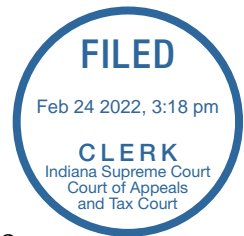


In the
Indiana Supreme Court



In the Matter of: Seth B. Haynes,
Respondent

Supreme Court Case No.
21S-DI-281

Published Order Finding Misconduct and Imposing Discipline

Upon review of the report of the hearing officer, the Honorable Jeffrey L. Marchal, who was appointed by this Court to hear evidence on the Indiana Supreme Court Disciplinary Commission's "Disciplinary Complaint," the Court finds that Respondent engaged in professional misconduct and imposes discipline on Respondent.

Facts: The Commission filed its disciplinary complaint against Respondent on June 8, 2021. Respondent was served but did not file an answer. The hearing officer granted the Commission's motion for judgment on the complaint and issued his report on December 13, 2021. No petition for review has been filed, although the Commission has filed a brief on sanction.

Respondent was hired, and paid a \$1,000 retainer, by the father of "Client" for purposes of pursuing on Client's behalf a civil lawsuit concerning an alleged breach of a verbal lease agreement. Respondent never filed a lawsuit, but falsely told Client he did and that a \$7,000 judgment had been awarded to her. In subsequent communications with Client, Respondent made various false excuses why the judgment had not yet been paid. Eventually, Client contacted the clerk and learned no lawsuit had been filed on her behalf. Client's father then called Respondent and demanded a refund of the retainer and an additional \$8,000 remittance. Respondent agreed to remit payment, and he refunded the \$1,000 retainer to Client, but he made no other payment. Prior to ending his representation, Respondent never advised Client of the statute of limitations applicable to her claim or the fact she may have an actionable malpractice claim against him.

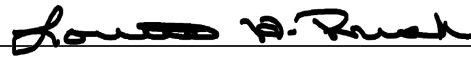
Violations: The Court finds that Respondent violated these Indiana Professional Conduct Rules prohibiting the following misconduct:

- 1.3: Failing to act with reasonable diligence and promptness.
- 1.4(a)(3): Failing to keep a client reasonably informed about the status of a matter.
- 1.4(b): Failing to explain a matter to the extent reasonably necessary to permit a client to make informed decisions.
- 1.16(d): Failing to take steps to the extent reasonably practicable to protect a client's interests upon termination of representation.
- 8.4(c): Engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation.

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 April 7, 2022.** 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. The hearing officer appointed in this case is discharged with the Court's appreciation.

Done at Indianapolis, Indiana, on 2/24/2022.



Loretta H. Rush
Chief Justice of Indiana

All Justices concur.