

# In the Indiana Supreme Court



In the Matter of: Robert E. Love,  
Respondent

Supreme Court Case No.  
20S-DI-556

## Published Order Finding Misconduct and Imposing Discipline

Upon review of the report of the hearing officer, the Honorable Robert C. Reiling, Jr., who was appointed by this Court to hear evidence on the Indiana Supreme Court Disciplinary Commission's verified disciplinary complaint, the Court finds that Respondent engaged in professional misconduct and imposes discipline on Respondent.

**Facts:** The Commission filed its disciplinary complaint against Respondent on September 15, 2020. Respondent was served but did not timely file an answer. The hearing officer granted the Commission's motion for judgment on the complaint and denied a subsequent motion by Respondent to reopen the evidence. No petition for review has been filed, although the Commission has filed a brief on sanctions.

Respondent represented two "Plaintiffs" in a personal injury claim arising from an auto accident. Plaintiffs' insurer, Geico, issued \$1,000 medical payment checks to each Plaintiff and notified them and the tortfeasor's insurer, The General, of Geico's claim for subrogation. After Respondent negotiated a settlement, The General issued four separate checks to Respondent – \$9,000 to one Plaintiff, \$5,000 to the second Plaintiff, and two \$1,000 checks made payable to Geico as subrogee of each Plaintiff. Respondent had Plaintiffs endorse all four checks then cashed them at his own bank. Respondent never notified Geico of the two \$1,000 checks or provided the funds to Geico. Geico eventually learned of the settlement and demanded an explanation from Respondent. After avoiding calls from Geico's representatives for several months, Respondent admitted to Geico's counsel that he owed Geico \$2,000.

Respondent did not timely cooperate with the Commission's investigation into this matter, leading to the initiation of two show cause proceedings. Respondent also has been disciplined twice before. Matter of Love, 19 N.E.3d 251 (Ind. 2014); Matter of Love, 674 N.E.2d 547 (Ind. 1996).

**Violations:** The Court finds that Respondent violated these Indiana Professional Conduct Rules prohibiting the following misconduct:

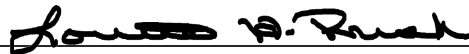
- 1.1: Failing to provide competent representation.
- 1.15(d): Failing to deliver promptly funds owed to a third person.
- 8.1(b): Knowingly failing to respond to a lawful demand for information from a disciplinary authority.

8.4(b): Committing a criminal act (conversion) that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer.

**Discipline:** For Respondent's professional misconduct, the Court **suspends Respondent from the practice of law for a period of 180 days, beginning August 30, 2021.** 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. The hearing officer appointed in this case is discharged with the Court's appreciation.

Done at Indianapolis, Indiana, on 7/20/2021.



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Loretta H. Rush  
Chief Justice of Indiana

All Justices concur, except David, J., who would suspend Respondent from the practice of law for a period of two years, with 180 days actively served and the remainder stayed subject to completion of at least two years of probation with monitoring by another attorney.