

In the Indiana Supreme Court

In the Matter of: Carrie L. Kooi,
Respondent

Supreme Court Case No.
19S-DI-301



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: On September 18, 2017, Respondent was observed driving recklessly on the Indiana Toll Road. A police officer later found Respondent asleep behind the wheel at a service plaza along the Toll Road. After Respondent refused to perform any field sobriety tests or to submit to a chemical breath test, she was taken to a nearby hospital for a blood draw pursuant to a warrant. Upon arriving at the hospital, Respondent struggled with the officer and twice spat upon him. Respondent was charged with Battery by Bodily Waste, a level 6 felony, and later pled guilty to Battery Resulting in Bodily Injury, a class A misdemeanor.

Respondent has a prior conviction for reckless driving, pled down from an original charge of operating while intoxicated. Respondent failed to report that conviction to the Commission.

Violation: The parties agree that Respondent violated Indiana Professional Conduct Rule 8.4(b), which prohibits committing a criminal act that reflects adversely on Respondent’s trustworthiness or fitness as a lawyer.

Discipline: The Court, having considered the submission of the parties, now approves the following agreed discipline.

For Respondent’s professional misconduct, the Court **suspends Respondent from the practice of law for a period of 90 days, beginning November 23, 2020, with 30 days actively served and the remainder stayed subject to completion of at least two years of probation.** The Court incorporates by reference the terms and conditions of agreed discipline and probation set forth in the parties’ Conditional Agreement, which include:

- (1) Respondent shall cure her administrative suspension prior to the effective date of her disciplinary suspension.
- (2) Respondent shall undergo an alcohol and substance abuse evaluation by the Indiana Judges and Lawyers Assistance Program (JLAP) and will follow through with the course of treatment, if any, prescribed by JLAP.

(3) If Respondent violates the terms of her probation, the stay of her suspension shall be vacated and the balance of the stayed suspension shall be actively served without automatic reinstatement

Respondent shall not undertake any new legal matters between service of this order and the effective date of her disciplinary suspension, and Respondent shall fulfill all the duties of a suspended attorney under Admission and Discipline Rule 23(26). Notwithstanding the expiration of the minimum term of probation set forth above, Respondent's probation shall remain in effect until it is terminated pursuant to a petition to terminate probation filed under Admission and Discipline Rule 23(16).

The costs of this proceeding are assessed against Respondent. Pursuant to the parties' stipulation, the Court hereby orders Respondent to pay \$945.29 by check made payable to the Clerk of the Indiana Supreme Court and transmitted to the Roll of Attorneys Administrator in the Office of the Clerk of the Indiana Supreme Court. Upon receipt, the Clerk is directed to disburse those funds as follows: (1) \$20.29, payable to the Commission as reimbursement for investigative expenses incurred; (2) \$250.00, payable to the Clerk for court costs; and (3) \$675.00, payable to the Indiana Supreme Court as reimbursement for hearing officer expenses incurred.

With the acceptance of this agreement, the hearing officer appointed in this case is discharged.

Done at Indianapolis, Indiana, on 10/27/2020.



Loretta H. Rush
Chief Justice of Indiana

All Justices concur.