



Ohio Board of Professional Conduct

**INSTRUCTIONS FOR FILING
PROBABLE CAUSE MATERIALS**

MAY 2022

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OVERVIEW

The Board of Professional Conduct offers a web-based portal through which the Office of Disciplinary Counsel and certified grievance committees may submit probable cause materials. Electronic submission of probable cause materials is required exclusively through the Board's online docket and, with the exception of exhibits in audio or video format, replaces electronic and regular mail as the means of submitting probable cause materials.

The Board provides the Office of Disciplinary Counsel and bar counsel for each certified grievance committee with unique credentials for use in submitting probable cause materials. The probable cause credentials are different than the credentials issued by the Board to individual attorneys for [e-Filing purposes](#) and may be used by any authorized representative of the disciplinary authority.

The process for submitting probable cause materials is as follows:

- Relator will use its Board-issued credentials to access the probable cause portal.
- Relator will enter case-related information in the portal, including the attorney registration numbers of the respondent, respondent's counsel (if any), relator's lead counsel or bar counsel, and relator's co-counsel (if any).
- Relator will upload the complaint, summary of investigation, exhibits, and affidavit.
- Once the probable cause materials are submitted, a confirmation will appear at the bottom of the screen, and a confirmation email will be sent to the entity submitting the materials.

These steps are outlined in more detail in these instructions.

Questions regarding electronic submission of probable cause materials may be directed to the staff at (614) 387-9370 or BOCfilings@bpc.ohio.gov.

ISSUANCE AND USE OF CREDENTIALS

The Board has provided the Office of Disciplinary Counsel and bar counsel for each certified grievance committee with credentials to permit the electronic submission of probable cause materials. Unlike e-Filing credentials that are unique to each attorney, the probable cause credentials are unique to each disciplinary authority and can be used by any individual whom the relator has authorized to submit probable cause materials to the Board. The probable cause materials may not be provided to unauthorized individuals or shared with other filing entities, respondents, or respondents’ counsel.

The probable cause credentials consist of a URL that can be copied and pasted into a web browser. A window or tab will open to indicate you have successfully accessed the filing portal. The name of the filing entity (Disciplinary Counsel or grievance committee) will appear in the last line of text in the blue box. Fig. 1.

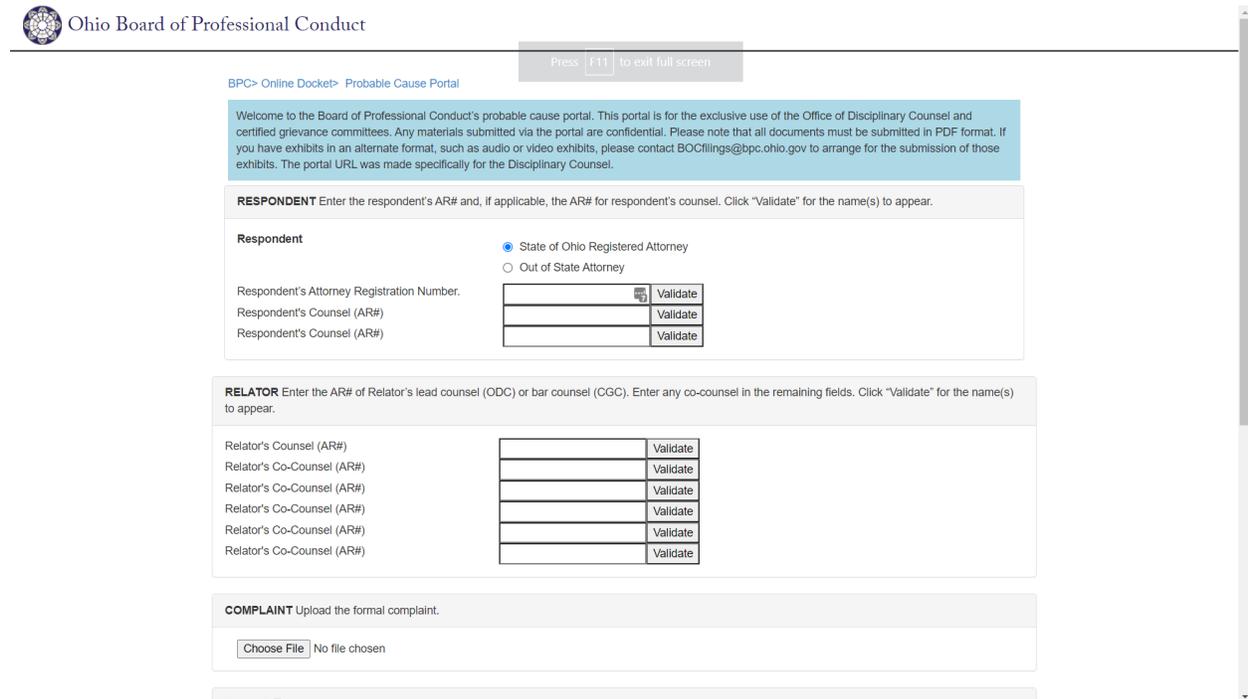


Fig. 1

Technical Requirements

To facilitate access to the probable cause portal and the receipt of probable cause-related communications, please ensure the following:

- That your web browser is set to accept and retain “cookies.” You may be required to reenter your credentials if your browser is not set to accept cookies, if you use a different web browser, or if you attempt to submit documents from a computer other than your usual work computer.
- That your spam filter and email server is set to accept emails from @bpc.ohio.gov.

SUBMITTING PROBABLE CAUSE MATERIALS

Identifying the Parties and Counsel

To submit probable cause materials, enter the credentials provided to your entity in a web browser. Doing so will take you to the main filing screen. Fig. 1, *supra*.

Begin the submission process by entering the respondent’s attorney registration number and clicking on “Validate.” The respondent’s name will appear next to the attorney registration number. Fig. 2. Repeat this process for the respondent’s counsel, if any, relator’s lead counsel (ODC) or bar counsel (CGC), and relator’s co-counsel, if any.



BPC > Online Docket > Probable Cause Portal

Welcome to the Board of Professional Conduct's probable cause portal. This portal is for the exclusive use of the Office of Disciplinary Counsel and certified grievance committees. Any materials submitted via the portal are confidential. Please note that all documents must be submitted in PDF format. If you have exhibits in an alternate format, such as audio or video exhibits, please contact BOCfilings@bpc.ohio.gov to arrange for the submission of those exhibits. The portal URL was made specifically for the Disciplinary Counsel.

RESPONDENT Enter the respondent's AR# and, if applicable, the AR# for respondent's counsel. Click "Validate" for the name(s) to appear.

Respondent

State of Ohio Registered Attorney
 Out of State Attorney

Respondent's Attorney Registration Number.	20256	Validate	Richard Allan Dove
Respondent's Counsel (AR#)	27124	Validate	George Demetrios Jonson
Respondent's Counsel (AR#)		Validate	

RELATOR Enter the AR# of Relator's lead counsel (ODC) or bar counsel (CGC). Enter any co-counsel in the remaining fields. Click "Validate" for the name(s) to appear.

Relator's Counsel (AR#)	59843	Validate	Michelle Agresta Hall
Relator's Co-Counsel (AR#)	82202	Validate	Karen Huang Osmond
Relator's Co-Counsel (AR#)		Validate	
Relator's Co-Counsel (AR#)		Validate	
Relator's Co-Counsel (AR#)		Validate	
Relator's Co-Counsel (AR#)		Validate	

COMPLAINT Upload the formal complaint.

Choose File No file chosen

WARNING The respondent or counsel has entered a written notice of probable cause

Fig. 2

The portal does not require an entry for the name of the relator. The relator’s name will be determined from the credentials that are used to access the probable cause portal.

Out-of-State Respondent

If the respondent is not admitted to practice in Ohio and does not have an Ohio attorney registration number, check the “Out-of-State” attorney button. Doing so will allow you to enter the name and contact information for the respondent in lieu of an attorney registration number. Fig. 3.

BPC> Online Docket> Probable Cause Portal

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RESPONDENT Enter the respondent's AR# and, if applicable, the AR# for respondent's counsel. Click "Validate" for the name(s) to appear.

Respondent

State of Ohio Registered Attorney
 Out of State Attorney

Name

Last Name
 First Name
 Middle Name

Address

Address
 City
 Ohio
 Zip Code 00000 or 00000-00

Phone
 Phone Number

Email
 address@domain.com

Respondent's Counsel (AR#) [] [Validate]
 Respondent's Counsel (AR#) [] [Validate]

RELATOR Enter the AR# of Relator's lead counsel (ODC) or bar counsel (CGC). Enter any co-counsel in the remaining fields. Click "Validate" for the name(s) to appear.

Relator's Counsel (AR#) [] [Validate]
 Relator's Co-Counsel (AR#) [] [Validate]

Fig. 3

Uploading Documents

Once the parties and counsel have been identified, upload the individual documents associated with the case. Although the portal displays five fields, not every field will be used for an individual submission.

Under each heading, there is a “Choose File” button followed by the text “No file chosen.” Click on “Choose File” to select the document you wish to upload, select the correct document relator from your computer, and click on “Open.” Once the document is uploaded, the “No file chosen” text will change to the name of the document you have

uploaded to the portal. Repeat this process for each document you wish to submit. Fig. 4.

Relator's Co-Counsel (AR#)		Validate

COMPLAINT Upload the formal complaint.

Complaint.docx

WAIVER The respondent or counsel has executed a written waiver of probable cause.

SUMMARY OF INVESTIGATION Upload the summary of investigation and any exhibits referenced in the summary.

Summary of...tigation.docx

EXHIBITS If the exhibits are not included in the summary of investigation, please place all exhibits in a single document and upload the exhibit document. Do not upload individual exhibits.

No file chosen

AFFIDAVIT Upload relator's affidavit. Do not include the affidavit as an attachment to the complaint or as a separate exhibit.

Affidavit.docx

SUBMIT When all required documents have been uploaded, click "Submit Probable Cause Case."

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Fig. 4

Complaint with Waiver of Probable Cause

If you are submitting a new complaint with a signed waiver of probable cause from the respondent or respondent's counsel, check the waiver box (Fig. 5) and then upload and submit three documents:

- Complaint;
- Waiver; and
- Affidavit.

Respondent's Counsel (AR#)	<input type="text"/>	Validate
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RELATOR Enter the AR# of Relator's lead counsel (ODC) or bar counsel (CGC). Enter any co-counsel in the remaining fields. Click "Validate" for the name(s) to appear.

Relator's Counsel (AR#)	<input type="text"/>	Validate
Relator's Co-Counsel (AR#)	<input type="text"/>	Validate
Relator's Co-Counsel (AR#)	<input type="text"/>	Validate
Relator's Co-Counsel (AR#)	<input type="text"/>	Validate
Relator's Co-Counsel (AR#)	<input type="text"/>	Validate
Relator's Co-Counsel (AR#)	<input type="text"/>	Validate

COMPLAINT Upload the formal complaint.

No file chosen

WAIVER The respondent or counsel has executed a written waiver of probable cause.

Upload the signed waiver and then click on "Submit Probable Cause Case" below.

No file chosen

AFFIDAVIT Upload relator's affidavit. Do not include the affidavit as an attachment to the complaint or as a separate exhibit.

No file chosen

SUBMIT When all required documents have been uploaded, click "Submit Probable Cause Case."

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Fig. 5

Submitting Documents

After entering the attorney registration numbers for the parties and counsel and selecting the probable cause documents, click on the blue "Submit Probable Cause Case" button. When the submission is processed, the following message will appear at the bottom of the screen:

The probable cause case was submitted successfully. You will receive an email confirming your submission and notice from the Board when the probable cause review is completed.

The filing entity also will receive an automated email confirming the submission of the materials. The on-screen and email messages will be the only confirmations issued by the Board until the case has been certified (where there is a waiver of probable cause) or the probable cause review is completed (where there is no waiver of probable cause).

Please **do not** refresh your browser after filing probable cause materials as doing so will result in multiple submissions of the same documents. If you have multiple materials to file, please click on the "reset form" button at the bottom of the filing page after each filing and repeat the process for submitting subsequent case materials.

Formatting and Naming of Documents

Submissions through the Board's probable cause portal must be made in PDF format only. Word documents must be saved or scanned in PDF format, with a **strong** preference for saved PDF documents that include electronic or facsimile signatures. The maximum file size is 250 MB. If you have a document that exceeds 250 MB, please contact the staff of the Board to arrange to submit that document by alternative means.

Please name each document to be submitted in a case by using the respondent's last name and a description of the document. For example:

- Jones Complaint.pdf
- Jones Summary of Investigation and Exhibits.pdf
- Jones Affidavit.pdf
- Jones Waiver of Probable Cause.pdf

Disciplinary authorities are **strongly encouraged** to (1) combine the summary of investigation and exhibits in a single document, and (2) use the bookmarking feature in Adobe to facilitate navigation to individual exhibits. If the exhibits are filed as a separate document, the document should begin with a list of the exhibits, followed by the individual exhibits, and the exhibits should be bookmarked. Regardless of whether the exhibits are included in the summary of investigation or submitted as a separate document, the use of Bates stamping or exhibit stickers is not a substitute for bookmarking the exhibits. Except for video or audio files (see below), the Board will not accept exhibits that filed individually or individual exhibits contained in a .zip or other file folder.

Video/Audio Files

If a filing entity has a filing that includes digital photographs, video or audio recordings, or other documents or exhibits in a format other than PDF, please contact the staff of the Board to discuss alternative means of submitting those items to the Board.

Complaints Involving Multiple Respondents

If you are filing a complaint that names multiple respondents, you must repeat the submission process for each respondent. Prior to filing, please notify the staff of the Board that your complaint involves multiple respondents so that your materials may be consolidated for review by a probable cause panel.

REVIEW AND PROCESSING OF SUBMISSIONS

Documents submitted through the probable cause portal are placed in a queue for review by the staff of the Board. If a new complaint is accompanied by a waiver of probable cause and if all filings are in order, the complaint will be certified, assigned a case number, and served on the parties via email. In most cases, this will occur within one business day.

Complaints submitted without a waiver of probable cause will be reviewed by staff and assigned to a probable cause panel in accordance with the schedule published on the Board's website or otherwise at the discretion of the director. Once the panel completes its review, the parties will receive notice of certification, certification-in part, or dismissal of the complaint.

If a complaint is certified, the case, complaint, and notice of certification will appear on the Board's [online case docket](#).