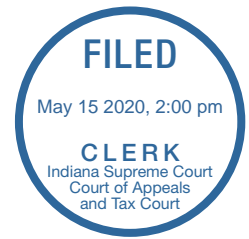


# In the Indiana Supreme Court



In the Matter of: Mark Randall Spencer,  
Petitioner

Supreme Court Case No.  
02S00-0609-DI-334

## Published Order Granting Reinstatement to the Practice of Law

This Court suspended Petitioner from the practice of law in this state for a period of not less than six months without automatic reinstatement, effective November 3, 2008. Petitioner filed a petition for reinstatement on June 4, 2014. On March 8, 2019, the Indiana Supreme Court Disciplinary Commission, pursuant to Indiana Admission and Discipline Rule 23(18)(b) (2014), filed a “Concurring Opinion” recommending against reinstatement signed by a majority of its membership and a “Dissenting Opinion” signed by two members recommending that reinstatement be granted.

On May 22, 2019, we issued an order taking the matter under advisement. Among other things, our order encouraged Petitioner to enter into a formal monitoring agreement with the Judges and Lawyers Assistance Program and provided in relevant part that if Petitioner fully complied with such an agreement for at least six months we would then “issue such ruling as appropriate on Petitioner’s petition for reinstatement.”

On April 6, 2020, Petitioner filed a “Notice of Completion of Monitoring,” together with supporting documentation, attesting to his successful completion of all conditions precedent to reinstatement set forth in our May 22, 2019 order. The Commission has filed no response to that Notice or objection to reinstatement.

A petition for reinstatement may be granted only if the petitioner proves to the Commission by clear and convincing evidence that:

- (1) The petitioner desires in good faith to obtain restoration of his or her privilege to practice law;
- (2) The petitioner has not practiced law in this State or attempted to do so since he or she was disciplined;
- (3) The petitioner has complied fully with the terms of the order for discipline;
- (4) The petitioner’s attitude towards the misconduct for which he or she was disciplined is one of genuine remorse;
- (5) The petitioner’s conduct since the discipline was imposed has been exemplary and above reproach;

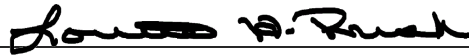
- (6) The petitioner has a proper understanding of and attitude towards the standards that are imposed upon members of the bar and will conduct himself or herself in conformity with such standards;
- (7) The petitioner can safely be recommended to the legal profession, the courts and the public as a person fit to be consulted by others and to represent them and otherwise act in matters of trust and confidence, and in general to aid in the administration of justice as a member of the bar and an officer of the Courts;
- (8) The disability has been removed, if the discipline was imposed by reason of physical or mental illness or infirmity, or for use of or addiction to intoxicants or drugs; and
- (9) The petitioner has taken the Multistate Professional Responsibility Examination (MPRE) within six (6) months before or after the date the petition for reinstatement is filed and passed with a scaled score of eighty (80) or above.

Admis. Disc. R. 23(4)(b) (2014).

Upon review of the materials before us, we conclude that Petitioner has fully complied with our May 22, 2019 order and has fulfilled the high burden of proof for readmission to the bar. Accordingly, the Court GRANTS the petition for reinstatement and REINSTATES Petitioner as a member of the Indiana bar as of the date of this order.

Petitioner shall pay any costs owing under Admis. Disc. R. 23(18)(d) (2014).

Done at Indianapolis, Indiana, on 5/15/2020.



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Loretta H. Rush  
Chief Justice of Indiana

All Justices concur.