## In the Indiana Supreme Court



In the Matter of: Bradley C. Crosley, Respondent Supreme Court Case No. 29S00-1712-DI-717

## 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:** In 2015, Respondent entered into an "of counsel" relationship with a Texas law firm, Eastman Meyler, PC, d/b/a WipeRecord, which marketed various "criminal record removal services" nationwide. Under this contractual relationship, Eastman Meyler would generate customer leads, enter into representation agreements with clients, and provide all document preparation and processing, customer service, billing, and client management. Respondent, in turn, would "render only the legal services . . . which specifically require a license to practice law in Indiana."

In sum, an Eastman Meyler attorney performed substantially all the work on cases. Typically, Respondent had no communication with Eastman Meyler's Indiana clients, either before or after those clients had entered into representation agreements with Eastman Meyler. Respondent's role in these cases largely involved reviewing and signing documents that were prepared and filed by Eastman Meyler. Respondent entered appearances on behalf of 57 of Eastman Meyler's Indiana clients. No attorneys from Eastman Meyler petitioned for temporary admission in any of these Indiana expungement cases.

Leah Stein, an Eastman Meyler attorney who was not admitted in Indiana, performed the work and filed the pleadings in two particular expungement cases filed in Tippecanoe County. In each of those cases, Stein held herself out to the court and to opposing counsel as an attorney on the case. Respondent initially was unaware of this because he was not properly supervising Stein's actions. When Respondent eventually did become aware of Stein's actions, Respondent immediately acknowledged the error and apologized to the court, and he promptly contacted the managing partner of Eastman Meyler to ensure this would not happen again. Respondent later terminated his affiliation with Eastman Meyler after ensuring that all pending client matters had been resolved.

The parties do not cite any facts in aggravation. The parties cite the following facts in mitigation: (1) Respondent has no prior discipline; (2) each of Respondent's clients received the expungements they were seeking; and (3) Respondent took prompt corrective measures upon learning of the problems with his arrangement with Eastman Meyler.

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

- 1.4(a)(2): Failing to reasonably consult with a client about the means by which the client's objectives are to be accomplished.
- 5.4(c): Permitting a person who recommends, employs, or pays the lawyer to render legal services for another to direct or regulate the lawyer's professional judgment in rendering such legal services.
- 5.5(a): Assisting in the unauthorized practice of law.

**Discipline:** The parties propose the appropriate discipline is a suspension of 30 days with automatic reinstatement. The Court, having considered the submissions of the parties, now approves the agreed discipline.

For Respondent's professional misconduct, the Court suspends Respondent from the practice of law in this state for a period of 30 days, beginning July 31, 2018. 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 period of suspension, provided there are no other suspensions then in effect, Respondent shall be automatically reinstated to the practice of law, subject to the conditions of Admission and Discipline Rule 23(18)(a).

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  $\frac{6/19/2018}{}$ .

Loretta H. Rush

Chief Justice of Indiana

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All Justices concur.