

SUPREME COURT OF INDIANA

In the Matter of Elaine P. Boyd

894 N.E.2d 562 (Ind. 2008) · No. 49S00-0705-DI-194 · Decided September 3, 2008

SUMMARY

The Indiana Supreme Court approved a conditional agreement disciplining Elaine P. Boyd for misconduct in handling an employment discrimination lawsuit, including missed deadlines, discovery violations, and failure to comply with court orders. The Court suspended her law license for 90 days, stayed the suspension subject to one year of probation, and assessed costs against her.

CASE DETAILS

COURT	Supreme Court of Indiana
WRITING FOR THE COURT	All Justices
JURISDICTION	Indiana
DECIDED	September 3, 2008
DOCKET	49S00-0705-DI-194
DISPOSITION	approved
PROCEDURAL POSTURE	The Indiana Supreme Court considered and approved a Statement of Circumstances and Conditional Agreement for Discipline submitted by the Indiana Supreme Court Disciplinary Commission and Respondent.
PRECEDENTIAL VALUE	Published disciplinary order

TOPICS

- sanctions
- civil procedure
- employment discrimination
- remedies
- costs

PRACTICE AREAS

- legal ethics
- attorney discipline
- civil procedure
- employment discrimination litigation

QUESTIONS PRESENTED

1. Whether the stipulated facts established violations of Indiana Professional Conduct Rules 1.1, 1.3, 3.2, 3.4(c), 3.4(d), and 8.4(d).
2. Whether the proposed ninety-day suspension, stayed subject to one year of probation and specified conditions, was appropriate discipline for the stipulated misconduct.

HOLDINGS

1. The Court approved the parties' stipulation that Boyd violated Indiana Professional Conduct Rules 1.1, 1.3, 3.2, 3.4(c), 3.4(d), and 8.4(d) through incompetent, dilatory, noncompliant, and discovery-related conduct that prejudiced the administration of justice.
2. The Court approved a ninety-day suspension from the practice of law, stayed in full subject to one year of probation and the conditions incorporated from the parties' Conditional Agreement.

KEY QUOTATIONS

“For Respondent's professional misconduct, the Court suspends Respondent from the practice of law for a period of 90 days, all of which to be stayed, subject to one year of probation.” (563)

FACTUAL BACKGROUND

In 1996, Boyd represented approximately twenty-one clients in a federal employment-discrimination lawsuit. She failed to comply with deadlines, court orders, local rules, a case-management plan, and discovery obligations; she also canceled a deposition at the last minute, filed a procedurally deficient motion to compel, and responded to interrogatories with blanket objections. The federal court ultimately dismissed the plaintiffs' case with prejudice in 1998. In aggravation, Boyd had received a prior private reprimand and private administrative admonition, while the age of the misconduct, personal adverse events, and cooperation with the Commission were considered in mitigation.

PROCEDURAL HISTORY

The Disciplinary Commission and Elaine P. Boyd stipulated to facts, violations of the Indiana Professional Conduct Rules, and proposed discipline. The Supreme Court approved the agreement, suspended Boyd for ninety days, stayed the suspension subject to one year of probation, imposed the agreed probation conditions, assessed costs against her, and discharged the hearing officer.

DISPOSITION

approved

CASES CITED

- Matter of Boyd, 49S00-9309-DI-97 (Ind. October 26, 1993)
- Matter of Boyd, 49S00-9808-DI-421 (Ind. August 4, 1998)

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