

In the Indiana Supreme Court

In the Matter of: Theodore E. Rokita,
Respondent

Supreme Court Case No.
25S-DI-29



Published Order Granting Joint Petition to Dismiss as Moot

On November 2, 2023, in Case No. 23S-DI-258, we approved a conditional agreement and issued a public reprimand as a sanction for Respondent's admitted misconduct in that matter. *See Matter of Rokita*, 219 N.E.3d 733 (Ind. 2023).

On January 31, 2025, the Indiana Supreme Court Disciplinary Commission filed a second disciplinary complaint against Respondent, alleging that public statements Respondent made in the wake of his prior discipline contradicted their agreement by denying responsibility, thus calling into question the veracity of Respondent's sworn statements to this Court that he was accepting responsibility. On July 18, 2025, we issued an opinion denying Respondent's motion to dismiss this second disciplinary complaint and appointing a panel of three hearing officers. *Matter of Rokita*, 262 N.E.3d 823 (Ind. 2025). But we observed in our opinion that "as both sides describe the dispute, it seems to boil down primarily to whether Respondent really meant it when he told us he was accepting responsibility for violating the Rules of Professional Conduct." *Id.* at 832. Given that the parties "reached agreement once before on multiple, more complicated and contentious issues surrounding Respondent's comments," and that this dispute arose from that agreement, we suggested the parties "at least explore whether they can get back on the same page, either through an additional agreed public statement or through some other means." *Id.* at 832.

Now, through a Conditional Agreement of the Parties and Petition to Dismiss as Moot, the Commission and Respondent jointly report they have successfully done just that.

Specifically, they have agreed to the following joint statement:

As to Counts 1 and 2 in Cause No. 23S-DI-258, Respondent reaffirms what he attested to in the affidavit, executed on September 1, 2023. *See attached Exhibit A - Respondent's September 1, 2023, Affidavit.*

Using the Indiana Supreme Court's own words, Respondent affirms that he "really meant it" when he signed the affidavit accepting responsibility for violations of the Indiana Rules of Professional Conduct, and that he signed the affidavit voluntarily.

Respondent makes the above affirmations to clarify any real or perceived confusion that followed his public statements made after the Court issued the November 2, 2023 discipline.

The Commission and Respondent acknowledge that the Indiana Rules of Professional Conduct apply to all attorneys in the State of Indiana.

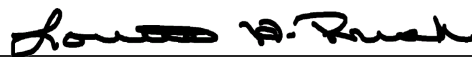
With this public statement, the Commission and Respondent now consider this matter closed.

The Commission explains in the parties' joint submission that the joint statement clears up any confusion over Respondent's public statements following our November 2, 2023 discipline, which is what prompted its second complaint. The only condition the parties place on their agreement to the joint statement is that the Court accept their proposal that the statement warrants dismissing this matter as now moot.

Based on the parties' agreement, we grant their joint Petition to Dismiss as Moot. And because the parties have expressly agreed to be responsible for their own costs in this matter, we decline to assess any costs. Pursuant to Indiana Admission and Discipline Rule 23(22)(a)(5), the parties' submission of their Conditional Agreement remains confidential and not open to public inspection, although this order recounts the agreement's material terms.

Finally, the hearing officers appointed in this case are discharged with the Court's appreciation, and this matter is at an end.

Done at Indianapolis, Indiana, on 10/9/2025.



Loretta H. Rush
Chief Justice of Indiana

All Justices concur.