In the
Indiana Supreme Court

State of Indiana *ex rel.* Indiana Supreme Court Disciplinary Commission,
Relator,

v.

Walter Michael Wildman,
Respondent.

Supreme Court Case No.
23S-MS-34

Published Order

Before us is the "Verified Petition to Enjoin the Unauthorized Practice of Law and to Remove Respondent from the Mediator Registry" ("Verified Petition"), filed February 6, 2023, by the Disciplinary Commission pursuant to Indiana Admission and Discipline Rule 24 and Alternative Dispute Resolution Rule 7.1. Respondent, Walter Michael Wildman, filed an unverified return on February 27, 2023.

Rule 24 provides in part that the "verified petition and return shall constitute the evidence upon which the issues are decided, unless the court shall deem it necessary to . . . appoint a commissioner" for further factfinding. For reasons explained below, we find the evidence sufficient to decide the issues before us without the assistance of a commissioner.

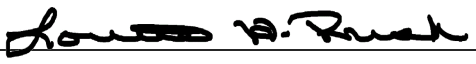
The Verified Petition alleges Respondent, who is registered as a domestic relations mediator but is not a licensed attorney, has engaged in the unauthorized practice of law in Indiana by holding himself out as an attorney and by offering and/or providing legal assistance. Specifically, Respondent's business websites and social media profiles alternately identify himself as an attorney or judge or include photos and comments implying he is an attorney or judge; include what purport to be client testimonials that refer to having received help from an attorney, with two specifically identifying Respondent as an attorney; and offer to provide "law help" (or similarly-worded solicitations) in expungement, criminal, family, personal injury, estate planning, commercial contract drafting, and other legal matters. Further, during a mock trial program in 2022, Respondent represented in his registration and to other volunteers that he was an "arbitration lawyer/judge" and that he had a private practice in family law. The Verified Petition further alleges that Respondent falsely represented on his mediator registration application that he had never been charged with or convicted of a crime, when in fact Respondent had been convicted of felony identity deception one year prior to his application. The Verified Petition asks that Respondent be permanently enjoined from such conduct pursuant to Admission and Discipline Rule 24 and recommends that Respondent be removed from the

registry of mediators maintained by the Indiana Supreme Court Office of Admissions and Continuing Education (OACE).

Respondent's return is not verified and does not "specifically deny or admit each allegation of fact" in the Verified Petition, as required by Rule 24. In particular, although Respondent admits he was convicted of identity deception and generally denies that he has practiced law, he does not respond to the allegation he falsely represented his criminal history on his mediator registration application, nor does he respond to any of the numerous allegations that in multiple forums he has held himself out as an attorney and offered legal services. Respondent's failure to do so prompts us to accept those verified allegations as true. *See State ex rel. Rokita v. Smith*, 185 N.E.3d 862 (Ind. 2022).

Being duly advised, the Court GRANTS the Disciplinary Commission's Verified Petition. Respondent Walter Michael Wildman is hereby PERMANENTLY ENJOINED from offering to provide and/or providing legal advice or legal services to others unless and until he obtains a license to practice law in Indiana. This restriction shall not preclude Respondent from seeking employment from, or being employed by, a lawyer or law firm as a non-lawyer assistant, so long as, while doing so, he abides by the terms of this permanent injunction and does not contravene the Indiana Rules of Professional Conduct or Guideline 9 for the Use of Non-Lawyer Assistants. The Court further ORDERS Respondent be removed from the mediator registry maintained by OACE. Finally, the Court DENIES as moot the Commission's "Motion for a More Definite Statement."

Done at Indianapolis, Indiana, on 4/10/2023.



Loretta H. Rush
Chief Justice of Indiana

All Justices concur.