



# Ohio Board of Professional Conduct

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## Memorandum

**To:** Disciplinary Counsel, Bar Counsel, Certified Grievance Committees, and Respondents' Counsel

**From:** Elizabeth T. Smith, Director

**Date:** December 2025

**Re:** Bi-Monthly Report

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### **December Board Meeting Reports**

The Board held its last meeting for the calendar year on December 12, 2025. The Board approved three reports and recommendations, including one consent-to-discipline: [Disciplinary Counsel v. Arica Lynn Underwood](#), 2025-1634; [Disciplinary Counsel v. Darin Lynn Avery](#), 2025-1635; and [Disciplinary Counsel v. Jack Herchel VanBibber](#), 2025-1640. The Board currently has 28<sup>1</sup> pending cases, 19 of which have been opened since Labor Day. As of this date, the Board has opened 36 cases<sup>2</sup>

### **New Board Leadership for 2026**

The Board selected Commissioner Teri Daniel to serve as chair and Commissioner Richard Creighton to serve as vice-chair. Commissioners Daniel and Creighton will serve one-year terms in their respective positions commencing Jan. 1, 2026. We acknowledge Commissioner Patrick McLaughlin's service as Chair this past year and service as vice-chair from 2023-2024.

Daniel was first appointed to the Board in 2018 and was recently reappointed to her third full term. She has served on the Board's Advisory Opinion Committee and chairs one of two

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<sup>1</sup> Last year at this time the Board had 29 pending cases.

<sup>2</sup> Last year at this time the Board had 43 open cases.

probable cause panels. Daniel is the supervising attorney of the appellate division for the Lake County Prosecuting Attorney and frequently practices before the Supreme Court of Ohio.

Creighton, a senior partner in the Cincinnati law firm of Keating Muething & Klekamp PLL (KMK Law), has more than five decades of legal experience. Creighton served for many years on the Cincinnati Bar Association Grievance Committee and also on the Board on The Unauthorized Practice of Law of the Supreme Court of Ohio.

### **Departing Members of the Board**

We thank Commissioners Carolyn Taggart (1/1/2017 to 12/31/2025); George Brinkman (3/18/2019 to 12/31/2025); Margaret Murray (1/1/2023 to 12/31/2025); Patrick McLaughlin (1/1/2017 to 12/31/2025); and the Honorable Eugene Lucci (1/1/2023 to 12/31/2025) for their hard work and sacrifice of time as panel members, panel chairs and committee members over these past years. We are sorry to lose these thoughtful and experienced commissioners and wish them well on their future endeavors.

### **New Members of the Board**

At the February 6, 2026 meeting we will welcome new Commissioners appointed by the Supreme Court: The Honorable Marisa Cornachio, 11<sup>th</sup> Appellate District; Michael O'Neill from the 1<sup>st</sup> Appellate District; Andrew Rose, at-large attorney from the 11<sup>th</sup> Appellate District; Jeffrey Smith from the 6<sup>th</sup> Appellate District; and Michael O'Donnell from the 8<sup>th</sup> Appellate District. These new Commissioners will attend a new commissioner orientation via Zoom on January 5, 2026.

### **Probable Cause Deadlines**

The 2026 probable cause schedule is posted on the Board's website. The earliest deadlines are January 9 and January 23. However, probable cause requests can be filed at any time before the deadline. The purpose of the deadlines is to ensure that the probable cause requests are efficiently and effectively reviewed in a timely manner.

### **Reporting Requirements**

Statistical reports for the final quarter of calendar year of 2024 are due on or before January 15, 2026. Each grievance committee is required to file an annual report with the Board on or before March 1, 2026. The reimbursement policy adopted by the Board in October 2024 requires grievance committees with employed personnel to file job descriptions for each employee who devotes time to disciplinary-related work. Those job descriptions are due February 1, 2026. Finally, amendments to Gov.Bar R. V(7)(C) require that all requests for reimbursement shall be submitted with an affidavit and case-specific timesheets documenting the direct and indirect expenses incurred by the certified grievance committee.

### **Supreme Court Rule Amendments**

The Supreme Court announced amendments to [Gov.Bar R. V](#) which you should review, as well as [Prof.Cond. R. 8.4](#) released last Friday.

From the Board Staff who are always here to help:

**Happy Holidays to all and sincere wishes for good fortune of all  
kinds in the New Year!**