

In the
Indiana Supreme Court



In the Matter of: Kimberly S. Lytle,
Respondent

Supreme Court Case No.
19S-DI-250

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: Respondent represented “Husband” in a dissolution matter, and another attorney represented “Wife.” The negotiated resolution reached by the parties contemplated that Husband would be awarded portions of Wife’s four retirement accounts. Under the terms of the decree, Respondent was to prepare QDROs for two of those accounts within 90 days, and opposing counsel was to prepare QDROs for the other two accounts within 90 days. Neither Respondent nor opposing counsel did so.

Thereafter, Respondent did not adequately respond to Husband’s numerous requests for information about the status of getting assets transferred to him, nor did Respondent sufficiently advise Husband of his options for proceeding. Husband eventually fired Respondent and hired successor counsel to resolve the QDRO issue.

Violations: The parties agree that Respondent violated these Indiana Professional Conduct Rules prohibiting the following misconduct:

- 1.3: Failure to act with reasonable diligence and promptness.
- 1.4(a)(4): Failure to comply promptly with a client’s reasonable requests for information.
- 1.4(b): Failure to explain a matter to the extent reasonably necessary to permit a client to make informed decisions.

Discipline: The parties propose the appropriate discipline is a public reprimand. The Court, having considered the submissions of the parties, now approves the agreed discipline and imposes a **public reprimand** for Respondent’s misconduct.

The costs of this proceeding are assessed against Respondent. With the acceptance of this agreement, the hearing officer appointed in this case is discharged.

Done at Indianapolis, Indiana, on 12/5/2019.

Loretta H. Rush

Loretta H. Rush
Chief Justice of Indiana

All Justices concur.