



Ohio Board of Professional Conduct

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TO: Disciplinary Counsel, Bar Counsel, Certified Grievance Committees, and Respondents' Counsel

FROM: Rick Dove

DATE: February 2022

RE: Bimonthly Update

February Board Meeting

The Board of Professional Conduct held its first meeting of the year on February 4. The Board approved [five case reports](#), including one reinstatement report.

The Board has 25 pending cases, 16 of which have been heard or are scheduled for hearing. Two newly certified cases are awaiting answers, one case is awaiting a hearing date, and six cases are stayed.

Advisory Opinion

The Board approved [Adv. Op. 2022-1](#) dealing with the imputation of a parttime prosecutor's conflict to the elected prosecuting attorney. The opinion is a rewrite of Adv. Op. 1988-13 that was withdrawn.

Board Membership

The Supreme Court reappointed Commissioners Coss, Daniel, Herf, Schmitz, and Woodside to new, three-year terms on the Board. The Court also appointed three new commissioners: Shelley Kennedy, an attorney from the Sixth District, Frank DeSantis, an attorney from the Eighth District, and Judge Deborah Turner, also from the Eighth District. The Third District attorney position remains vacant.

2021 Annual Report

The Board issued its [2021 Annual Report](#) this week. The report highlights the Board's disposition of 69 disciplinary cases, including five cases involving serious allegations of judicial misconduct, and participation in 34 education programs for lawyers, judges, and judicial candidates. The education programs included the inaugural presentation of ethics "boot camps" targeted at lawyers who have been in practice for less than 10 years.

Annual Reports, Quarterly Statistical Reports

A reminder that each certified grievance committee is required to prepare and submit an annual report to the Board on or before March 1. The [required content](#) of the annual report is summarized on the Board's website.

There are 13 certified grievance committees that have failed to file one or more quarterly statistical reports with the Board as required by Gov. Bar R. V. I will be contacting the chairs and bar counsel for each committee in the coming week regarding these delinquent reports.

The Board will be considering the biennial recertification of grievance committees at its April meeting. Compliance with the quarterly and annual reporting requirements is one factor in the Board's recertification decisions.

Moyer Judicial Center Access

This week, the Chief Justice rescinded restrictions on access to the Moyer Judicial Center. Due to those restrictions, the Board conducted its three January hearings and the February 4 Board meeting via Zoom. In-person hearings will resume this month, and staff will resume the in-office work schedule that was in place prior to the holidays.