

In the Indiana Supreme Court

In the Matter of: Martin R. Shields,
Respondent

Supreme Court Case No.
22S-DI-188



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: After twice providing methamphetamine to a confidential informant, Respondent was charged with several drug-related counts and ultimately pled guilty to one count of methamphetamine possession, a level 6 felony.

Respondent has no prior discipline and has voluntarily entered into a monitoring agreement with the Judges and Lawyers Assistance Program (JLAP) to address factors contributing to his misconduct.

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

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 150 days, beginning August 31, 2022, with 120 days actively served and the remainder stayed subject to completion of at least two years of probation with continued JLAP monitoring.** The Court incorporates by reference the terms and conditions of probation set forth in the parties' Conditional Agreement, which include among other things the parties' agreement that any violation of probation shall result in the balance of Respondent's suspension being actively served without automatic reinstatement.

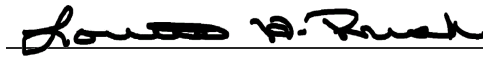
Notwithstanding the expiration of the minimum term of probation set forth above, Respondent's probation shall remain in effect until it is terminated pursuant to a petition to terminate probation filed under Admission and Discipline Rule 23(16).

Having accepted the parties' conditional agreement and approved the agreed discipline, the Court hereby DENIES as moot the Commission's “Notice of Finding of Guilt and Request for [Interim] Suspension” filed in this case.

The costs of this proceeding are assessed against Respondent. Pursuant to the parties' stipulation, the Court hereby orders Respondent to pay \$257.53 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) \$7.53, payable to the Commission as reimbursement for investigative expenses incurred; and (2) \$250.00, payable to the Clerk for court costs.

Done at Indianapolis, Indiana, on 7/20/2022.

FOR THE COURT



Loretta H. Rush

Chief Justice of Indiana

David, Slaughter, and Goff, JJ., concur.

Rush, C.J., and Massa, J., dissent, believing the sanction to be insufficient.