In the Indiana Supreme Court

In the Matter of: Alison K. Devis, Respondent

Supreme Court Case No. 23S-DI-310



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: In July 2021, Respondent was convicted of operating a vehicle while intoxicated with endangerment and leaving the scene of an accident, both misdemeanors. In September 2022, Respondent pled guilty to two separate misdemeanor counts of criminal trespass. A little over two weeks after her guilty plea, Respondent was charged with a probation violation for failing to report to the probation office, and she was arrested after she failed to appear for a hearing on that charge. Respondent's BAC was 0.354 at the time of booking. The next day, a second probation violation notice was filed alleging Respondent had failed to schedule a required substance abuse evaluation and had consumed alcohol on at least two occasions. Respondent was found to have committed the probation violations after an evidentiary hearing in March 2023, and Respondent's probation was extended to December 2023.

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

- 8.4(b): Committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer.
- 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 90 days, effective immediately, with 30 days actively served and the remainder 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 report to JLAP within 10 days of this order, and failure to do so shall be considered an act of contempt.
- (2) Respondent shall refrain from using alcohol and all controlled substances except as validly prescribed.
- (3) Respondent shall have no violations of the law or of the Rules of Professional Conduct during her probation.
- (4) Respondent shall promptly report in writing to the Commission any violation of the terms of Respondent's probation.
- (5) 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 without automatic reinstatement.

Respondent shall fulfill all the duties of a suspended attorney under Admission and Discipline Rule 23(26). 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. Pursuant to the parties' stipulation, the Court hereby orders Respondent to pay \$257.85 by check made payable and transmitted to the Clerk of the Indiana Supreme Court. Upon receipt, the Clerk is directed to disburse those funds as follows: (1) \$7.85, payable to the Commission as reimbursement for investigative expenses incurred; and (2) \$250.00, payable to the Clerk for court costs. The expenses of the hearing officer will be submitted separately.

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 ________.

Loretta H. Rush

Chief Justice of Indiana

All Justices concur.