

In the  
Indiana Supreme Court



In the Matter of: ) Supreme Court Cause No.  
Douglas S. FOLLOWELL, ) 77S00-0806-DI-375  
Respondent. )

PUBLISHED ORDER APPROVING STATEMENT OF CIRCUMSTANCES  
AND CONDITIONAL AGREEMENT FOR DISCIPLINE

Pursuant to Indiana Admission and Discipline Rule 23(11), 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:** Count I. Based on an incident on March 18, 2004, Respondent pled guilty to operating a vehicle with a BAC of .08 or more, a class C misdemeanor.

Count II. Based on an incident on April 8, 2006, Respondent pled guilty to recklessly furnishing alcoholic beverages to a minor, a class C misdemeanor.

Count III. Based on an incident on June 15, 2007, Respondent pled guilty to public intoxication, a class B misdemeanor.

Respondent has no prior discipline, he sought assistance from the Judges and Lawyers Assistance Program and other alcohol treatment providers, and he cooperated with the Commission.

**Violation:** The parties agree that Respondent violated Indiana Professional Conduct Rule 8.4(b), which prohibits committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects.

**Discipline:** The Court, having considered the submission of the parties, now APPROVES and ORDERS the following agreed discipline.

For Respondent's professional misconduct, the Court **suspends Respondent from the practice of law for a period of 180 days, beginning June 1, 2009, with first 30 days actively served and the balance stayed subject to completion of at least 36 months of probation.** The Court incorporates by reference the terms and conditions of probation set forth in the parties' Conditional Agreement, which include:

- (1) Respondent shall meet all requirements of his monitoring agreement with the Judges and Lawyers Assistance Program and shall have no violations of the law or the Rules of Professional Conduct during his probation.

(2) If Respondent violates his probation, the Commission will petition to revoke his probation and request that the balance of the stayed suspension be actively served without automatic reinstatement, and that Respondent be reinstated only through the procedures of Admission and Discipline Rule 23(4) and (18).

Respondent's probation shall remain in effect until such time as it is terminated pursuant to Admission and Discipline Rule 23(17.1).

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

The Clerk is directed to forward a copy of this Order to the hearing officer if one has been appointed, to the parties or their respective attorneys, and to all other entities entitled to notice under Admission and Discipline Rule 23(3)(d). The Clerk is further directed to post this order to the Court's website, and Thomson Reuters is directed to publish a copy of this order in the bound volumes of this Court's decisions.

DONE at Indianapolis, Indiana, this 9th day of April, 2009.

/s/ Randall T. Shepard  
Chief Justice of Indiana

All Justices concur.