



Ohio Board of Professional Conduct

65 SOUTH FRONT STREET, 5TH FLOOR, COLUMBUS, OH 43215-3431

Telephone: 614.387.9370 Fax: 614.387.9379

www.bpc.ohio.gov

PATRICIA A. WISE

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VICE-CHAIR

RICHARD A. DOVE

DIRECTOR

D. ALLAN ASBURY

SENIOR COUNSEL

KRISTI R. MCANAU

COUNSEL

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

FROM: Rick Dove

DATE: June 2022

RE: Bimonthly Update

June Board Meeting

The Board of Professional Conduct met on June 10 and approved [six case reports](#) for filing with the Supreme Court.

The Board has 23 pending cases, 12 of which have been heard or are scheduled for hearing. Five new complaints are awaiting answers, one case is awaiting a hearing date, and five cases are stayed. The pending case number is a new low point dating back at least to the mid-1990s.

Board Membership

In late May, Nicholas Amato (Attorney-Seventh District) resigned as a commissioner. Justice DeWine appointed Vito Abruzzino to complete the balance of Mr. Amato's unexpired term. Commissioner Abruzzino has served as prosecuting attorney for Columbiana County since 2021 and also is a staff judge advocate in the United States Air Force.

Advisory Opinions

The Board approved three advisory opinions on June 10. [Adv. Op. 2022-4](#) discusses the imputation of prosecutor conflicts and replaces former Adv. Op. 1998-15. [Adv. Op. 2022-5](#) addresses the propriety of lawyers notarizing client affidavits, and [Adv. Op. 2022-6](#) analyzes conflicts of interest where two lawyers represent opposing parties and are involved in a personal relationship. The latter opinion replaces Adv. Op. 1993-7 and expands the advice contained in the earlier opinion to address marital and nonmarital relationships.

Advisory Opinion Subscription Service

As noted last year, the Board offers an advisory opinion subscription service that automates the process of distributing advisory opinions. If you wish to receive new and reissued advisory opinions, you must subscribe via the Board's [advisory opinion page](#). Beginning in August, the subscription list will be the sole means for distributing advisory opinions to individual lawyers.

2022 Miller-Becker Seminar

The planning committee is well into developing a program for the October 21 Miller-Becker Seminar. This year's seminar will track a simulated disciplinary case from investigation through prosecution, with individual program segments touching on charging decisions, interaction between a respondent and his/her counsel, hearing presentations, and panel deliberations. A more detailed seminar agenda will be provided in late July, and registration will open in late September.

Mileage Reimbursement

The mileage reimbursement for travel by vehicle will increase to \$0.625 per mile, effective for travel on or after July 1, 2022. A revised travel reimbursement form will be posted on the Board's website in July.