

In the Indiana Supreme Court

In the Matter of: Adam S. Mears,
Petitioner

Supreme Court Case No.
29S00-1608-DI-451



Published Order Granting Reinstatement to the Practice of Law

On October 7, 2016, this Court entered an order accepting Petitioner's resignation from the practice of law, resulting in Petitioner's ineligibility to seek reinstatement for five years. Petitioner filed a petition for reinstatement on November 12, 2021. Following an evidentiary hearing, the Indiana Supreme Court Disciplinary Commission and Petitioner reached an agreement; and pursuant to that agreement the parties have now submitted for this Court's consideration a "Statement of Circumstances and Conditional Agreement for Reinstatement."

A petition for reinstatement may be granted only if the petitioner proves by clear and convincing evidence that:

- (1) The petitioner desires in good faith to obtain restoration of his or her privilege to practice law;
- (2) The petitioner has not practiced law in this State or attempted to do so since he or she was disciplined;
- (3) The petitioner has complied fully with the terms of the order for discipline;
- (4) The petitioner's attitude towards the misconduct for which he or she was disciplined is one of genuine remorse;
- (5) The petitioner's conduct since the discipline was imposed has been exemplary and above reproach;
- (6) The petitioner has a proper understanding of and attitude towards the standards that are imposed upon members of the bar and will conduct himself or herself in conformity with such standards;
- (7) The petitioner can safely be recommended to the legal profession, the courts, and the public as a person fit to be consulted by others and to represent them and otherwise act in matters of trust and confidence, and in general to aid in the administration of justice as a member of the bar and an officer of the Courts; and
- (8) The disability has been removed, if the discipline was imposed by reason of physical or mental illness or infirmity, or for use of or addiction to intoxicants or drugs.

Admis. Disc. R. 23(18)(b)(3). The parties' conditional agreement stipulates that the testimony and evidence adduced in this matter permit a finding that Petitioner has met his burden of

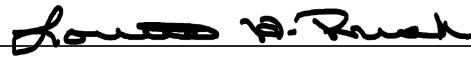
proving these elements clearly and convincingly. Further, the parties stipulate that Petitioner has made full restitution to the victim of his misconduct.

This Court, being duly advised, finds that the parties' conditional agreement, including the Commission's recommendation that Petitioner be reinstated to the practice of law, should be accepted. The Court therefore GRANTS the petition for reinstatement and REINSTATES Petitioner as a member of the Indiana bar as of the date of this order.

The costs of this proceeding are assessed against Petitioner in the following amounts agreed upon by the parties. The Court hereby orders Petitioner to pay \$2,950.28 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) \$619.88, payable to the Commission as reimbursement for costs incurred by the Commission; and (2) \$2,330.40, payable to the Indiana Supreme Court as reimbursement for hearing officer expenses incurred.

The hearing officer appointed in this case is discharged with the Court's appreciation.

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



Loretta H. Rush
Chief Justice of Indiana

Rush, C.J., and Massa, Slaughter, and Goff, JJ., concur.
David, J., dissents.