

# In the Indiana Supreme Court

In the Matter of: Evan Buck Broderick,  
Respondent

Supreme Court Case No.  
19S-DI-476



## 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 September 2018, Respondent was employed as an assistant city attorney for the City of Anderson. On September 5, after Respondent began drinking alcohol at home early in the afternoon, he was unexpectedly summoned to attend a Board of Zoning Appeals meeting to substitute for another attorney. After leaving the meeting, Respondent went to a bar and continued to consume alcohol. Upon leaving the bar, Respondent was involved in a single-vehicle crash in which he left the road and struck a utility pole and retaining wall. Respondent fled the scene in his damaged car and was found moments later by police in a restaurant parking lot. Respondent refused to take field sobriety or certified breath tests. A subsequent blood draw pursuant to warrant showed an alcohol concentration equivalent of .29%. Respondent was charged with several offenses and pled guilty to operating while intoxicated (“OWI”) with endangerment and leaving the scene of an accident, class A and B misdemeanors respectively.

While disciplinary action involving that matter was pending, Respondent was arrested yet again and charged with counts of OWI and leaving the scene of an accident based on an incident that occurred on July 9, 2020. This is Respondent’s fifth alcohol-related arrest.

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

8.4(b): Committing criminal acts that reflect adversely on the lawyer’s honesty, trustworthiness, or fitness as a lawyer.

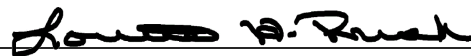
8.4(d): Engaging in conduct prejudicial to the administration of justice.

**Discipline:** The parties propose the appropriate discipline is a one-year suspension without 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 not less than one year, without automatic reinstatement, beginning October 22, 2020.** 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 minimum period of suspension, Respondent may petition this Court for reinstatement to the practice of law in this state, provided Respondent pays the costs of this proceeding, fulfills the duties of a suspended attorney, and satisfies the requirements for reinstatement of Admission and Discipline Rule 23(18). Reinstatement is discretionary and requires clear and convincing evidence of the attorney's remorse, rehabilitation, and fitness to practice law. *See* Admis. Disc. R. 23(18)(b).

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

Done at Indianapolis, Indiana, on 9/10/2020.



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Loretta H. Rush  
Chief Justice of Indiana

All Justices concur.