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NEWS RELEASE

For immediate release
September 30, 2026

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ATTORNEY DISCIPLINED

ST. PAUL -- The Minnesota Supreme Court recently issued a 60-day stayed suspension with two years' probation for attorney Carrie L.B. Klamecki Hendricks of Anoka. The discipline was imposed after the Office of Lawyers Professional Responsibility filed a petition for disciplinary action against Klamecki Hendricks. A copy of the Court's decision is attached.

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STATE OF MINNESOTA

IN SUPREME COURT

A25-0901

FILED
OFFICE OF APPELLATE COURTS
Date: 2026.09.29 16:02:10 -05'00'

In re Petition for Disciplinary Action against
Carrie L. B. Klamecki Hendricks, a Minnesota Attorney,
Registration No. 0397164.

O R D E R

The Director of the Office of Lawyers Professional Responsibility filed a petition for disciplinary action alleging that respondent Carrie L. B. Klamecki Hendricks committed professional misconduct warranting public discipline—namely, engaging in dishonest conduct. This matter is pending before us based on the parties' stipulation for discipline. In the stipulation, Hendricks waives her procedural rights under Rule 14, Rules on Lawyers Professional Responsibility (RLPR), waives her right to answer, and unconditionally admits the allegations of the petition. The parties jointly recommend that, in light of mitigating factors and the special circumstances presented, the appropriate discipline is a 60-day suspension, with the suspension stayed conditioned on compliance with the terms of a two-year period of probation.

Hendricks admits to committing a pattern of dishonest acts over a 29-day period while working as a public defender. The purpose of the dishonest conduct was to allow Hendricks, in violation of jail rules and policies, to have unmonitored access to D.W., a former client who was being held in the Anoka County jail. Hendricks admits that she

violated Minn. R. Prof. Conduct 8.4(c), which prohibits a lawyer from "engag[ing] in conduct involving dishonesty, fraud, deceit, or misrepresentation."

Hendricks engaged in two types of dishonest conduct. First, she falsely held herself out as being D.W.'s public defender. On four occasions, Hendricks presented her public defender credentials to jail staff when she visited D.W. This allowed her to meet with D.W. in person, even though the visits were for personal reasons and jail policies would have required the visits to be conducted with a video visitation system. On one occasion, Hendricks gave an envelope to jail staff that was stamped "legal mail" when the envelope did not contain legal mail. And on multiple occasions, Hendricks called D.W. using her work-issued cell phone rather than her personal cell phone. Because Hendricks represented herself as D.W.'s attorney, jail staff did not monitor her telephone calls or review her mail with D.W.

In addition to falsely holding herself out as D.W.'s lawyer, Hendricks engaged in dishonest conduct by misrepresenting her identity in the system used to facilitate inmate texting in order to avoid detection of her personal relationship with D.W. Hendricks used a false name in two accounts in this system, although she accurately listed the contact type as "friend/family" and the member type as "visitor." She then sent D.W. multiple text messages using both accounts.

Along with the stipulation for discipline, the Director submitted a memorandum explaining the recommended discipline. The Director acknowledges that lawyers are typically suspended for committing multiple dishonest acts over a short period of time. The Director contends that two mitigating factors are present: (1) the misconduct "is

directly attributed to [Hendricks's] substance use, which affected her judgment," and (2) Hendricks is remorseful and recognizes the wrongfulness of her misconduct. Considering these mitigating factors, the Director argues that the seriousness of the misconduct still warrants a "short suspension."

The Director also asks us to stay the suspension. The Director states that Hendricks has addressed her substance use disorder through "successful completion of voluntary inpatient and outpatient treatment programs," has made progress in an aftercare program, and has maintained her sobriety. In addition, the parties recommend conditioning the stayed suspension on compliance with the terms of Hendricks's probation, which require sobriety. The Director acknowledges stayed suspensions are rare. She believes, however, that this case is similar to other cases where we have imposed a stayed suspension and that a stayed suspension will fulfill the purposes of attorney discipline.

"The purpose of attorney discipline is 'not to punish the attorney but rather to protect the public, to protect the judicial system, and to deter future misconduct by the disciplined attorney as well as by other attorneys.' " *In re Klotz*, 909 N.W.2d 327, 335 (Minn. 2018) (quoting *In re Pitera*, 827 N.W.2d 207, 210 (Minn. 2013)). "We consider four factors in determining the appropriate discipline to impose '(1) the nature of the misconduct; (2) the cumulative weight of the disciplinary violations; (3) the harm to the public; and (4) the harm to the legal profession.' " *Id.* (quoting *In re Hansen*, 868 N.W.2d 55, 59 (Minn. 2015)). In addition, we "consider both aggravating and mitigating factors, and look to similar cases when determining the appropriate sanction." *Id.*

Although this court is ultimately responsible for determining the appropriate discipline, we "give some deference to the Director's decision to enter into a stipulation for discipline." *In re Riehm,* 883 N.W.2d 223, 233 (Minn. 2016) (citation omitted) (internal quotation marks omitted). We do so because the Director's responsibilities in administering the attorney discipline process place the Director "in the best position to weigh the cost and risk of litigation." *In re Berg*, 741 N.W.2d 600, 606 (Minn. 2007).

After considering the four disciplinary factors, the mitigating factors that are present, and the discipline imposed in similar cases, we agree with the parties that the appropriate discipline in this case is a 60-day suspension, with the suspension stayed conditioned on compliance with the terms of a two-year period of probation.

Turning first to the length of the suspension, Hendricks's pattern of dishonest conduct is serious. *In re Ruffenach*, 486 N.W.2d 387, 391 (Minn. 1992) ("Honesty and integrity are chief among the virtues the public has a right to expect of lawyers."). When "a lawyer demonstrates a lack of that truthfulness and candor that the courts have a right to expect of their officers," we "do not hesitate to impose severe discipline." *In re Schmidt*, 402 N.W.2d 544, 548 (Minn. 1987) (imposing a suspension of six months for misrepresentations to a client, opposing counsel, and a federal district court judge). At the same time, the misconduct occurred over a relatively short period of time. *See In re Laver*, 984 N.W.2d 556, 566–67 (Minn. 2023) ("In assessing the cumulative weight of an attorney's disciplinary violations, we distinguish a brief lapse in judgment or a single, isolated incident of misconduct from multiple instances of misconduct occurring over a substantial amount of time." (citation omitted) (internal quotation marks omitted)). And

we agree with the Director's assessment that there are also two significant mitigating factors present in Hendricks's case—Hendricks's substance use disorder and remorse for the misconduct.[1] In light of these considerations, we conclude that a 60-day suspension should be imposed.

We also agree that this is a rare case where a stayed suspension will adequately protect the public. We have occasionally stayed a suspension when the misconduct is directly attributed to a mental health condition or a substance use disorder and the lawyer has successfully treated their disease, including by maintaining their sobriety. *See In re Streff*, 977 N.W.2d 591, 591 (Minn. 2022) (order) (imposing a 60-day stayed suspension conditioned on successful completion of three years of probation when the attorney committed misconduct in five client matters and failed to cooperate in five disciplinary investigations and the parties jointly recommended a 60-day, stayed suspension, in part, because of mitigating factors that included the lawyer's mental health issue, which he had treated after committing the misconduct);[2] *In re Berndt*, 719 N.W.2d 642, 643–44 (Minn. 2006) (order) (imposing a stayed 90-day suspension and placing the lawyer on probation

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[1] A lawyer's substance use disorder is a mitigating factor when the lawyer proves: "(1) [she] is affected by [a substance use disorder], (2) the [substance use disorder] caused the misconduct, (3) [she] is recovering from [the substance use disorder], (4) the recovery has arrested the misconduct, and (5) the misconduct is not apt to recur." *In re Anderley*, 481 N.W.2d 366, 370 (Minn. 1992) (citing *In re Johnson*, 322 N.W.2d 616, 618 (Minn. 1982)).

[2] Although the order imposing discipline in *Streff* did not expressly mention the lawyer's mental health condition, 977 N.W.2d at 591, in that case the Director's memorandum explaining the recommended discipline stated that the lawyer's misconduct was attributed to a mental health disorder and that he had made great progress in addressing his mental health.

for two years, as recommended by the parties, conditioned on the lawyer's maintenance of sobriety and participation in an outpatient treatment program after a referee found that the lawyer neglected client matters and made misrepresentations to clients to conceal the neglect and that the lawyer "had shown, by clear and convincing evidence, that his misconduct was mitigated by his alcoholism"); *In re Schumack*, 655 N.W.2d 637, 638–39 (Minn. 2003) (order) (imposing the parties' recommendation of a six-month stayed suspension for "engaging in a pattern of neglect and noncommunication, failing to pay a law-related debt," and failing to cooperate with a disciplinary investigation when the parties "recommend[ed] that, in light of respondent's renewed psychological treatment, the suspension be stayed"); *In re Bergstrom*, 562 N.W.2d 674, 678 (Minn. 1997) (imposing an indefinite suspension, stayed subject to certain conditions, including compliance with "medication and treatment regimens prescribed by his physicians," for failing to comply with the terms of a private probation, neglecting a client matter, making misrepresentations to the client, and failing to cooperate with the Director when the court was "convinced that [the lawyer's] severe depression, for which he is being treated, played a significant role in causing the misconduct" and "there is evidence showing that [the lawyer] has made improvement in both his psychological condition and his legal practice"); *In re Isaacs,* 406 N.W.2d 526, 529 (Minn. 1987) (imposing five-year suspension, stayed subject to certain conditions, for misconduct that included misappropriation of client funds, when the referee found the lawyer's alcoholism mitigated his misconduct but the court found "that clear and convincing evidence is lacking to [demonstrate] that alcoholism caused all of the misconduct involved in this

case"). Here too, Hendricks's misconduct was caused by her substance use disorder, and Hendricks successfully completed treatment and aftercare for her disorder and has maintained her sobriety.[3]

The dissent contends that we have imposed an indefinite suspension with no right to petition for reinstatement for at least six months when attorneys committed misconduct similar to Hendricks's misconduct. But the four cases the dissent cites are distinguishable. In two of them, the lawyers committed types of misconduct that Hendricks did not commit, that misconduct occurred over a substantial period of time, there were no mitigating factors, and significant aggravating factors were present. *See Laver*, 984 N.W.2d at 566–68 (suspending attorney with no right to petition for

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[3] The dissent contends that a stayed suspension is not warranted. In support, the dissent cites four cases in which we rejected either a lawyer's request, or a referee's recommendation, for a stayed suspension. But none of those cases involved misconduct attributable to a mental health condition or a substance use disorder that the lawyer had successfully treated, including through sustained sobriety. Two of the four cases made no mention of a mental health condition or a substance use disorder. *See In re Aitken*, 787 N.W.2d 152, 163 (Minn. 2010) (rejecting the referee's recommendation to stay a suspension when the lack of harm to the client was a mitigating factor); *In re Moulton*, 721 N.W.2d 900, 906–07 (Minn. 2006) (rejecting the attorney's argument that his suspension should be stayed and concluding that "not much weight should be given to Moulton's mitigation arguments" because some factors did not "qualify as mitigating factors," some had been rejected by the referee, and as noted by the Director, other changes were simply " 'ordinarily prudent conduct' "). In the remaining two cases cited by the dissent, mental health or substance use disorders were not implicated or proven. In the third case, in fact, we expressly acknowledged that "[p]robation may be appropriate where extreme and extenuating circumstances, such as … chemical dependency … are shown to have caused the misconduct." *In re Sahr*, 444 N.W.2d 290, 292 (Minn. 1989). But we ultimately rejected the attorney's request that his suspension be stayed despite remorse, the lawyer's good character, and extreme personal stress mitigating some of the misconduct. *Id.* at 293. And in the final case, we found the lawyer failed to prove that his alleged psychological condition was a mitigating factor. *In re Farley*, 771 N.W.2d 857, 861–62 (Minn. 2009).

reinstatement for eight months for committing "wide-ranging, serious misconduct," including dishonest conduct, in five client matters over more than seven years and when there were no mitigating factors and four aggravating factors)[4]; *In re Greenman*, 860 N.W.2d 368, 376–79 (Minn. 2015) (indefinitely suspending attorney with no right to petition for reinstatement for six months for committing "substantial and varied misconduct," including dishonest conduct, in eight matters over more than five years and when there were no mitigating factors and "numerous aggravating factors").[5]

In the third of the dissent's cited cases, the lawyer's dishonest conduct occurred in court proceedings, but Hendricks made no false statements to a court, and her dishonest conduct did not occur in connection with the representation of a client or any other legal proceeding.[6] *In re Jagiela*, 517 N.W.2d 333, 334, 336 (Minn. 1994) (suspending attorney

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[4] The specific misconduct in *Laver* "involved misrepresentations to clients, courts, and disciplinary investigators, client neglect, disobedience of court orders, collection of improper fees, advising a client despite a conflict of interest, engaging in conduct prejudicial to the administration of justice, and failing to cooperate in multiple disciplinary investigations." 984 N.W.2d at 560.

[5] The specific misconduct in *Greenman* involved "ma[king] a misrepresentation during an arbitration proceeding, pursu[ing] frivolous litigation on behalf of a client, disobey[ing] court rules," failing to provide competent representation to clients, "fail[ing] to communicate with a client, fail[ing] to timely return a client file, neglect[ing] client matters, fail[ing] to appear at scheduled court hearings and conferences, fail[ing] to pay court-ordered sanctions and a law-related debt, and fail[ing] to cooperate with the disciplinary investigation." 860 N.W.2d at 371.

[6] We acknowledge that Hendricks's dishonest conduct occurred in the context of her employment as a lawyer. This misconduct, however, was only indirectly related to the practice of law. Contrary to the dissent's claim, the practice of law was not central to Hendricks's misconduct. Hendricks's misconduct did not involve dishonesty to a client, a tribunal, or an opposing party, nor did it take place during the representation of any client or involve the mishandling of client funds.

with no right to petition for reinstatement for six months for improperly backdating an agreement, submitting the agreement without informing the court and opposing counsel that he had back-dated it, making false statements to the court about the agreement, "fail[ing] to correct false testimony and pleadings," and signing a misleading affidavit for use in a court proceeding).

And in the final case, the dishonest conduct occurred over a period of years, some of it occurred during a disciplinary investigation, and there was no mention of mitigating factors. *See In re Ballard*, 976 N.W.2d 720, 720 (Minn. 2022) (order) (suspending attorney with no right to petition for reinstatement for six months for "making knowingly false statements on a résumé she submitted to two law firms when applying for a job as a lawyer, giving one of these law firms a forged law school transcript, making knowingly false statements to a [law firm recruiter], and making knowingly false statements to the Director").

The discipline we impose "is tailored to the specific facts of each case." *In re MacDonald*, 962 N.W.2d 451, 466 (Minn. 2021). Considering the specific facts of this case, we believe the appropriate discipline is a 60-day suspension, with the suspension stayed conditioned on compliance with the terms of a two-year period of probation.

This court has independently reviewed the file and approves the jointly recommended disposition.

Based upon all the files, records, and proceedings herein,

IT IS HEREBY ORDERED THAT:

1. Respondent Carrie L. B. Klamecki Hendricks is suspended from the practice of law for 60 days, and her suspension is stayed on the following conditions:

a. Respondent pay $900 in costs, pursuant to Rule 24(a), RLPR, as set forth in paragraph 3 below; and

b. Respondent comply with the terms of her probation.

2. Respondent is placed on probation for two years, subject to the following conditions:

a. Respondent must cooperate fully with the Director's Office in its efforts to monitor compliance with this probation. Respondent must promptly respond to the Director's correspondence by its due date. Respondent must provide to the Director a current mailing address and must immediately notify the Director of any change of address. Respondent must cooperate with the Director's investigation of any allegations of unprofessional conduct that may come to the Director's attention. Upon the Director's request, respondent must provide authorization for release of information and documentation to verify compliance with the terms of this probation.

b. Respondent must abide by the Minnesota Rules of Professional Conduct.

c. Respondent must abstain from using illegal mood-altering chemicals, except that respondent may use prescription drugs in accordance with the directions of a prescribing physician who is fully advised of respondent's substance use disorder before issuing any prescription.

d. Respondent must continue all aftercare recommended or prescribed by the treating facility as part of the inpatient chemical dependency treatment program that respondent completed in 2024.

e. Respondent must attend weekly meetings of Narcotics Anonymous or another abstinence-based recovery support group or program acceptable to the Director. Respondent must, by the tenth day of each month, without a specific reminder or request, submit to the

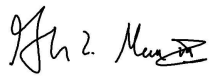
Director an attendance verification on a form provided by the Director, which provides the name, address, and telephone number of the person personally verifying the attendance.

f. If, at any time during the period of probation, after giving respondent an opportunity to be heard by the Director, the Director concludes that respondent has violated the conditions of the probation or engaged in further misconduct, the Director may file a petition for disciplinary action against respondent in the Minnesota Supreme Court without the necessity of submitting the matter to a Panel or Panel Chair. Respondent waives the right to such consideration by the Panel or Panel Chair.

3. Respondent must pay $900 in costs pursuant to Rule 24(a), RLPR.

Dated: September 29, 2026

BY THE COURT:



Gordon L. Moore, III
Associate Justice

D I S S E N T

MCKEIG, Justice (dissenting).

Carrie L. B. Klamecki Hendricks repeatedly abused her position as an attorney to obtain unmonitored access to an inmate in the Anoka County jail for personal reasons. It is undisputed that Hendricks (1) falsely presented herself as the inmate's current public defender to facilitate in-person jail visits with the inmate; (2) falsely marked an envelope addressed to the inmate as "legal mail" to avoid having the mail monitored; (3) falsely held herself out as the inmate's public defender by using her work-issued cell phone to facilitate unrecorded jail phone calls with the inmate; and (4) misrepresented her identity when communicating with the inmate by text message to avoid the detection of a personal relationship with the inmate. Hendricks admitted that this behavior constitutes "serious misconduct" in violation of Minn. R. Prof. Conduct 8.4(c), which prohibits a lawyer from "engag[ing] in conduct involving dishonesty, fraud, deceit, or misrepresentation." Because Hendricks's repeated dishonest actions undermine the public's trust and confidence in lawyers and the legal profession, I would suspend Hendricks indefinitely with no right to petition for reinstatement for six months. Accordingly, I dissent.

We evaluate four factors to determine the appropriate discipline, including, as relevant here, "the harm to the legal profession." *In re Laver*, 984 N.W.2d 556, 566 (Minn. 2023) (citation omitted) (internal quotation marks omitted). We measure this harm "by considering whether an attorney's misconduct reflects poorly on the entire legal profession and erodes the public's confidence in lawyers." *Id.* at 567 (citation omitted)

(internal quotation marks omitted). An attorney's "pattern of false statements undermines the public's faith in the legal profession." *Id.* "[M]aking misrepresentations demonstrates a lack of honesty and integrity, and warrants severe discipline." *In re Greenman*, 860 N.W.2d 368, 376 (Minn. 2015) (alteration in original) (citation omitted) (internal quotation marks omitted). Here, Hendricks took advantage of her position as an attorney to repeatedly lie about her status as the inmate's lawyer, misrepresenting herself and her communications to gain unmonitored access to the inmate for personal reasons. This pattern of misconduct "undermin[es] the public's confidence in the honesty and integrity of lawyers," *In re Eichhorn-Hicks*, 916 N.W.2d 32, 39 (Minn. 2018) (citation omitted) (internal quotation marks omitted), and merits "severe discipline," *Greenman*, 860 N.W.2d at 376 (citation omitted) (internal quotation marks omitted).

When determining the appropriate discipline in each case, we "look[] to similar cases for guidance" and "tailor the discipline to the specific facts of each case." *Greenman*, 860 N.W.2d at 376. We have suspended attorneys who have committed misconduct similar to Hendricks with no right to petition for reinstatement for six months or more. *See id.* at 376–77, 379 (suspending attorney with no right to petition for six months in part for "stat[ing] during an arbitration that his client had electronically signed the declaration that [the attorney] submitted on her behalf when, in fact, she had not signed the declaration"); *Laver*, 984 N.W.2d at 567–68 (suspending attorney with no right to petition for eight months in part for his "pattern of false statements"); *In re Ballard*, 976 N.W.2d 720, 720 (Minn. 2022) (order) (suspending attorney with no right to petition for six months for "making knowingly false statements on a résumé she

submitted to two law firms when applying for a job as a lawyer, giving one of these law firms a forged law school transcript, making knowingly false statements to a [law firm recruiter], and making knowingly false statements to the Director"); *In re Jagiela*, 517 N.W.2d 333, 336 (Minn. 1994) (suspending attorney with no right to petition for six months for improperly backdating an agreement, submitting the agreement without informing the court and opposing counsel that he had back-dated it, and "fail[ing] to correct false testimony and pleadings"). Here, Hendricks not only knowingly made false statements—she also used her privileged position as an attorney to manipulate jail employees and gain improper, unmonitored access to an inmate for personal reasons.[1]

Furthermore, this is not the "rare case" that merits a stayed suspension. *Supra* at 5. We have frequently rejected attorneys' and referees' requests and recommendations to stay suspensions, even where there are mitigating factors. *See In re Aitken*, 787 N.W.2d 152, 161–62, 164 (Minn. 2010) (imposing suspension without a stay, counter to the referee's recommendation and despite mitigating factors, where the attorney committed an act of deceitful misconduct); *In re Sahr*, 444 N.W.2d 290, 291–93 (Minn. 1989) (rejecting the referee's recommendation that we stay the suspension, despite mitigating factors); *In re Farley*, 771 N.W.2d 857, 862–66 (Minn. 2009) (imposing suspension without a stay after determining that the attorney's "psychological disorder [was] not a

[1] The court contends that Hendricks's dishonest conduct was "only indirectly related to the practice of law." *Supra* at 8 n.6. But Hendricks deliberately used her position as a legal practitioner to repeatedly gain unmonitored access to an inmate—the dishonest conduct at issue. The practice of law was thus central to Hendricks's professional misconduct.

mitigating factor"); *In re Moulton*, 721 N.W.2d 900, 906–07 (Minn. 2006) (rejecting attorney's request that we stay his 90-day suspension, noting the Director's argument that "a stayed suspension would be inappropriate because 'in effect, [it would be] equivalent to reprimand and probation' " (alteration in original)). Given Hendricks's repeated deceptive statements and actions in violation of Minn. R. Prof. Conduct 8.4(c), I would likewise reject the recommendation that we stay the suspension here.

Hendricks's knowingly dishonest statements and behavior under the guise of representing an inmate merit an indefinite suspension with no right to petition for six months. Because I would so hold, I dissent from the court's decision to suspend Hendricks for 60 days and to conditionally stay the suspension.