

**DISTRICT OF COLUMBIA COURT OF APPEALS  
BOARD ON PROFESSIONAL RESPONSIBILITY**



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|----------------------------------------------|---|------------------------------------------|
| <b>In the Matter of</b>                      | : |                                          |
|                                              | : |                                          |
| <b>SHOFALI JINDAL, ESQUIRE</b>               | : | <b>Disciplinary Docket No. 2024-D010</b> |
|                                              | : |                                          |
| <b>Respondent,</b>                           | : |                                          |
|                                              | : |                                          |
| <b>A Member of the Bar of the</b>            | : |                                          |
| <b>District of Columbia Court of Appeals</b> | : |                                          |
|                                              | : |                                          |
| <b>Bar Number: 994533</b>                    | : |                                          |
| <b>Date of Admission: June 7, 2010</b>       | : |                                          |
|                                              | : |                                          |

**PETITION FOR NEGOTIATED DISCIPLINE**

Pursuant to D.C. Bar Rule XI, § 12.1 and Board Rule 17.3, Disciplinary Counsel and Respondent, Shofali Jindal, submit this Petition for Negotiated Disposition in the above-captioned matter. Jurisdiction for this disciplinary proceeding is prescribed by D.C. Bar Rule XI. Pursuant to Rule XI, §1(a), jurisdiction is found because Respondent is a member of the Bar of the District of Columbia Court of Appeals.

**I. Statement of the Nature of the Matter**

This matter was docketed for investigation based on a complaint filed by Kathleen Landerkin, the Warden of the Metropolitan Transition Center in Baltimore, MD (“MTC”). The complaint alleged that Ms. Jindal scheduled an attorney visit with J.P., a detainee at the MTC. Ms. Jindal then identified herself as

J.P.'s attorney and used her D.C. Bar card to gain admittance to the facility. At the conclusion of the visit, it was discovered that Ms. Jindal had also been arrested during the incident resulting in J.P.'s incarceration and had pending criminal charges of her own related to that incident. Upon further investigation, MTC staff learned that J.P. had identified Ms. Jindal as his fiancé on his visitor list.

ODC's investigation revealed that Ms. Jindal scheduled a legal visit with J.P., under circumstances that resulted in MTC staff erroneously believing her only connection to J.P. was as his attorney, used her membership with the D.C. Bar to complete that visit, and made misrepresentations to ODC about the nature of her relationship with J.P.

Ms. Jindal admits she made false and misleading communications to the MTC when indicated she was J.P.'s attorney while surreptitiously also having a personal relationship with him and having been arrested with J.P., and that in doing so she made a misrepresentation by omission and was dishonest and deceitful. Ms. Jindal further admits that she made dishonest and deceitful misrepresentations by omission to ODC during the initial stages of its investigation regarding the nature of her relationship with J.P. Additionally, Ms. Jindal admits her conduct was dishonest and seriously interfered with the administration of justice.

## **II. Stipulation of Facts and Rule Violations**

1. Ms. Jindal is a member of the Bar of the District of Columbia Court of Appeals, having been admitted June 7, 2010, and assigned Bar Number 994533.

2. On October 1, 2023, J.P. was pulled over while he was driving in Maryland. Ms. Jindal was in the car with him. Various controlled substances were found in the car during that traffic stop. Ms. Jindal told an officer that the controlled substances were hers. She was subsequently arrested and released on bond. Ms. Jindal resolved her criminal charges with a *nolo contendere* plea to one count of possession of psilocybin, a controlled substance. She was sentenced to a term of probation before judgment, which allowed her to avoid a judgment of conviction by successfully completing her probation on February 25, 2025.

3. J.P. was also arrested during the traffic stop. He was charged with driving under the influence and was served with an outstanding parole warrant. He remained in custody while those matters were pending and was housed at the MTC. J.P. was not charged with possession of the controlled substances found in the vehicle.

4. On December 11, 2023, Ms. Jindal emailed the MTC stating she needed “to do another legal visit” with J.P. on December 16, 2023. She had previously scheduled and attended a legal visit with J.P. at the MTC.

5. Ms. Jindal never informed the MTC that she had a personal relationship with J.P. or that she had been arrested during the same incident that had resulted in J.P.'s incarceration.

6. When Ms. Jindal appeared for the December 16, 2023, visit, she said she was requesting an attorney visit and presented a photocopy of her D.C. Bar card.

7. At the conclusion of Ms. Jindal's meeting with J.P., MTC staff noticed that J.P. had a stack of papers he did not bring to the meeting. The MTC generally requires attorneys to send legal documents via legal mail, rather than deliver them in person during legal visits.

8. The papers were reviewed and were found to contain the incident report regarding the October 1, 2023 traffic stop, which included Ms. Jindal's name and booking photo. After learning that Ms. Jindal had also been arrested during the incident resulting in J.P.'s detention, MTC staff discovered that J.P. had identified Ms. Jindal as his fiancé in his booking paperwork.

9. Warden Landerkin's complaint followed.

10. During a phone call with ODC on February 7, 2024, Ms. Jindal stated that J.P. had been her client since June 2023. Ms. Jindal explained that she represented J.P. and provided him with legal advice related to businesses he managed but did not represent him in his pending criminal case. She further

indicated that she went to visit J.P. as his attorney. Ms. Jindal advised that a Maryland attorney she had consulted with told her that she could visit J.P. at the MTC, and she did so based on that information. She also said that she had visited J.P. before without issue, and other than arriving late, there was nothing wrong or inappropriate with her December 16, 2023 visit. Ms. Jindal further stated that J.P. was not her co-defendant, as the complaint alleged. She additionally indicated that the legal documents she brought to J.P. were confiscated.

11. On February 14, 2024, Ms. Jindal provided a written response to the complaint, consistent with the statements above and generally denying any misconduct occurred. The written response additionally contended that the complaint was filed to hurt Ms. Jindal's credibility because she was contemplating filing a lawsuit against the MTC for interfering with inmate rights.

12. In the written response Ms. Jindal again specifically stated that she had an ongoing legal relationship with J.P, who was her client, and that she was conducting a legal visit with him on the date in question. Ms. Jindal admitted that she also had a personal relationship with J.P., but claimed it was irrelevant. She further explained that she was not a co-defendant of J.P.'s, as the complaint suggested, because they had not been charged with the same offenses.

13. Ms. Jindal's written response further indicated that before conducting a legal visit with J.P., she had consulted a Maryland attorney who practices

criminal law. She stated that when the correctional officers raised concerns about the paperwork she had given J.P. she offered to take it back and mail it to him, noting that on a previous visit she was able to give documents to J.P. Ms. Jindal averred there was no contraband in the papers.

14. On May 21, 2024, Ms. Jindal attended an in-person meeting with ODC. She explained that she and J.P. met at a party. While she had provided legal advice to J.P. regarding a business license and two family-related issues, Ms. Jindal did not represent J.P. in his Maryland criminal case. Ms. Jindal admitted that she and J.P. had been in a romantic relationship but said they were never engaged. Ms. Jindal explained that she scheduled the December 16, 2023, visit so she could have J.P. sign a power of attorney form that would allow her to assist with his finances while he was incarcerated. During that visit she also gave J.P. copies of documents she had received regarding the October 1, 2023 traffic stop because J.P. had not yet had the opportunity to review them. At that time, Ms. Jindal, who has never practiced criminal law, did not fully appreciate that the MTC would generally not permit unmonitored visits, such as a legal visit, between romantic partners or between people who were arrested during the same incident.

15. Ms. Jindal admits she made a mistake and has expressed remorse for what occurred.

16. Ms. Jindal's conduct violated the following District of Columbia Rules of Professional Conduct:

- a. Rule 8.1(a) in that Ms. Jindal knowingly made false statements of fact to ODC during a disciplinary investigation related to the nature of her relationship with J.P.;
- b. Rule 8.4(c) in that she engaged in conduct involving misrepresentation by omission and deception when she held herself out as J.P.'s attorney to the MTC, and failed to disclose that she had a personal relationship with him and had been arrested at the same time he had been, in order to schedule and attend an unmonitored legal visit with J.P., and in that she made similar misrepresentations to ODC about the nature of her relationship with J.P.; and
- c. Rule 8.4(d) in that Ms. Jindal engaged in conduct that seriously interfered with the administration of justice when she provided false information to ODC about the nature of her relationship with J.P. during the initial phase of its investigation.

### **III. Statement of Promises Made by Disciplinary Counsel**

In connection with this Petition for Negotiated Disposition, ODC agrees not to pursue any charges arising out of the conduct described in Section II, *supra*, other than those set forth above, or any sanction other than that set forth below.

### **IV. The Agreed-Upon Sanction**

#### **A. Agreed Sanction**

Disciplinary Counsel and Ms. Jindal agree that the proposed discipline is a six-month suspension.

#### **B. Relevant Precedent**

Under Board Rule 17.5(a)(iii), the agreed-upon sanction in a negotiated discipline case must be “justified, and not unduly lenient, taking into consideration the record as a whole.” However, a justified sanction “does not have to comply with the sanction appropriate under the comparability standard set forth in D.C. Bar Rule XI, § 9(h).” Board Rule 17.5(a)(iii).

The Court has imposed a variety of sanctions where attorneys have made false statements in connection with a disciplinary matter, conducted themselves dishonestly, and interfered with the administration of justice. There are cases with comparable Rule violations where the Court has imposed a six-month suspension. See *In re Robertson*, 618 A.2d 270 (D.C. 1993) (imposing a six-month suspension where Respondent, appearing *pro hac vice* in the D.C. court, engaged in dishonesty

when he misrepresented to a correctional facility that a reporter he brought into the jail to interview his client was an attorney); *In re Soto*, 298 A.3d 762 (D.C. 2023) (suspending Respondent for six months after finding he violated Rules 8.1(a), 8.4(c), and 8.4(d)); *In re Elgin*, 918 A.2d 362 (D.C. 2007) (six-month suspension ordered where Respondent violated Rules 1.2, 1.3(b)(2), 1.4(a) and (b), 1.5(b), 1.7(b)(4), 1.8(a), 8.4(c), and 8.4(d)); *In re Park*, 894 A.2d 411 (D.C. 2006) (imposing six-month suspension as reciprocal discipline where Respondent's misconduct in Virginia consisted of various acts of dishonesty).

Even though Ms. Jindal has no prior disciplinary record, “a six-month or a one-year suspension ‘on [an] attorney[ ] with [a] previously unblemished record gives the Bar and the public notice that we consider the attorney’s misconduct serious.’” *Elgin*, 918 A.2d at 382-83 (quoting *In re Reback II*, 513 A.2d 226, 233 (D.C. 1986)). “It is not unprecedented to order a suspension of considerable length on first-time offenders.” *Elgin*, 918 A.2d at 382-83 (citing *In re Hager*, 812 A.2d 904, 922 (D.C. 2002); *In re Hutchinson*, 534 A.2d 919, 925 (D.C. 1987)).

Ms. Jindal’s conduct was more egregious than that of respondents who received lesser sanctions. For example, in *In re Carter*, 333 A.3d 558 (D.C. 2025), the Court adopted the Board’s recommended 60-day suspension where the respondent violated Rules 3.3(a)(1) and 8.4(c) by falsely telling a tribunal that a Bar complaint against her had been dismissed. *See also In re Uchendu*, 812 A.2d

933 (D.C. 2002) (respondent was suspended for 30 days after being found to have violated Rules 3.3(a), 8.4(c), and 8.4(d) where he signed his clients' names on documents and notarized some of the signatures himself); *In re Schneider*, 553 A.2d 206 (D.C. 1989) (imposing thirty-day suspension where Respondent falsified travel expense reports where the expenses were legitimate).

By contrast, here, Ms. Jindal not only misled the MTC, but was then dishonest with ODC. And, Ms. Jindal's misrepresentation and dishonesty was more egregious than what occurred in *Carter* in that it was done in order to gain access to an unmonitored visit with a detainee in a correctional facility with whom Ms. Jindal was not only in a with relationship with but had been arrested with during the incident for which he was incarcerated. Moreover, the *Carter* Court noted that "if anything [the 60-day suspension] is overly lenient" based on the facts of that case. *Carter*, 333 A.3d at 561. Accordingly, a more stringent sanction is appropriate here.

### **C. Circumstances in Aggravation and Mitigation**

Mitigating circumstances include that Ms. Jindal: (1) has no prior disciplinary history; (2) has shown remorse and taken full responsibility for the misconduct, including by accepting this agreed disposition; (3) the misconduct occurred during an unusually stressful period and is unlikely to occur again; and (4) there was no prejudice suffered by any clients.

During the meeting with ODC Ms. Jindal readily admitted to the misconduct alleged. She was very remorseful and apologetic throughout the meeting. Ms. Jindal had specifically reviewed Rule 8.1(a) and acknowledged that she had not complied with the Rule's requirements.

Ms. Jindal has also described her emotional distress at the time of the alleged misconduct, including a very stressful job, her own arrest and pending criminal matter, and other personal matters clouding her judgment at the time.

#### **D. Justification of Recommended Sanction**

Disciplinary Counsel has considered the resources required to prosecute the case and the likelihood of prevailing on the merits if it went to hearing and believes that a negotiated disposition is warranted. Ms. Jindal has considered the resources necessary to defend the case and the possibility of greater sanction if the matter were to proceed to a hearing. Considering the misconduct along with the aggravating and mitigating factors, the parties submit that the agreed-upon sanction is justified and not unduly lenient.

#### **V. Respondent's Affidavit**

In further support of this Petition for Negotiated Discipline, attached is Respondent's Affidavit pursuant to D.C. Bar Rule XI, § 12.1(b)(2).

## Conclusion

Respondent and Disciplinary Counsel request that the Executive Attorney assign a Hearing Committee to review the Petition for Negotiated Discipline pursuant to D.C. Bar Rule XI, § 12.1(c).

Respectfully submitted,

s/ Hamilton P. Fox, III

HAMILTON P. FOX, III

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SHOFALI JINDAL

*Respondent*

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