23(16).

The costs of this proceeding are assessed against Respondent. With the acceptance of this agreement, the hearing officer appointed in this case is discharged with the Court's appreciation.

Done at Indianapolis, Indiana, on 3/15/2024.



Loretta H. Rush
Chief Justice of Indiana

All Justices concur.