

In the Indiana Supreme Court

In the Matter of: Lynda LeBlanc,
Respondent

Supreme Court Case No.
23S-DI-260



Published Order Finding Misconduct and Imposing Discipline

Upon review of the report of the hearing officer, the Honorable Tracy N. Betz, who was appointed by this Court to hear evidence on the Indiana Supreme Court Disciplinary Commission's "Verified Complaint for Disciplinary Action," the Court finds that Respondent engaged in professional misconduct and imposes discipline on Respondent.

Facts: The Commission filed its complaint against Respondent on September 18, 2023. Respondent was served with the complaint and has not appeared, responded, or otherwise participated in these proceedings. Accordingly, the Commission filed a "Motion for Judgment on the Complaint," and the hearing officer took the facts alleged in the complaint as true. *See* Ind. Admission and Discipline Rule 23(14)(c).

Neither party filed a petition for review of the hearing officer's report. When neither party challenges the findings of the hearing officer, "we accept and adopt those findings but reserve final judgment as to misconduct and sanction." *Matter of Levy*, 726 N.E.2d 1257, 1258 (Ind. 2000).

"Client 1," who had recently been divorced after reaching a mediated settlement agreement with his former spouse, hired Respondent to review one qualified domestic relations order ("QDRO") and to prepare a second QDRO. Respondent agreed to accept \$900 for the contemplated work, which Client 1 paid. Thereafter, Respondent was not responsive to multiple attempts by Client 1 to reach her; and when Client 1 drove to Respondent's office, he found it vacant. Client 1 fired Respondent by email and requested a refund, but Respondent did not respond.

Respondent prepared a QDRO for "Client 2," which the pension plan rejected. Client 2 later filed a grievance alleging that Respondent did not respond to his attempts to contact her after the QDRO was rejected. Respondent did not respond to demands for information by the Commission, prompting the initiation of show cause proceedings. Those proceedings eventually were dismissed when Respondent belatedly complied.

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

- 1.3: Failing to act with reasonable diligence and promptness.

1.4: Failing to keep a client reasonably informed about the status of a matter and respond promptly to reasonable requests for information.

1.5(a): Charging or collecting an unreasonable fee.

8.1: Failing to respond in a timely manner to the Commission's demands for information.

Discipline: For Respondent's professional misconduct, the Court **suspends Respondent from the practice of law in this state for a period of not less than 60 days, without automatic reinstatement, beginning April 11, 2024.** 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 minimum period of suspension, Respondent may petition this Court for reinstatement to the practice of law in this state, provided Respondent pays the costs of this proceeding, fulfills the duties of a suspended attorney, and satisfies the requirements for reinstatement of Admission and Discipline Rule 23(18). Reinstatement is discretionary and requires clear and convincing evidence of the attorney's remorse, rehabilitation, and fitness to practice law. *See* Admis. Disc. R. 23(18)(b).

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 2/29/2024.



Loretta H. Rush
Chief Justice of Indiana

All Justices concur.