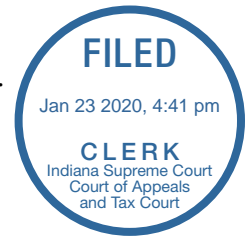


In the Indiana Supreme Court

In the Matter of: James R. Lisher,
Respondent

Supreme Court Case No.
19S-DI-535



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 employed nonlawyer Heather Brant from 2001 until 2018. Respondent delegated broad authority to Brant to handle most office tasks, including client communication, banking, and electronic court filing. Respondent also failed to maintain appropriate trust account records.

Over the course of several months in 2018, Brant stole several thousand dollars from the firm’s operating account, overdrafted the firm’s trust account, and fraudulently created several purported court orders and other legal documents. Brant’s improper actions were enabled in significant part by Respondent’s failure to appropriately supervise her.

The parties cite Respondent’s substantial experience in the practice of law as a fact in aggravation. In mitigation the parties cite among other things Respondent’s lack of prior discipline, his lack of dishonest or selfish motive, his restitution to affected clients, and his cooperation with the disciplinary process.

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

Ind. Professional Conduct Rules:

1.15(a): Failing to maintain and preserve complete records of client trust account funds.

5.3(b): Failing to make reasonable efforts to ensure that the conduct of a nonlawyer employee over whom the lawyer has direct supervisory authority is compatible with the professional obligations of the lawyer.

Ind. Admission and Discipline Rules:

23(29)(a)(3): Failing to keep records or ledgers detailing the nominal amount of attorney funds held in a trust account, showing the amount and dates of attorney

funds disbursed or deposited, and a running balance of the amount of attorney funds held in the trust account.

23(29)(a)(7): Failing to keep reconciliation reports for a trust account.

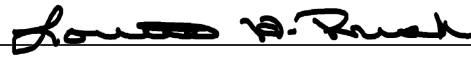
23(29)(c)(7): Failing to reconcile internal trust account records with periodic bank account statements.

Discipline: The parties propose the appropriate discipline is a 60-day suspension with automatic reinstatement. The Court, having considered the submissions of the parties, now approves the agreed discipline.

For Respondent's professional misconduct, the Court **suspends Respondent from the practice of law for a period of 60 days, beginning March 5, 2020.** Respondent shall not undertake any new legal matters between service of this order and the effective date of the suspension, and Respondent shall fulfill all the duties of a suspended attorney under Admission and Discipline Rule 23(26). At the conclusion of the period of suspension, provided there are no other suspensions then in effect, Respondent shall be automatically reinstated to the practice of law, subject to the conditions of Admission and Discipline Rule 23(18)(a).

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

Done at Indianapolis, Indiana, on 1/23/2020.



Loretta H. Rush
Chief Justice of Indiana

All Justices concur.