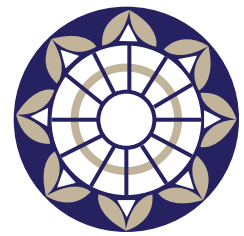




Ohio Board of Professional Conduct

Disciplinary Handbook

VOLUMES XI-XVI



2017-2022



DISCIPLINARY HANDBOOK: VOLUMES XI-XVI

[CASES FROM 2017-2022; CURRENT THROUGH DECEMBER 31, 2022]

OHIO BOARD OF PROFESSIONAL CONDUCT

Links within this document lead either to publications on the Supreme Court of Ohio's website or to other pages within this document. Links in the Table of Cases will direct the user to the corresponding Case Summary; links within the Case Summaries will direct the user to the Index. Links within the Index will direct the user back to the Case Summaries. This document is also fully searchable (hit Ctrl+F, type in the exact term or phrase, and then hit Enter).

The case summaries were prepared by Board staff and may not reflect all aspects of a case in their entirety. The summaries are meant to assist the reader by providing a brief overview of the misconduct committed by the attorney, the rules violated, and the sanction imposed. The summaries should be a beginning point that ends with reading the actual court opinion.



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Roseman, Columbus Bar Assn. v.
Slip Opinion No. 2019-Ohio-1850. Decided
5/16/2019.

Rosett, Cleveland Metro. Bar Assn. v.
Slip Opinion No. 2018-Ohio-3861. Decided
9/26/2018.

Rumizen, Disciplinary Counsel v.
Slip Opinion No. 2019-Ohio-2519. Decided
6/27/2019.

Rusu, Disciplinary Counsel v.
Slip Opinion No. 2019-Ohio-1201. Decided
4/3/2019.

Rutherford, Dayton Bar Assn. v.
Slip Opinion No. 2018-Ohio-2699. Decided
7/11/2018.

Sabol, Columbus Bar Assn. v.
Slip Opinion No. 2021-Ohio-2059. Decided
6/22/2021.

Salerno, Disciplinary Counsel v.
Slip Opinion No. 2019-Ohio-435. Decided
2/12/2019.

Sarver, Disciplinary Counsel v.
Slip Opinion No. 2018-Ohio-4717. Decided

11/28/2018.

Sarver, Disciplinary Counsel v.

Slip Opinion No. 2020-Ohio-5478. Decided 12/2/2020.

Schnittke, Disciplinary Counsel v.

Slip Opinion No. 2017-Ohio-9206. Decided 12/28/2017

Schrivver, Medina Cty. Bar Assn. v.

Slip Opinion 2022-Ohio-486. Decided 2/23/2022.

Schuman, Disciplinary Counsel v.

Slip Opinion NO. 2017-Ohio-8800. Decided 12/6/2017.

Schwarz, Disciplinary Counsel v.

Slip Opinion No. 2020-Ohio-1542. Decided 4/22/2020.

Sciortino, Mahoning Cty. Bar Assn. v.

Slip Opinion No. 2018-Ohio-4961. Decided 12/13/2018.

Scott, Disciplinary Counsel v.

Slip Opinion No. 2019-Ohio-5194. Decided 12/18/2019.

Selby, Disciplinary Counsel v.

Slip Opinion No. 2019-Ohio-1894. Decided 5/22/2019.

Sharp, Disciplinary Counsel v.

Slip Opinion 2022-Ohio-3702. Decided 10/19/2022.

Shimko, Disciplinary Counsel v.

Slip Opinion No. 2019-Ohio-2881. Decided July 18, 2019.

Simmons, Disciplinary Counsel v.

Slip Opinion No. 2019-Ohio-3783. Decided September 24, 2019

Skolnick, Disciplinary Counsel v.

Slip Opinion No. 2018-Ohio-2990. Decided 8/1/2018.

Simpson, Disciplinary Counsel v.

Case No. 2021-0439. Decided 6/8/2021.

Smith, Disciplinary Counsel v.

Slip Opinion No. 2017-Ohio-8821. Decided 12/6/2017.

Smith, Disciplinary Counsel v.

Slip Opinion 2022-Ohio-840. Decided 3/23/2022.

Smith, Disciplinary Counsel v.

Slip Opinion No. 2017-9087. Decided 12/19/2017.

Spinazze, Disciplinary Counsel v.

Slip Opinion No. 2020-Ohio-957. Decided 3/17/2020.

Spoljaric, Disciplinary Counsel v.

Case No. 2020-1517. Decided 2/16/2021.

Strahorn, Dayton Bar Assn. v.

Slip Opinion No. 2017-Ohio-9204. Decided 12/28/2017.

Strauss, Cleveland Metro. Bar Assn. v.

Slip Opinion No. 2021-Ohio-1263. Decided 4/15/2021.

Striff, Columbus Bar Assn. v.

Slip Opinion No. 2019-Ohio-5285. Decided 12/24/2019.

Sullivan, Dayton Bar Assn. v.

Slip Opinion No. 2020-Ohio-124. Decided 1/21/2020.

Talley, Akron Bar Assn. v.

Case No. 2021-1230. Decided 11/23/2021.

Thomas, Cleveland Metro. Bar Assn. v.

Slip Opinion No. 2018-Ohio-3267. Decided 8/16/2018.

Thomas, Disciplinary Counsel v.

Slip Opinion No. 2020-Ohio-5582. Decided 12/9/2020.

Tinch, Disciplinary Counsel v.

Slip Opinion No. 2020-Ohio-2291. Decided 5/20/2020.

Tucker, Akron Bar Assn. v.

Slip Opinion No. 2018-Ohio-2631. Decided 7/10/2018.

Turner, Disciplinary Counsel v.
Slip Opinion No. 2018-Ohio-4202. Decided
October 18, 2018.

Turner, Cincinnati Bar Assn. v.
Slip Opinion No. 2020-Ohio-4030. Decided
8/13/2020.

Vagotis, Lorain Cty. Bar Assn. v.
Slip Opinion No. 2021-Ohio-806. Decided
3/18/2021.

Valenti, Disciplinary Counsel v.
Slip Opinion 2021-Ohio-1373. Decided
4/21/2021.

Vanderburg, Disciplinary Counsel v.
Slip Opinion No. 2019-Ohio-4227. Decided
10/17/2019.

Vick, Disciplinary Counsel v.
Slip Opinion 2022-Ohio-2541. Decided
7/27/2022.

Vivo, Mahoning Bar Assn. v.
Slip Opinion No. 2019-Ohio-1858. Decided
5/21/2019.

Walden, Disciplinary Counsel v.
Slip Opinion No. 2019-Ohio-5287.
Decided 12/24/2019.

Watson, Cleveland Metro. Bar Assn. v. Slip
Opinion 2022-Ohio-2212. Decided
6/30/2022.

Weatherly, Cleveland Metro. Bar Assn. v.
Case No. 2021-1228. Decided 11/23/2021.

Weber, Disciplinary Counsel v.
Slip Opinion 2021-Ohio-3907. Decided
11/4/2021.

Weber, Cincinnati Bar Assn. v.
Slip Opinion No. 2017-Ohio-9243. Decided
12/28/2017.

Weir, Lorain Cty. Bar Assn. v.
Slip Opinion No.2020-Ohio-3325. Decided
6/17/2020.

Weir, Lorain County Bar Assn. v.
Slip Opinion No. 2019-Ohio-2151.
Decided 6/5/2019.

Wells, Disciplinary Counsel v.
Case No. 2022-0362. Decided 5/24/2022.

Whipple, Cleveland Metro. Bar Assn. v.
Slip Opinion 2022-Ohio-510. Decided
2/24/2022.

Wilcoxson, Dayton Bar Assn. v.
Slip Opinion No. 2018-Ohio-2699. Decided
7/12/2018.

Wilcoxson, Disciplinary Counsel v.
Slip Opinion 2021-Ohio-3964. Decided
11/10/2021.

Williams, Disciplinary Counsel v.
Slip Opinion. 2017-Ohio-9100. Decided
12/19/2017.

Williamson, Lorain Cty. Bar Assn. v.
150 Ohio St.3d 382, 2017-Ohio-6963. Decided
7/27/2017.

Wilson, Disciplinary Counsel v.
Slip Opinion No. 2020-Ohio-3050. Decided
5/27/2020.

Winkfield, Columbus Bar Assn. v.
Slip Opinion No. 2019-Ohio-4532. Decided
11/6/2019.

Winters, Disciplinary Counsel v.
Slip Opinion 2021-Ohio-2753. Decided
8/17/2021

Wintner, Cleveland Bar Assn. v.
Slip Opinion No. 2018-Ohio-4731. Decided
11/28/2018.

Wochna, Disciplinary Counsel v.
Slip Opinion No. 2018-Ohio-4492. Decided
11/8/2018.

Yavorcik, Mahoning Cty. Bar Assn. v.
Slip Opinion No. 2020-Ohio-123. Decided
1/21/2020.

Yoder, Toledo Bar Assn. v.
Slip Opinion No. 2020-Ohio-4775. Decided
10/6/2020.

Zelvy, Erin-Huron County Bar Assn. v.
Slip Opinion No. 2018-Ohio-5095. Decided
12/20/2018.

CASE SUMMARIES

Adelstein, Disciplinary Counsel v.
2020-Ohio-3000. Decided 5/21/2020

Case Summary

Sanction	One-year stayed suspension
Court Modified Sanction	Yes
Rules Violated	1.15(a), 1.15(a)(3), 1.15(a)(5), 1.15(b), 1.15(c), 1.15(e), 8.4(c), 8.4(h)
Aggravation/ Mitigation	A- (1)(prior discipline), (2) (dishonest or selfish motive), (4)(multiple offenses); M- (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Dockry (2012)
Cited By	

OVERVIEW: Respondent received a one-year stayed suspension for multiple violations arising from her mismanagement of two client trust accounts.

PROCEDURE: The Board adopted the panel’s report and recommendation of a one-year suspension, with six months stayed. Respondent objected to the recommended sanction in favor of a fully stayed suspension.

FINDINGS: In one count Respondent did not have enough funds in her IOLTA to pay for two checks that she had written. The Relator found that she had not converted client funds nor had she harmed her clients. In September, 2016, Relator was noticed by Respondent’s bank of several subsequent overdraft notices including attempts to pay VW credit, Cash Central Loan, and Petsmart from her IOLTA. The bank later closed her personal and operating accounts due to excessive overdraft activity. Respondent

admitted to depositing personal loans into her IOLTA, commingling personal and client funds, failing to maintain a general ledger and reconcile accounts, and failing to deposit unearned fees from two clients. In a second count, Relator was notified by Respondent’s bank that it had declined three separate \$3,500 electronic payment requests from Square due to insufficient funds. Respondent later opened a second client trust account at PNC Bank and the bank informed Relator that it had declined a \$1,570.15 electronic payment request from Square. Based on her responses to letters of inquiry, Respondent stipulated that she failed to redeposit a client’s retainer in her KeyBank IOLTA pending resolution of a fee dispute, engaged in dishonest conduct by providing Square with information that allowed Square to withdraw funds from her PNC IOLTA, even though she knew that the client’s retainer had not been deposited in the account, and failed to reconcile her IOLTAs over a one-year period.

SANCTION: The Court suspended Respondent for one year, fully stayed, on the conditions that she complete an additional six hours of CLE on client-trust account management and recordkeeping, submit to an OLAP evaluation within 30 days, enter into an OLAP contract for the duration and comply with all treatment recommendations, commit no further misconduct, and serve a two-year period of monitored probation focused on law-office and client-trust account management and recordkeeping. Chief Justice O’Connor would only stay six months of the suspension.

CONCURRING IN PART AND DISSENTING IN PART: Justice Kennedy

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	1.3 , 1.4 , 1.15
Aggravation/Mitigation	A- (4) (multiple offenses); M- (1) (no prior discipline, (2)(no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Flessa (2019); Goldberger (2019)
Cited By	

request, and to inform the client he had returned to town and would provide an update. The client terminated the client-lawyer relationship.

SANCTION: The Court adopted the parties' consent-to-discipline agreement, publicly reprimanded Respondent, and ordered Respondent to complete a minimum of two hours of CLE on proper use and maintenance of an IOLTA.

OVERVIEW: Respondent was publicly reprimanded for misconduct related to his neglect of a client matter, failure to reasonably keep a client informed about the status of a matter, comply with reasonable requests for information, and failure to deposit a client's retainer in an IOLTA.

PROCEDURE: The Board adopted the parties' consent-to-discipline agreement and recommended adoption by the Court.

FINDINGS: Respondent was retained to represent a client in a domestic relations matter related to the modification of an existing spousal support order. Contrary to the terms of the engagement agreement, Respondent did not deposit the client's retainer in his IOLTA. The client and a relative attempted to contact Respondent eight times during a five-month period. During the same period, Respondent communicated with the client three times regarding a new office receptionist, acknowledging a court hearing scheduling

Sanction	Disbarment
Court Modified Sanction	No
Rules Violated	8.4(b), 8.4(c), 8.4(h)
Aggravation/Mitigation	A-(1) (prior discipline), (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (5) (lack of cooperation), (8) (harm to vulnerable victim); M-None
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	Marrelli (2015); Stern (2005); Zaccagnini (2011); Ritson (2010); Henry (2010); Weaver (2004); Agopian (2006)
Cited By	

OVERVIEW: Respondent was disbarred for his federal felony conviction based on his participation in bribery and kickback scheme. Respondent was charged with multiple violations of the Rules of Professional Conduct including engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation and engaging in conduct that adversely reflected on his fitness to practice law.

PROCEDURE: Respondent's license was subject to several ongoing suspensions. In 2014, the Court suspended Respondent's license on an interim felony suspension for his involvement in a bribery and kickback scheme at the office of the treasurer of the state of Ohio. In a separate

disciplinary proceeding, the Court imposed an interim default suspension in January 2015 due to Respondent's failure to answer the complaint charging him with professional misconduct in numerous client matters unrelated to his federal conviction. In August 2015, the Court ordered that the suspension be converted into an indefinite suspension after Respondent failed to respond to an order to show cause. Relator timely moved to remand the case to the Board for the purpose of seeking Respondent's permanent disbarment. The Court granted Relator's request in August 2016. In November 2015, the Court also suspended Respondent for failing to register for the 2015-2017 biennium.

FINDINGS: Respondent's license was subject to several ongoing suspensions. In 2014, the Court suspended Respondent's license on an interim felony suspension for his involvement in a bribery and kickback scheme at the office of the treasurer of the state of Ohio. In a separate disciplinary proceeding, the Court imposed an interim default suspension in January 2015 due to Respondent's failure to answer the complaint charging him with professional misconduct in numerous client matters unrelated to his federal conviction. In August 2015, the Court ordered that the suspension be converted into an indefinite suspension after Respondent failed to respond to an order to show cause. Relator timely moved to remand the case to the Board for the purpose of seeking Respondent's permanent disbarment. The Court granted Relator's request in August 2016. In November 2015, the Court also suspended Respondent for failing to register for the 2015-2017 biennium.

SANCTION: The Court adopted the Board's findings of fact and imposed permanent disbarment.

Sanction	One-year suspension
Court Modified Sanction	Yes
Rules Violated	1.5(a), 8.4(h)
Aggravation/Mitigation	A- (2)(dishonest or selfish motive), (8) (harm to vulnerable victim); M- (1)(no prior discipline), (3) (restitution or rectified consequences), (4) (cooperative attitude), (5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent received a one-year stayed suspension for multiple violations arising from her mismanagement of two client trust accounts.

PROCEDURE: The Board adopted the panel’s report and recommendation of a one-year suspension, with six months stayed. Respondent objected to the recommended sanction in favor of a fully stayed suspension.

FINDINGS: In one count Respondent did not have enough funds in her IOLTA to pay for two checks that she had written. The Relator found that she had not converted client funds nor had she harmed her clients. In September, 2016, Relator was noticed by Respondent’s bank of several subsequent overdraft notices including attempts to pay VW credit, Cash Central Loan, and Petsmart from her IOLTA. The bank later closed her personal and operating accounts due to excessive overdraft activity. Respondent

admitted to depositing personal loans into her IOLTA, commingling personal and client funds, failing to maintain a general ledger and reconcile accounts, and failing to deposit unearned fees from two clients. In a second count, Relator was notified by Respondent’s bank that it had declined three separate \$3,500 electronic payment requests from Square due to insufficient funds. Respondent later opened a second client trust account at PNC Bank and the bank informed Relator that it had declined a \$1,570.15 electronic payment request from Square. Based on her responses to letters of inquiry, Respondent stipulated that she failed to redeposit a client’s retainer in her KeyBank IOLTA pending resolution of a fee dispute, engaged in dishonest conduct by providing Square with information that allowed Square to withdraw funds from her PNC IOLTA, even though she knew that the client’s retainer had not been deposited in the account, and failed to reconcile her IOLTAs over a one-year period.

SANCTION: The Court suspended Respondent for one year, fully stayed, on the conditions that she complete an additional six hours of CLE on client-trust account management and recordkeeping, submit to an OLAP evaluation within 30 days, enter into an OLAP contract for the duration and comply with all treatment recommendations, commit no further misconduct, and serve a two-year period of monitored probation focused on law-office and client-trust account management and recordkeeping. Chief Justice O’Connor would only stay six months of the suspension.

CONCURRING IN PART AND DISSENTING IN PART: Justice Kennedy

Sanction	Two-year suspension, one year stayed
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 8.1(a), 8.4(c)
Aggravation/Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (6) (false or deceptive practices during investigation); M- (3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	
Cited By	

OVERVIEW: Respondent received a two-year suspension with one year stayed for neglecting two client matters, failing to reasonably communicate with clients about the status of matters, and making false statements of material fact to Relator.

PROCEDURE: The Board adopted the panel’s findings of fact, conclusions of law, and recommended a sanction of a two-year suspension, with the second year stayed, and one year of monitored probation upon reinstatement.

FINDINGS: Respondent was retained to represent a client in a divorce. He was paid an additional fee of \$400 to obtain a QDRO. The fee included the cost of hiring QDRO Group to

prepare the order. Later, Respondent sent the client an email with the false statement that he had not heard from QDRO and suspected the delay was due to the COVID-19 pandemic. The statement was false because Respondent had never transmitted the information to QDRO Group. He also falsely assured the client that he had been checking on the status every few weeks and that QDRO Group was short-staffed. After the client notified Respondent she would be filing a grievance, he sent an email falsely stating that he had submitted the documents, had called QDRO Group, and that it indicated he would hear from them shortly. Later, Respondent sent a letter to the company with backdated documents and copied his clients. When deposed, Respondent admitted that he had not timely transmitted his client’s payments and documents to QDRO Group. In a second matter involving a QDRO, Respondent never submitted paperwork on behalf of the client. After several inquiries from the client over a period of eight months, Respondent falsely informed her that he should have something for her to “sign next week.”

SANCTION: The Court adopted the Board’s findings of fact and conclusions of law, and suspended Respondent for two years, with one year stayed on conditions that he engage in no further misconduct, continue to engage in regular mental-health treatment as recommended by his therapist. Additional conditions included eight additional CLE hours focused on QDROs, ethics, and law-office management, an opinion from a qualified healthcare professional that he can return to the competent, ethical, and professional practice of law. Upon reinstatement, Respondent was required to serve one year of monitored probation.

Sanction	-
Court Modified Sanction	No
Rules Violated	-
Aggravation/Mitigation	-
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent was charged with multiple ethics violations based on several criminal offenses, representation of multiple offenses, and management of his law practice.

PROCEDURE: The Respondent was placed under two interim suspensions by the Supreme Court. The board initially stayed the underlying proceedings during the pendency of direct appellate proceedings regarding Respondent's criminal convictions. The criminal case was affirmed in part, reversed in part, and remanded to the trial court for resentencing. The Supreme Court declined to accept a discretionary appeal, Respondent was resentenced, and appealed the judgment to the 10th District Court of Appeals. The Board reinstated proceedings based on a panel's report recommending that Respondent be disbarred. Respondent objected to the report and recommendation and argued that his disciplinary hearing should have been stayed until all direct appeals were exhausted, that the board prevented him from presenting evidence regarding his misconduct, and disbarment was not the appropriate sanction.

FINDINGS: Gov.Bar R. V(18)(C) requires that a disciplinary proceeding against a Respondent should not be instituted until all direct appeals from the conviction are concluded. The rule does

not define the phrase "direct appeals." The Court concluded that because four counts were remanded for resentencing the judgment of convictions on the counts was no longer final. Consequently, the trial court's amended judgment entry on March 28, 2018 created a final appeal judgment of conviction Respondent had a right to appeal.

SANCTION: The Supreme Court remanded the case to the Board with instructions to stay the proceedings until all direct appeals of Respondent's convictions have concluded. The Court concluded that Respondent's remaining objections were not ripe for review.

CONCURRING IN JUDGMENT ONLY:
Justice Kennedy

Sanction	Two-year suspension
Court Modified Sanction	No
Rules Violated	8.4(b)
Aggravation/Mitigation	A- (2)(dishonest or selfish motive); M-(1) (no prior discipline), (3) (restitution or rectified consequences), (4) (cooperative attitude), (5)(good character), (6)(other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Lawrence (2016); Jacobs (2014)
Cited By	

months and one day in prison and one year of supervised release. He was ordered to pay a special assessment of \$100, a fine of \$5,000, and \$600,000 in restitution. Respondent paid the penalties and restitution by November 2018.

SANCTION: The Supreme Court adopted the findings of fact, conclusions of law, and recommended sanction of the Board and suspended Respondent for two years, with credit for time served under his interim felony suspension. Chief Justice O'Connor and Justices Kennedy and Fischer would not have granted credit for time served.

OVERVIEW: Respondent was charged with misconduct arising from his felony conviction for federal tax evasion.

PROCEDURE: The Respondent was placed under an interim felony suspension. The parties jointly recommended Respondent be suspended for two years, with credit for time served.

FINDINGS: Respondent stipulated that he did not accurately report his income from his ownership of several Verizon Wireless stores between 2010-2012 and failed to file a return for 2013 for income related to the stores, his law practice, and a real-estate holding company. He pleaded guilty to a bill of information charging him with one count of willfully filing a false tax return in violation of 26 U.S.C. 7206(1) for tax year 2010. His conduct resulted in a loss of \$250,000 to \$1,500,000 in federal income-tax revenue. Respondent was sentenced to serve 12

Sanction	Two-year suspension, no credit for time served.
Court Modified Sanction	Yes
Rules Violated	4.4, 8.4(b), 8.4(d)
Aggravation/Mitigation	A- None; M-(1) (no prior discipline), (2) (no dishonest or selfish motive),(4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Cohen (2015); Doumbas (2017); Pappas (2014); Mahin (2016)
Cited By	

OVERVIEW: Respondent was suspended for two years based on a felony conviction for conspiring to prevent another from exercising a legal right, using means to embarrass or harass a third person, committing an illegal act, and engaging in conduct prejudicial to the administration of justice.

PROCEDURE: Respondent was suspended on an interim basis after his felony conviction. The Board adopted a recommendation from the panel that he be suspended for two years, with credit for time served under the interim felony suspension. Neither party objected to the Board's recommendation.

FINDINGS: Respondent represented a client charged with asking an associate to fire gunshots into a home where a rival was allegedly present. Simultaneously, federal authorities were commencing an investigation of a large marijuana-growing operation in the client's home. Respondent agreed to represent the client in the federal matter, while Respondent's partner represented the client on the state shooting charges. Eventually, Respondent negotiated a plea agreement of a six-month sentence, but the client asked Respondent to find a way to avoid any prison time. The client also asked Respondent to negotiate a monetary settlement in the state criminal matter with his rival. Later, the client contacted the FBI to suggest that Respondent and his rival were attempting to extort money from him. The FBI recorded dozens of conversations between Respondent, his client, and the rival. Respondent was initially charged with violating the Hobbs Act, obstruction of justice, making a false statement to law enforcement and two other offenses. A mistrial was declared, and Respondent negotiated an agreement to plead guilty to a lesser charge in exchange for the federal government dismissing the original indictment. He was fined \$2,000, placed on probation for three years, with four months under house arrest.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and underlying sanction of a two-year suspension, but refused to give Respondent credit for time served.

DISSENT: Justices French, O'Neill, and DeWine would have granted credit for time served.

Sanction	Six-month stayed suspension
Court Modified Sanction	No
Rules Violated	1.5(a), 1.15(a), 1.15(a)(2)
Aggravation/Mitigation	A- (8) (harm to vulnerable victim); M-(1) (no prior discipline), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Carr (2012); Cook (2009); Parisi (2012); Johnson (2009)
Cited By	

OVERVIEW: Respondent received a six-month suspension, all stayed for charging an excessive fee and failing to properly account for the funds held for a client.

PROCEDURE: The panel adopted the recommended sanction of the parties but also recommended Respondent pay restitution. The Board adopted the panel's report in its entirety. No objections were filed.

FINDINGS: Respondent was hired by his uncle to serve as his agent and update his will. His client named Respondent as his attorney-in-fact and requested Respondent's assistance in handling his affairs. Respondent and the client agreed to a \$250 an hour attorney fee. It was understood that Respondent would perform legal and nonlegal services, but a separate hourly rate for nonlegal tasks was not discussed. The client gave Respondent cash that was held in a safe deposit box, but failed to inventory the money or deposit it in his client trust account. Respondent paid his attorney fees from the funds held in the safe account but failed to keep records of the case

received or the amounts disbursed. Respondent received \$16,249 between June 2015 and March 2016 on behalf of his uncle. He never differentiated between legal and nonlegal tasks in his billings to his client. He billed the same rate for law-related tasks such as reviewing contracts for the sale of his client's home, and for nonlegal work like supervising his healthcare, taking the client shopping, and running errands. After the client died, Respondent delivered to the client's two children the property he had in his possession, including \$22,000 in case.

SANCTION: The Court adopted the Board's findings of fact and misconduct, and recommended sanction of a stayed six-month term suspension on conditions that Respondent make restitution in the amount of \$6,249 within 90 days, submit to a six-month period of monitored probation to ensure compliance with the rules regulating client trust accounts, and refrain from any further misconduct.

Sanction	Six-month suspension
Court Modified Sanction	Yes
Rules Violated	JCR 1.2, 2.2, 2.8(B)
Aggravation/Mitigation	A- (2)(dishonest or selfish motive), (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim); M- (1)(no prior discipline), (4) (cooperative attitude), (5)(good character), (6)(other penalties/sanctions)
Criminal Conduct	No
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Parker (2007); Cox (2007)
Cited By	

OVERVIEW: Respondent engaged in judicial misconduct by holding a woman in direct contempt of court after she had disrupted a trial in his courtroom.

PROCEDURE: The hearing panel found that Respondent had engaged in the alleged misconduct and recommended a six-month stayed suspension that the Board adopted.

FINDINGS: Respondent, a magistrate in Hamilton County, left his bench and exited the courtroom to investigate a scream by a woman in the hallway that was heard inside the courtroom. He testified that he stopped his trial because he could not hear a question asked of a witness. Respondent, upon seeing the woman, ordered her to stop and return to the courtroom. He ran toward her and caught up with her near a

stairwell. He again ordered her to return to the courtroom. He then placed his hand between her neck and shoulder and directed her to a side entrance. Once in the courtroom he directed her into the jury box and ordered her to sit and not to move. He then asked for a sheriff duty to come to the courtroom. After the deputies arrived, Respondent stated that the woman was in their custody for contempt of court for causing a ruckus that interrupted the hearing and indicated she was to receive three days in jail. After the woman resisted the deputies and screamed, Respondent increased the number of days in jail to ten. Two days after the incident, the administrative and presiding judge watched the video footage of the incident, issued an order mitigating the penalty, and ordered the woman's release from custody. Respondent resigned after he was informed that the general sentiment among the court's judges was that he should be terminated.

SANCTION: The Supreme Court adopted the findings of fact, conclusions of law, but suspended Respondent for six months.

CONCURRING IN JUDGMENT ONLY:
Justice Kennedy

NOT PARTICIPATING: Justice Fischer

Sanction	Six-month, stayed suspension
Court Modified Sanction	No
Rules Violated	8.4(d), GBR IV (2)
Aggravation/Mitigation	A- (1) (prior discipline), (3) (pattern of misconduct), (4) (multiple offenses), (7) (refusal to acknowledge wrongdoing); M- (2) (no dishonest or selfish motive), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	
Cited By	

OVERVIEW: Respondent received a six-month stayed suspension arising from her outburst directed at a judge during a bar association event and incidents related to her alleged alcohol use.

PROCEDURE: The Board adopted the panel’s findings of fact, conclusions of law, and recommended sanction of a six-month, stayed suspension.

FINDINGS: Respondent attended an annual bar association holiday event in December 2018. During the presentation of a “mock award” to a sitting judge, she loudly and rudely interrupted the presentation and called the judge a “piece of shit,” “asshole,” and a “motherfucker.” Respondent had consumed alcohol at the event and appeared to be intoxicated. Over a nine-year period, Respondent had engaged in several incidents

of improper conduct while under the influence of alcohol that were prejudicial to the administration of justice, including falsely reporting to the sheriff’s office that her husband had stolen her vehicle, which was untrue, reporting that her son had stolen her iPad, even though he had permission to use the device, and conducting a home visit as a GAL after consuming a glass of wine. Respondent was cited for disorderly conduct for the iPad incident, but the charge was later dismissed.

SANCTION: The Court adopted the Board’s findings of fact and conclusions of law, and suspended Respondent for six-months, stayed, on conditions that she engage in no further misconduct, submit to a substance-use assessment conducted by OLAP, and comply with any recommendations from the assessment.

CONCURRING IN PART AND DISSENTING IN PART: Justice Kennedy, joined by Justice DeWine, except for paragraphs 85 and 86.

CONCURRING IN JUDGMENT ONLY:
Justice DeWine joined by Justice Kennedy.

Sanction	Public reprimand
Court Modified Sanction	Yes
Rules Violated	7.3(a)
Aggravation/Mitigation	A- (2)(dishonest or selfish motive), (7) (refusal to acknowledge wrongdoing; M-(1)(no prior discipline), (4) (cooperative attitude), (5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Willette (2008); Williamson (2017); Mason (2010); Reid (1999)
Cited By	

OVERVIEW: Respondent received a public reprimand for engaging in in-person solicitation for professional employment.

PROCEDURE: The Board adopted the panel's recommendation of a fully stayed six-month suspension. The panel and Board recommended the dismissal of the Prof.Cond.R. 8.4(d) and (h) charges, which the Court accepted.

FINDINGS: Respondent visited a murder suspect in jail after learning of her arrest and seeing her picture on the Internet. Respondent thought that the suspect had been a victim of domestic violence and that the incident had arisen because the suspect was trying to protect herself. During the visit she advised the suspect that she should not give any statements to the police and that she needed counsel. The suspect indicated that she was considering hiring an experienced

local lawyer and requested Respondent contact him. On a second visit, Respondent brought a proposed fee agreement that only named her as counsel and discussed legal strategy with the suspect. After the suspect, now defendant, was indicted, Respondent met with the defendant's daughters, discussed legal fees, and requested a down payment. She asked the daughters whether they had access to the defendant's bank accounts and credit cards. She also discussed the possibility of selling defendant's assets. The local lawyer indicated he could not represent the defendant, but Respondent filed a notice of appearance in the case as well as a request for a bill of particulars, a motion to preserve evidence, and a demand for discovery. After other counsel was retained by defendant, Respondent texted defendant's daughters and stated she hoped she would be paid for work she had previously performed. Respondent sent the defendant a bill in the amount of \$1,400 that included charges for the first two visits to the jail.

SANCTION: The Court adopted the Board's findings of fact and conclusions of law, and agreed to dismiss the allegations of 8.4(d) and 8.4(h). The Court imposed a public reprimand, and ordered Respondent to pay the costs of the proceedings and not to engage in further misconduct.

CONCURRING: Justice French and Donnelly.

CONCURRING IN JUDGMENT ONLY: Justice DeWine.

DISSENTING: Chief Justice O'Connor and Justices Kennedy and Fischer would have imposed a fully stayed six-month suspension.

Sanction	One-year, six-month stayed suspension; public reprimand
Court Modified Sanction	Yes
Rules Violated	3.5(a)(5), 3.5(a)(6), 8.2(a),8.4(d)
Aggravation/ Mitigation	A- (4)(multiple offenses), (7)(refusal to acknowledge wrongdoing; M- (1) (no prior discipline), (2)(no dishonest or selfish motive), (5) (good character), (6) (other penalties/ sanctions); A-none; M-- (1)(no prior discipline),(2) (no dishonest or selfish motive), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Grimes (1993)
Cited By	

OVERVIEW: Respondent Kenneth Ronald Bailey (“Bailey”) received a one-year suspension with six months stayed for refusing to participate in a client’s criminal trial. Respondent Kenneth Richard Bailey (“Kenneth”) received a public reprimand for posts on Facebook that falsely impugned the integrity of the trial court judge.
PROCEDURE: The Board adopted the panel’s recommendation to suspend Bailey for two years with one year stayed and to publicly reprimand Kenneth.

FINDINGS: Respondent Ronald Bailey was retained to represent a client charged with two counts of sexual imposition and two counts of rape of a child under the age of 13. Four days before trial Bailey filed a motion for continuance because an expert was unavailable to testify. The motion was granted to October 4, 2020. Three days later, Bailey moved for another continuance, explaining that he was traveling the weekend before the trial. The motion was denied. After a series of motions for reconsideration and a continuance, Bailey decided that he would refuse to participate in the trial on the grounds that the court’s refusal to appoint an expert and continue the case prevented his client from receiving a fair trial. At trial he announced at sidebar that, “[I] cannot and will not be able nor willing to proceed today.” Later at a bench conference, he reiterated his reasons for a continuance, was told the court had already ruled on the motion, and was told to “step back” from the bench but refused. The judge cautioned Bailey that he would be sanctioned for direct contempt if his behavior continued. He later refused to participate, his client was sentenced to 60 months of imprisonment, and the court found Bailey in contempt and imposed \$250 fine and 30 days in jail. Respondent Kenneth Bailey made false statements on Facebook concerning the integrity of the judge and posted several comments under his original post. The local newspaper published most of the Facebook post in an article. Kenneth Bailey later removed the post and emailed the judge in an effort to apologize.

SANCTION: The Court imposed a one-year, six-month stayed suspension on Bailey and public reprimand on Kenneth.

CONCURRING IN PART AND DISSENTING IN PART: Chief Justice O’Connor and Justice Fischer.

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	3.5(a)(5), 3.5(a)(6), 8.4(d)
Aggravation/Mitigation	A- none; M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude), (6) (other penalties/sanctions)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	
Cited By	

returned by the jury. The judge documented the events relating to Respondent on the record, held him in contempt, ordered him to pay a \$500 fine, and ordered him to handwrite sections of the Rules of Professional Conduct 25 times.

SANCTION: The Court adopted the parties' consent-to-discipline agreement and publicly reprimanded Respondent.

OVERVIEW: Respondent was publicly reprimanded for his conduct during a trial in which he was found in contempt of court.

PROCEDURE: The Board voted to accept the consent-to-discipline agreement entered into by the parties and recommended a public reprimand

FINDINGS: Respondent represented a client on charges of felonious assault and domestic violence. Respondent later filed a notice related to his client's intent to rely on a claim of self-defense in relation to the criminal charges. The state filed a motion *in limine* pertaining to the use of evidence in the self-defense claim. At trial the judge denied Respondent's request for a self-defense jury instruction. Respondent reacted to the judge's ruling by repeatedly attempting to stop the trial and threatening to sit in the back of the courtroom. While the judge was instructing the jury, Respondent left the defense table and stood behind a television stand to show that he was not participating. The judge stopped instructing the jury and dismissed it for a lunch break. The trial resumed and guilty verdicts were

Sanction	Eighteen-month suspension, twelve months stayed
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 1.16(d), 3.1, 8.1(b)
Aggravation/Mitigation	A- (1) (prior discipline), (4) (multiple offenses),(5) (lack of cooperation), (8) (harm to vulnerable victim); M- (2) (no dishonest or selfish motive), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Roseman (2019); Engel (2018); Walden (2019)
Cited By	

OVERVIEW: Respondent was suspended for eighteen months with six months stayed for neglecting a client's matter and failing to cooperate in the disciplinary investigation.

PROCEDURE: The Board adopted the panel's recommendation of a partially stayed suspension and added restitution to the client as an additional requirement.

FINDINGS: Respondent was retained to represent a client in a pending child-support and custody proceeding. An amended hearing notice set an initial hearing for July 20, 2017. However, Respondent took six weeks to file a notice of appearance and consequently neither Respondent nor his client appeared at the hearing. Five days later, a *capias* was issued for the client's arrest. In

an attempt to resolve the matter, Respondent took his client to the courthouse where she was taken into custody. At a later date, Respondent's motion to modify child support was dismissed for failure to appear and prosecute the motion. Respondent filed an objection and a hearing was set for August 1, 2018. Because he had a hearing in another county, Respondent did not arrive at the courthouse until after the hearing had ended. The client represented herself at the hearing and the objection was overruled. Respondent later appealed the judgment, but failed to file an appellate brief. The appeal was later dismissed, but Respondent never informed the client. The client testified that she attempted to communicate with Respondent on numerous occasions, but did not receive any calls or text messages. When the client went to the courthouse, she learned that the appeal had been dismissed two months earlier. Before the appeal, the trial court had found the client in contempt for failing to timely pay her child-support obligation. Neither Respondent nor the client appeared at a later contempt hearing. When the client retained new counsel she asked Respondent to provide a copy of the file which he did not provide. Respondent failed to respond to two letters of inquiry from relator.

SANCTION: The Court adopted the findings of fact, conclusions of law, and recommended sanction of the Board of an eighteen-month suspension with twelve months stayed on conditions that Respondent make restitution of \$900.00 to his client and engage in no further misconduct.

Sanction	One-year stayed suspension
Court Modified Sanction	No
Rules Violated	1.15(a), 1.15(a)(2), 1.15(a)(3), 1.15(a)(4), 1.15(a)(5), 8.1(b); GBR V(4)(G)
Aggravation/Mitigation	A-(3) (pattern of misconduct), (4) (multiple offenses), (5) (lack of cooperation); M-(1) (no prior discipline), (2) (no dishonest or selfish motive), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Daniell (2014), Eynon (2013), Simon (2011)
Cited By	

OVERVIEW: Respondent received a one-year stayed suspension for failing to hold client’s property in an interest bearing client trust account, failing to maintain records regarding funds held in a client trust account and certain bank records as well as to perform and retain a monthly reconciliation of the account, and failing to cooperate in a disciplinary investigation.

PROCEDURE: The panel adopted the parties’ stipulations of fact and misconduct and recommended a one-year suspension stayed in its entirety. The Board adopted the panel’s report and recommended sanction.

FINDINGS: Respondent’s bank notified Relator that Respondent had overdrawn his client trust account. Relator initiated an investigation but

dismissed the matter with a warning to Respondent and advised him to comply with the disciplinary rules. Relator received a second notice that Respondent had overdrawn his client trust account. Respondent fundamentally misunderstood the purpose of a client trust account and therefore had misused his. Respondent believed that all money coming into his law practice had to be “washed” through his client trust account, so he deposited all the money he received from the clients into that account, even money that he had already earned, which resulted in his commingling his earned fees with client funds. Respondent admitted that his account and recordkeeping practices were “poor and disorganized,” that he had not always performed the required monthly reconciliations of his client trust account, he had not maintained the records for his trust account including individual client ledgers, deposit receipts, canceled checks, and monthly reconciliation ledgers that the disciplinary rules require him to retain. Respondent also failed to cooperate in the disciplinary investigation.

SANCTION: The Court adopted the Board’s findings of fact and misconduct, and imposed a one-year suspension stayed in its entirety on conditions that he comply with his OLAP contract, continue his therapy, comply with all therapy recommendations, complete at least three hours of CLE on accounting practices for client trust accounts, comply with all the requirements for client trust accounts, submit to monitored probation, and commit no further misconduct.

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	1.1, 1.8(a), 1.4(c), 1.4(c)(1), 4.2
Aggravation/Mitigation	A- (4) (multiple offenses); M-(1) (no prior discipline), (2) (no dishonest or selfish motive),(4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Bhatt (2012); Freedman (2011); Godles (2010)
Cited By	

OVERVIEW: Respondent received a public reprimand for failing to provide competent representation to a client, failing to inform clients he does not maintain professional-liability insurance, entering into a business transaction with a client without advising the client to obtain independent legal counsel, and communicating about the subject of the lawyer's representation with a person the lawyer knows to be represented by another lawyer.

PROCEDURE: The board adopted the panel's findings of fact and conclusions of law. Neither party objected to the board's report and recommendation.

FINDINGS: Respondent promoted his law practice as being capable of providing legal representation in matters that included business formation and intellectual-property matters. A client hired Respondent to form a corporation to protect, finance, and commercialize certain medical intellectual property that he created.

Respondent submitted initial articles of incorporation for the client's company to the Secretary of State. Respondent became a founding member of the company as well as the statutory agent, and provided legal services to the client and the company. He was issued shares of common stock in the company formation. Respondent was appointed as the chief legal officer of the company and responsible for all of the usual and customary services rendered by an attorney in that role. Although the company attempted to comply with Ohio's required corporate formalities, Respondent did not fulfill all of its statutory obligations. Only one set of meeting minutes were created, no stock-subscription agreements were prepared, or stock certificates created. Respondent testified that he had never organized a corporate structure for anyone other than himself, and entered an area of law that he knew nothing about and in which he was not competent to practice. In other counts he negotiated a stock-swap agreement with a terminated director knowing he was represented by counsel, entered into an agreement to become an employee of the company without advising his clients of the desirability of seeking the advice of independent counsel, and failed to notify new and existing clients that his professional-malpractice coverage had lapsed.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and recommended sanction of a public reprimand.

CONCURRING IN PART AND DISSENTING IN PART: Justices Fischer, DeGenaro, and Chief Justice O'Connor.

Sanction	Two-year suspension, with six months stayed with no credit for time served
Court Modified Sanction	No
Rules Violated	1.1, 1.3, 1.4(a)(1), 1.4(a)(2), 1.4(a)(3), 1.4(a)(4), 1.4(c), 1.5(d)(3), 1.15(c)
Aggravation/Mitigation	A-(3) (pattern of misconduct), (4) (multiple offenses), (5) (lack of cooperation), (8) (harm to vulnerable victim), (9) (no restitution); M-(1) (no prior discipline), (2) (no dishonest or selfish motive)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Stewart (2013); Williams (2011); Marinelli (2015); Talikka (2013)
Cited By	

OVERVIEW: Respondent received a two-year suspension, with the final six months stayed with no credit for time served under her interim default suspension for failing to provide competent representation and failing to deposit advanced legal fees into a client trust account.

PROCEDURE: The Court imposed an interim default suspension based on Respondent’s failure to answer the complaint or respond to a show-cause order. After Respondent responded, the Court remanded the matter to the Board for consideration of mitigation evidence only. The panel recommended a two-year suspension, with

the final six months stayed with no credit for time served under the interim default suspension on conditions. The Board adopted the panel’s findings of fact and conclusions of law, but recommended additional conditions of the stay.

FINDINGS: Respondent was retained to represent a client in an appeal of a criminal conviction and paid her a flat fee. Respondent did not maintain a client trust account, did not enter into a written fee agreement, and did not notify the client in writing that she may be entitled to a refund of all or part of the fee. Respondent also failed to have her client sign an acknowledgment that she did not carry professional liability insurance. After entering an appearance on behalf of her client, Respondent did not respond to the client’s numerous attempts to contact her. Respondent also failed to file a brief on her client’s behalf and the appeal was dismissed for lack of prosecution. Respondent was also retained by another client to defend her against a felony charge and a misdemeanor charge. Respondent successfully defended the misdemeanor charge, but due to a breakdown of communication before a jury trial on the felony charge, she informed the client that she was preparing a motion to withdraw from the case. Respondent never moved the court to permit her to withdraw from the representation.

SANCTION: The Court adopted the Board’s findings of fact and misconduct, and imposed a two-year suspension, with six months stayed on the conditions that she schedule an assessment with OLAP within 30 days of the Court’s order, pay \$100 per month to Relator, who will forward the money to her former client, complete 12 hours of CLE related to law-office management, and commit no further misconduct.

DISSENT: Justice O’Neill dissented and would have granted Respondent credit for time served under her interim default suspension.

Sanction	One-year suspension, six months stayed
Court Modified Sanction	No
Rules Violated	1.4(a)(1), 1.4(a)(3), 1.4(c), 1.5(b), 1.8(f), 5.4(a), 5.5(a), GBR V(23)(C)
Aggravation/ Mitigation	A- (4) (multiple offenses), (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Patterson (2009); Willard (2009)
Cited By	

OVERVIEW: Respondent received a one-year suspension, six months stayed for failing to register his association with a suspended lawyer, failing to keep his clients reasonably informed, failing to obtain his clients' informed consent, failing to make required disclosures to clients, and improperly shared legal fees with a non-lawyer.

PROCEDURE: The Board adopted the panel's findings, conclusions, and recommended sanction. Neither party filed objections.

FINDINGS: Respondent was hired shortly after passing the bar exam by suspended lawyer Rodger Moore as a contractor for Moore Business Advisory Group. Respondent's office included signage of "Law Offices of Andrew Green and Rodger Moore" and not the advisory

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group. Respondent later filed a membership application with the Cincinnati Bar Association and indicated that he worked for "The Moore Law Firm." Despite knowing that Moore was under suspension, Respondent failed to register the relationship with the Office of Disciplinary Counsel. Respondent identified himself on 35 court filings and multiple e-mails to opposing counsel as working for "The Moore Law Firm" or the "Law Offices of Rodger Moore." The majority of Respondent's legal work consisted of collection work for PHI Air Medical, LLC. Moore directly participated in litigating at least some of the PHI Air cases including participating in telephone conferences with opposing counsel and a case-management conference with a court, in which Respondent referred to Moore as his supervisor. Respondent failed to directly interact with PHI Air and did not seek the client's informed consent when required or keep the client reasonably informed. Moore also participated and represented a client during a damages hearing that Respondent was serving as lead counsel. Respondent received a set salary through payments the clients made directly to Moore, but never discussed legal fees with the clients or with Moore. Only Moore handled the fee relationships with clients.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and recommended sanction of a one-year suspension, with six months stayed on conditions that he complete a minimum of six hours of CLE on the topic of legal ethics in addition to the requirements in Gov.Bar R. X and serve a two-year term of monitored probation upon reinstatement.

**CONCURRING IN PART AND
DISSENTING IN PART:** Justices Kennedy and DeWine.

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	1.2(a), 1.4(a)(1), 1.4(c).
Aggravation/Mitigation	A-None; M-(1) (no prior discipline), (2) (no dishonest or selfish motive), (3) (restitution or rectified consequences), (4) (cooperative attitude) (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Godles (2010); Johnson (2009)
Cited By	

SANCTION: The Court adopted the Board's findings of fact and misconduct and publicly reprimanded Respondent.

OVERVIEW: Respondent received a public reprimand after he settled a client's eviction case without the client's consent.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of a public reprimand.

FINDINGS: Respondent represented a client and his property-management company in two eviction cases involving former tenants. Respondent testified during a fee-dispute case that he thought he had authority from his client to settle the cases. After he settled the two matters, his client refused to sign the check because his damages exceeded the settlement amount. The court found that Respondent had breached his contract by settling the cases without consent and owed his client \$3,067 minus \$1,000 in attorney fees for his work. To resolve all their claims, the client accepted the \$2,507 settlement check as satisfaction of judgment.

Sanction	Disbarment
Court Modified Sanction	No
Rules Violated	1.4(a)(3), 1.15(d), 1.5(a), 1.16(e), 3.4(c), 5.5(a), 5.5(b)(2), 8.1(b), 8.4(c), 8.4(d), 8.4(h), GBR V(9)(G), GBR VI(1)(D)
Aggravation/Mitigation	A-(1) (prior discipline), (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (8) (harm to vulnerable victim), (9) (no restitution); M- None
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	Henry (2010) Brown (2015)
Cited By	

OVERVIEW: Respondent was permanently disbarred for continuing to practice law while his license was suspended, failing to refund unearned retainers, and failing to cooperate in the disciplinary investigation.

PROCEDURE: The Court granted Relator's motion to remand the proceeding to the board. Respondent's license had been suspended since January, 2015 under three interim default suspensions which were converted into indefinite suspensions. Respondent failed to answer a total of five formal disciplinary complaints. The Board adopted the findings of fact and conclusions of law of a master to permanently disbar the Respondent.

FINDINGS: In one count, Respondent accepted a \$200 retainer and court costs from a client in a divorce matter. Respondent filed the divorce compliant nine days after he was suspended from the practice of law. The client was later informed that Respondent had been suspended from the practice of law and that there were errors in the documents filed on her behalf and the check used to pay the filing fee had been returned for insufficient funds. The client corrected the defective statements and paid the filing fee. Respondent did not refund any money to the client. In a second count, Respondent was accepted a retainer and signed a fee agreement in a child custody case with a client five months after he had been suspended. He later failed to appear at a hearing at which the client was informed that Respondent had been suspended. Respondent never returned any portion of the client's retainer. During the investigation, Respondent never responded to frequent letters served either personally or at the home of the Respondent. He also never responded to the notice of intent.

SANCTION: The Court adopted the Board's recommendation of a permanent disbarment.

Sanction	Two-year suspension, one year stayed.
Court Modified Sanction	No
Rules Violated	1.8(j), 8.1(a), 8.4(c), 8.4(d), 8.4(h)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (5) (lack of cooperation), (6) (false or deceptive practices during investigation), (8) (harm to vulnerable victim); M-(1) (no prior discipline), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Fowerbaugh (1995); Gildee (2012); Moore (2015)
Cited By	

OVERVIEW: Respondent was suspended for two years with one year stayed for engaging in sexual activity with a client and lying about the conduct during the investigation.

PROCEDURE: The parties submitted joint stipulations in which Respondent admitted to most of the misconduct. The panel and Board found that Respondent committed all of the stipulated misconduct and recommended adoption of the stipulated sanction.

FINDINGS: Respondent was retained by a client to represent her in a child-visitation proceeding with whom he developed a personal relationship prior to the termination of the

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representation. They exchanged texts and Facebook messages of a sexual nature along with explicit photographs, which they agreed in advance they would delete after receiving. Respondent also admitted that he had a lunch date with his client during which he kissed her and touched her breast. During a second representation he kissed her during a meeting, but the client stopped him and insisted that they prepare for her case. After attending a hearing, Respondent and the client entered a courthouse conference room to wait for the magistrate to complete final orders. The conference room video camera transmitted a live feed showing the client's hand under Respondent's coat where she fondled him and rubbed his penis for eight minutes. The sheriff's office interviewed the client about the matter, after which she called and arranged to meet with Respondent. Approximately one month later, Respondent sent a letter self-reporting the allegations against him to the Columbus Bar Association, but affirmatively misrepresented the extent of his relationship, the nature of the conduct in the conference room, and denied he had engaged in any misconduct. During a deposition conducted by relator, he affirmatively misrepresented facts regarding several issues, which he later submitted an errata sheet to clarify his testimony. During the hearing he was evasive and argumentative, and admitted that he was "struggling with denial."

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and underlying sanction of a two-year suspension, with one year stayed on conditions that he engage in no further misconduct, remain in compliance with his OLAP contract and any extensions, and serve a one-year period of monitored probation.

NOT PARTICIPATING: Justice DeGenaro

Sanction	One-year suspension
Court Modified Sanction	Yes
Rules Violated	1.1, 1.4(a)(3), 1.5(d)(3), 8.4(c)
Aggravation/Mitigation	A- (1) prior discipline, (4) (multiple offenses), (8) (harm to vulnerable victim); M-(3) (restitution or rectified consequences),(4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Vardiman (2016); Lieberman (1955); Dan (2012)
Cited By	

OVERVIEW: Respondent was suspended for one year for failing to provide competent representation to a client, failing to keep the client reasonably informed about the status of a matter, and engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation.

PROCEDURE: The panel issued a report finding four violations, but recommended the dismissal of three other violations. The Board adopted the panel's recommendation of a six-month suspension. No objections were filed.

FINDINGS: Respondent was retained by a client convicted of two counts of attempted murder and four counts of felonious assault and sentenced to 25 years in prison. When the conviction was affirmed, the client had 45 days to perfect his appeal to the Supreme Court of Ohio. The client's mother asked Respondent to

represent him in the appeal. Respondent agreed to undertake the representation for \$5,000. He was paid half of the amount up front and treated it as a flat fee earned upon receipt without notifying the client that he may be entitled to a refund. Respondent was under the mistaken belief that his representation would not commence until he was paid the agreed retainer in full. Respondent's legal strategy was to pursue this client's state remedies before filing a petition for habeas corpus in federal court. But Respondent did not have an adequate understanding of the legal requirement that prisoners exhaust all state court claims before raising claims in federal court. Instead of filing an appeal to the Supreme Court of Ohio, he considered filing a petition for post-conviction relief in state court. After he received additional payments towards the retainer, he initiated his representation by filing a perfunctory one-page motion for a delayed appeal in the Supreme Court. The attached affidavit was misleading and intentionally omitted relevant information. He maintained during the panel hearing that the motion was a pro forma filing intended to exhaust state court remedies before filing a petition to vacate the sentence in state court. After the motion for delayed appeal was overruled, he wrote the client to inform him that his representation had concluded. The client retained new counsel who alleged Respondent's ineffective assistance of counsel constituted good cause for the filing of a second motion for delayed appeal to the Supreme Court of Ohio and later a *habeas corpus* petition in the Federal District Court. Both the motion and the petition were denied.

SANCTION: The Court imposed a one-year suspension.

DISSENT: Justices Kennedy, French, and DeWine would suspend Respondent for six months.

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	8.4(b) , 8.4(c)
Aggravation/Mitigation	A-(2) (dishonest or selfish motive) (4) (multiple offenses), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Bennett (2010); Wagner (2013); Helbley (2014); Doumbas (2017)
Cited By	

OVERVIEW: Respondent was indefinitely suspended for misconduct based on the facts that led to his felony conviction for conspiracy, making false statements relating to a healthcare benefit program, and healthcare fraud.

PROCEDURE: The Board recommended that the Court adopt the proposed sanction of the parties of an indefinite suspension with credit for time served.

FINDINGS: Respondent served as general counsel and chief compliance officer for Wellcare Health Plans, Inc., which was one of Florida’s largest providers of managed healthcare services. In March, 2011, Respondent and four co-defendants were named in an 11-count

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indictment charging Respondent with one count of conspiracy, four counts of making false statements relating to a healthcare-benefit program, and four counts of health care fraud. In January 2012, the Securities and Exchange Commission (“SEC”) filed a separate civil complaint against Respondent and two other Wellcare executives. Respondent plead guilty to one count of making a false statement relating to a healthcare-benefit program in violation of federal law. He admitted that he knowingly and willfully caused one of Wellcare’s subsidiaries to submit a false worksheet to the Florida agency administering the state’s Medicaid program resulting in a loss to the state of \$4,489,303. He was sentenced to six months of incarceration in federal prison and to a three-year term of supervised release, including 12 months of home confinement, and a \$50,000 fine. In the civil action he agreed to pay \$3.5 million in disgorgement and prejudgment interest and a \$1 million civil penalty for violating securities law.

SANCTION: The Court adopted the Board’s recommended sanction of an indefinite suspension and accepted the Board’s recommendation to grant credit for the time he served under his interim felony suspension. As a condition, the Court required Respondent to complete or be released from his three-year term of supervised release before petitioning for reinstatement.

CONCURRING AND DISSENTING IN PART: Chief Justice O’Connor and Justices Kennedy and Fischer would not give credit for time served.

Sanction	Two-year suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(2), 1.4(a)(3), 1.5(c)(1), 1.8(j), 1.15, 1.15(c), 5.3(b), 5.5(a), 8.4(c), 8.4(d)
Aggravation/Mitigation	A- (2)(dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (7)(refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim), (9)(no restitution); M- (1)(no prior discipline), (4) (cooperative attitude), (5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent received a two-year suspension for misconduct arising from the representation of eight clients.

PROCEDURE: The Board adopted the panel’s findings of misconduct and recommended sanction. No objections were filed.

FINDINGS: In the first count, Respondent was retained to represent a client on a contingent-fee basis, but failed to provide a written fee agreement, or deposit her retainer in his IOLTA. A second client retained Respondent to represent her in a divorce case. After several attempts at communication, the client learned that nothing had been filed in her case for months and retained new counsel. Another client paid Respondent

\$5,000 to vacate a child-support order. Respondent moved for a continuance of the hearing which was denied. A Civ.R. 60(B) motion was later denied because Respondent produced no evidence at hearing. Respondent was retained to represent another client in a divorce action in Michigan which necessitated the employment of a lawyer admitted in Michigan and obtaining pro hac vice admission. An agreement as to the lawyer’s fees was never reached with the client and the client sought new counsel. Respondent also solicited sexual activity from the client and sent multiple text messages of a sexual nature. Respondent was terminated in a custody action after he failed to request a continuance in the case and failed to appear. The client appeared at the hearing on his own to obtain the continuance. In another domestic relations matter Respondent requested continuances, cancelled a settlement conference, but was later removed as counsel by the presiding magistrate. In a criminal representation Respondent accepted client funds without depositing them in his IOLTA. He later failed to appear at two scheduled court hearings, returned some of the client’s money, but never fully refunded the fees. Respondent was paid \$3,200 to represent a client in a divorce action but did not deposit the funds in his IOLTA. The parties agreed to a settlement and a draft entry was prepared that contained discrepancies. Respondent never objected to the draft and the court adopted the entry. A motion to address the issue several months later was denied as untimely.

SANCTION: The Court suspended Respondent for two years, ordered restitution to clients, required as a condition of reinstatement that he provide an evaluation from OLAP, comply with any counseling or treatment recommendations, and obtain an opinion from a qualified healthcare professional that he is able to return to the competent, ethical, and professional practice of law.

Sanction	Six-month, stayed suspension
Court Modified Sanction	No
Rules Violated	Jud.Cond.R. 1.2
Aggravation/Mitigation	A- (2) (dishonest or selfish motive); M-(1) (no prior discipline), (3)(restitution or rectified consequences), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent was suspended for six months, fully stayed for sending inappropriate Facebook messages and videos to a court employee.

PROCEDURE: The parties stipulated to the charged misconduct and the panel recommended to the Board that Respondent be publicly reprimanded. The Board adopted the panel's findings of misconduct, but recommended the imposition of a conditionally stayed six-month suspension. No objections were filed.

FINDINGS: Respondent sent a Facebook friend request to a new court reporter, Jane Doe. Doe was not assigned to his courtroom, but accepted the request. Respondent and Doe began to exchange messages and Respondent invited her to meet in person in his chambers. Additional messages were exchanged concerning various topics including their respective divorces. Respondent then asked for Doe's cellphone number and suggested that they talk over the weekend. The parties stipulated that if Doe had

testified she would have stated that she gave her phone number because she felt like she could not refuse, considering Respondent's status as judge. Respondent called Doe and she stated that he sounded intoxicated and used profanity. He also asked her out to lunch but she declined. He later sent her a message that he had an "offer you can't refuse" and would have offered her tickets to an event for her and her children. He later sent Doe a message asking her out for lunch or drinks. Doe did not reply to his message. Out of 72 subsequent messages she replied to only 15. The majority of the messages were partisan and vulgar and some contained videos of offensive or sexually suggestive content. Doe brought the messages to the attention of her supervisor and a colleague, who both informed court administration.

SANCTION: The Court adopted the findings of fact, conclusions of law, and recommended sanction of the Board of a six-month, stayed suspension on conditions that he complete a minimum of eight hours of continuing judicial education on the subject of sexual harassment within 90 days of the disciplinary order and refrain from committing further misconduct.

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	1.5(b)
Aggravation/Mitigation	A- (8) (harm to vulnerable victim); M- (1) (no prior discipline, (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Mezher & Espohl (2012); Goldberger (2019)
Cited By	

OVERVIEW: Respondent was publicly reprimanded for failing to adequately communicate the basis or rate of his hourly fee.

PROCEDURE: The Board adopted the panel's report recommending Respondent be publicly reprimanded and ordered to make restitution. A joint waiver of objections was filed.

FINDINGS: Respondent was retained by a client seeking to terminate her marriage. He did not present the client with a written fee agreement and wrote "\$2,500 flat" on his business card. The client paid \$200 for the initial consultation and another \$1,500 a month later. Respondent filed a complaint for divorce and the client paid the balance of the quoted fee plus a \$280 filing fee. Over a 13-month period, Respondent's employer sent the client monthly billing statements itemizing the time that Respondent and his secretary had spent on the case. The statements provided that the case was a flat fee dissolution

plus court costs and showed that no balance was due. As part of the pending divorce, the proceeds of the sale of the marital residence were deposited in the law firm trust account. The court awarded the client a portion of the proceeds and the client inquired as to the distribution of the funds. The distribution statement deducted \$7,730 from the client's share for additional attorney fees. The client replied with an e-mail raising several errors or issues with the distribution. The panel heard conflicting testimony about whether Respondent had informed the client that he would charge a different fee if her case proceeded as a divorce rather than a dissolution. Respondent admitted at the hearing that he never informed the client in writing that he would charge an hourly fee if the case proceeded as a divorce.

SANCTION: The Supreme Court adopted the Board's recommended sanction of a public reprimand and ordered Respondent to make restitution of \$850 to Respondent within 90 days of the date of the order.

Sanction	Two-year suspension, one year stayed
Court Modified Sanction	No
Rules Violated	1.8(c), 8.1(b), 8.4(c), 8.4(h)
Aggravation/Mitigation	A-(2) (dishonest or selfish motive),(5) (lack of cooperation), (6) (false or deceptive practices during investigation), (7) (refusal to acknowledge wrongdoing); M- (1) (no prior discipline), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Cook (2002); Kelleher (2004); Theofilos (1988)
Cited By	

OVERVIEW: Respondent was suspended for two years with one year stayed for misconduct related to designating his wife and his sons' Boy Scout Troop as contingent beneficiaries.

PROCEDURE: The Board issued a report finding Respondent committed four of the five alleged violations.

FINDINGS: Respondent agreed to represent a couple with regard to their estate-planning needs. In October 2013, the clients designated their church as the contingent beneficiary of an annuity contract. But on December 21, 2013 they signed a change-of-beneficiary form that designated Respondent's wife and his sons' Boy Scout troop as contingent beneficiaries of the annuity. The form identified Respondent's wife by her maiden name, though she had not used it for nearly 20

years. The next day, the clients executed wills with Respondent and his wife serving as witnesses. In October 2015, a financial services group sent the clients a letter advising them that they had not designated a primary beneficiary for the annuity. A friend who helped care for the clients saw the letter and attached a copy to a grievance filed with relator. In response to a letter of inquiry, Respondent did not acknowledge that he was involved in changing the beneficiary designation and stated that neither his wife nor the Boy Scout troop could be named as a beneficiary. When the relator's committee showed Respondent a copy of the change-of-beneficiary form, he expressed his surprise that his wife's maiden name, address, birthdate, and complete Social Security number and the Boy Scout troop number had been handwritten on the form. He testified that he had no explanation of how that had happened and did not recognize the handwriting as his own. At hearing he testified that he had virtually no recollection of the events surrounding the completion of the form – even though he recalled the events surrounding the contemporaneous execution of the clients' wills.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and recommended sanction of a two-year suspension, with one year stayed on condition that he engage in no further misconduct.

Sanction	Two-year stayed suspension
Court Modified Sanction	No
Rules Violated	8.4(h)
Aggravation/Mitigation	A- (3)(pattern of misconduct), (6) (false or deceptive practices during investigation) M- (1)(no prior discipline), (4) (cooperative attitude), (5)(good character), (6)(other penalties/sanctions), (7) (mental illness)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Linnen (2006)
Cited By	

OVERVIEW: Respondent received a two-year stayed suspension for misconduct arising from his guilty plea to charges of public indecency and reckless operation of a vehicle.

PROCEDURE: The parties entered into stipulations of fact, misconduct, and aggravating and mitigating factors and jointly recommended that Respondent serve a conditionally stayed two-year suspension. Neither party filed objections.

FINDINGS: In March 2018, police stopped Respondent's vehicle for a headlight violation and observed Respondent was naked. No charges were filed. In October 2018, the State Highway Patrol received a report that a motorist was masturbating while driving. The office suspected Respondent was intoxicated and arrested him. Respondent was charged with public indecency and operating a vehicle while under the influence

of alcohol or drugs. He received a 30-day jail term for the public indecency charge, was ordered to pay a fine, and serve a one-year term of nonreporting probation. On the OVI charge he pleaded guilty to an amended charge of reckless operation of a vehicle, was sentenced to a suspended three-day jail term, ordered to pay a fine, and complete a driver-intervention program. Respondent admitted at hearing that there had been other occasions on which he drove his vehicle while naked but was not detected by authorities.

SANCTION: The Court suspended Respondent for two years, with the suspension stayed on conditions that he comply with his OLAP contract; maintain full compliance with his treatment plan as prescribed by his mental-health practitioners; undergo a chemical-dependency evaluation; and follow any treatment or counseling plan; abstain from the use of alcohol; serve and successfully complete a five-year term of monitored probation to ensure his compliance with his treatment and recovery; and refrain from further misconduct.

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	8.4(h)
Aggravation/Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive), (3) (pattern of misconduct); M- (4) (cooperative attitude), (6) (other penalties/sanctions), (7) (mental illness)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Linnen (2006)
Cited By	

OVERVIEW: Respondent was indefinitely suspended after convictions on three counts of public indecency. Respondent was under an interim suspension related to the same misconduct.

PROCEDURE: The Board adopted the panel’s findings of fact, conclusions of law, and recommended sanction of an indefinite suspension.

FINDINGS: Respondent was convicted of three counts of public indecency in September 2020. The same misconduct had been the subject of a prior disciplinary case that resulted in a two-year, stayed suspension. Respondent admitted that during the first seven months of the prior suspension he was charged with three additional incidents of public indecency for driving nude and exposing himself to motorists – twice while masturbating. He was found guilty of all three charges. His sentences included fines, partially or suspended jail terms, and terms of probation. Respondent also admitted that he had engaged in

other similar incidents of public indecency but was not apprehended. At the disciplinary hearing, Respondent testified that he intends to complete the full two years of an outpatient treatment program but recognized that his mental-health disorders will likely persist throughout his life.

SANCTION: The Court adopted the Board’s findings of fact and conclusions of law, and indefinitely suspended Respondent from the practice of law. In addition to the conditions imposed in *Blauvelt I*, 2020-Ohio-3325, Respondent was required to demonstrate his abstinence from alcohol use and submit proof that he is in full compliance with the treatment plan prescribed by his mental-health practitioners and the Butler County Area III Court. Upon reinstatement, Respondent was required to serve a period of monitored probation.

NOT PARTICIPATING: Justice Kennedy

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	GBR V(23)(C) , GBR V(23)(D) , GBR V(23)(F)
Aggravation/Mitigation	A- (4) (multiple offenses); M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Gaba (2003); Willis (2002); Dugan (2007)
Cited By	

could commence, nor informed the clients by written notice that a disqualified or suspended lawyer would be providing services on their cases. Respondent directly supervised Moore's work and activities and eventually paid him \$150.00 per hour for a total of \$138,000 and \$2,800 in expenses. Respondent continued his working relationship with Moore for an additional six months after he was informed by Relator of his obligations under Gov.Bar R.V(23). Respondent never billed his clients for any of the legal services he provided or the cost of Moore's services.

SANCTION: The Supreme Court adopted the Board's recommended sanction of a public reprimand.

OVERVIEW: Respondent was publicly reprimanded for failing to register an employment relationship with a suspended lawyer and for failing to notify clients that a disqualified lawyer would work on their cases.

PROCEDURE: The Board adopted the panel's report recommending Respondent be publicly reprimanded. No objections were filed.

FINDINGS: Respondent represented his two daughters and son-in-law in various personal-injury and medical-malpractice cases. To assist him in the case, he entered into an informal arrangement with Rodger Moore, a suspended lawyer. Although Respondent knew about Moore's suspension, he did not review the Rules for the Government of the Bar, register his relationship with Moore on the prescribed form with the Office of Disciplinary Counsel, or receive written acknowledgment from the Office of Disciplinary Counsel that the relationship

Sanction	Six-month stayed suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 8.1(b)
Aggravation/Mitigation	A- (5)(lack of cooperation); M-(1)(no prior discipline), (2AggMitC4)(no dishonest or selfish motive), (4) (cooperative attitude), (5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Wilcoxson (2018)
Cited By	

OVERVIEW: Respondent received a six-month stayed suspension for misconduct related to his representation of a client in a small-claims case.

PROCEDURE: The Board recommended adoption of the parties' consent-to-discipline agreement. The case was remanded to the Board after Respondent's motion for leave to answer was granted by the Court.

FINDINGS: Respondent was retained by a client to represent his company in a small-claims case that it had filed against one of its former customers. Respondent participated in the litigation and discussed defendant's discovery request with the client, but did not complete the discovery responses or produce them to the defendant. Respondent also failed to inform the client that the defendant had filed motions to compel discovery and to deem its requests for admissions admitted. The court granted the motions and ordered responses on a date certain.

A motion for contempt was filed by defendant because Respondent did not comply with the court's order. Respondent did not attend the contempt hearing and the court found his client in contempt of the order, dismissed the complaint with prejudice and entered a judgment of \$10,092.50 plus \$1,455 in attorney fees on a counterclaim defendant had filed. The client received notice of the judgment from other sources, paid it in full, then filed a grievance and malpractice action against Respondent.

SANCTION: The Court adopted the parties' consent-to-discipline agreement and suspended Respondent for six months, fully stayed, on conditions that he comply with his existing OLAP contract, follow treatment and counseling recommendations, make restitution in the amount of \$14,114.76 plus pre-judgment interest, serve a one-year term of monitored probation, and engage in no further misconduct. The court also terminated its interim default suspension imposed on August 7, 2018. Reinstatement was also conditioned on compliance with the original interim-default-suspension order.

CONCURRING: Justice Fischer concurred in an opinion joined by Justice Donnelly.

DISSENTING: Justices Kennedy and DeWine.

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	1.4(c) , 3.4(c) , 5.5(a) , 8.4(c) , 8.1(b) , GBR V(9)(G)
Aggravation/ Mitigation	A- (3) (pattern of misconduct), (4) (multiple offenses),(5) (lack of cooperation), (6) (false or deceptive practices during investigation); M- (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Eisler (2015)
Cited By	

five months. In appearances at four hearings, he failed to notify the court of his suspension. In a subsequent case, he filed a notice of appearance, but later moved to withdraw and advised the court of his suspension. After Relator filed its disciplinary complaint, Respondent continued to represent a client in common pleas court until a little over a month before his disciplinary hearing.

SANCTION: The Court adopted the Board’s findings of fact and conclusions of law, and indefinitely suspended Respondent from the practice of law. Reinstatement was conditioned on submission of proof that he has undergone an OLAP evaluation and complied with any recommendations for counseling and/or other mental-health treatment.

OVERVIEW: Respondent was indefinitely suspended after continuing to practice law after receiving attorney-registration and CLE suspensions.

PROCEDURE: The Board adopted the panel’s findings of fact, conclusions of law, and recommended sanction of an indefinite suspension. No objections were filed.

FINDINGS: After receiving a notice of suspension in 2019, Respondent represented a client in a contempt hearing in municipal court, appeared as counsel at a hearing in common pleas court, and filed a motion in a case before the judge prohibited his participation upon learning of his suspension. After receiving notice of a CLE suspension, Respondent was contacted by Relator concerning a grievance alleging that he had been practicing law while under suspension. Despite the new suspension and an investigation by Relator, Respondent continued to practice for

Sanction	Two-year suspension stayed in its entirety on conditions
Court Modified Sanction	Yes
Rules Violated	7.1, 7.5(a), 7.5(c)
Aggravation/Mitigation	A-(1) (prior discipline), (2) (dishonest or selfish motive), (4) (multiple offenses), (7) (refusal to acknowledge wrongdoing); M- (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Baker (2004)
Cited By	

OVERVIEW: Respondent received a two-year suspension, with the entire suspension stayed on conditions for advertising his law practice with the name of a sitting Supreme Court Justice.

PROCEDURE: Respondent was previously suspended indefinitely in November, 2000 and reinstated in November, 2006. He was also suspended on three separate occasions for attorney registration deficiencies. Based on Relator's complaint filed in 2015, the panel recommended a six-month, fully stayed suspension. The Board adopted the panel's findings of fact and conclusions of law, but recommended additional conditions. The Court issued a two-year suspension, fully stayed, which it later revoked.

FINDINGS: Respondent practiced law with

William M. O'Neill until 1997 as O'Neill & Brown Law Office. In 2015, Respondent began to use the old firm name with Justice O'Neill's consent in a sign installed outside of his office and on business cards. Relator began to investigate allegations arising from the firm name in July, 2015. After he advised Justice O'Neill of the pending investigation, the justice instructed him to remove his name from the sign. An amended complaint alleged that the Respondent continued to use the business cards and firm sign with the old firm name after he testified that he had ceased engaging in the misconduct.

SANCTION: The Court adopted the Board's findings of fact and misconduct, and imposed a two-year suspension, all stayed on conditions that he remove any reference to the name of Justice O'Neill in the firm name and that his firm was established in 1981, destroy all business cards bearing the name of the law firm, refrain from advertising the prior firm name, and engage in no more professional misconduct.

DISSENT: Justice O'Donnell dissented based on the appearance of impropriety that was created by the use of the firm name and would have imposed an indefinite suspension. Chief Justice O'Connor and Justice Fischer concurred with the dissent.

Sanction	One-year stayed suspension
Court Modified Sanction	No
Rules Violated	1.2(e), 4.2, 8.4(d)
Aggravation/Mitigation	A- (2)(dishonest or selfish motive), (4) (multiple offenses); M- (1)(no prior discipline), (4) (cooperative attitude), (5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent received a one-year stayed suspension for conduct related to his attempts to collect money owed to him pursuant to a residential lease agreement.

PROCEDURE: The panel found that Respondent committed the stipulated violations and recommended a one-year fully stayed suspension. The Board adopted the panel's report. No objections were filed.

FINDINGS: Respondent entered into an agreement with a couple to lease residential property with an option to purchase. The couple purchased the property in May 2016. Respondent did not receive rent payments for two months, and five checks that were issued were returned for insufficient funds. Respondent later informed the wife that he would file a civil action unless he received payment and warned her that it was a felony to pass bad checks and he would be forced to file a police report. After Respondent sent a text informing the wife that he would file the civil action and police report unless funds were

deposited into his account, Respondent received a call from the wife's employer and lawyer. The lawyer informed Respondent that it was "grossly inappropriate" to file a police report. Respondent responded that he had not threatened the couple with criminal action but that he had laid out exactly what he intended to do. A civil action was later filed against the couple and on other occasions Respondent repeated the threat concerning criminal charges. An offer to settle the matter was made by Respondent but rejected. In February 2017, Respondent filed a criminal complaint against the husband and emailed a copy to the wife and her lawyer. The day before the husband's arraignment, another offer was made to settle the matter. Respondent agreed to settle so long as the couple released all claim. He sent a copy of his response to the wife without her lawyer's permission. As her lawyers began to negotiate an additional matter to settle the civil action, Respondent informed them that the wife had already agreed to resolve the dispute. Respondent later stated that he planned to enforce the agreement that he had negotiated directly with the wife. The husband's criminal charges were later dismissed and Respondent entered into a confidential settlement agreement and release with the couple that prompted the wife to email the Relator and ask that the couple's grievance be withdrawn.

SANCTION: The Court suspended Respondent for one year, fully stayed on the condition that he not engage in further misconduct.

Sanction	Two-year suspension, 18 months stayed
Court Modified Sanction	No
Rules Violated	1.1, 1.3, 1.4(a)(4), 8.4(c)
Aggravation/Mitigation	A- (1)(prior discipline), (4) (multiple offenses); M- (3)(restitution or rectified consequences), (4) (cooperative attitude), (5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	
Cited By	

OVERVIEW: Respondent a two-year suspension with 18 months stayed for providing incompetent representation to clients, neglect, dishonest conduct, and failure to comply with reasonable requests for information.

PROCEDURE: The Board found that Respondent committed all but one of the alleged rule violations. No objections were filed.

FINDINGS: Respondent was retained by a client to handle the estate of her deceased brother. During the first meeting the client informed Respondent that she had a buyer for the decedent's truck and needed assistance transferring the vehicle. Respondent instructed the client to sign the decedent's name and backdate the signature so it would not have to pass through the probate estate. Respondent, on behalf of the estate, attempted to transfer the

decedent's home to another sibling because the beneficiary of the home, their mother, was in a nursing home and on Medicaid. Based on the client's power of attorney, Respondent sought through the probate court a method to conduct the transfer, but was informed by the magistrate that it would be inappropriate because the mother was receiving Medicaid. Respondent informed his client that he could not achieve her objective, but did not adequately terminate his representation, stopped working on the case, and did not engage in further communication with his client. In another estate matter, Respondent filed the application to probate a decedent's will, but did not timely mail waivers of notice of the hearing on the inventory to the estate of each of the decedent's 14 children. The client and another beneficiary later appeared at the hearing without Respondent, but after Respondent had received a second deficiency notice. Respondent inquired of the magistrate how to proceed when the estate's liabilities exceeded the assets and unsecured creditors would not respond to his communications. He also asked the magistrate to file a certificate of transfer for the decedent's home though he had not resolved all the creditor's claims. The magistrate informed him the home could not be transferred until the creditors were satisfied. Respondent agreed to negotiate with the creditors, never told his client that he was terminating representation, and failed to respond to 40 attempted communications from his clients and family.

SANCTION: The Court adopted the Board's finding of misconduct, conclusions of law, and recommended sanction of a two-year suspension with 18 months conditionally stayed and that he engage in no further misconduct.

Sanction	Two-year suspension
Court Modified Sanction	No
Rules Violated	1.1, 1.4(c), 1.5(b), 1.15(a)(2), 8.4(c), 8.4(h), 8.1(b)
Aggravation/Mitigation	A- (1) (prior discipline), (3) (pattern of misconduct), (4) (multiple offenses), (8) (harm to vulnerable victim), (9) (no restitution); M- (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	
Cited By	

OVERVIEW: Respondent was suspended for two years for failing to create or maintain an IOLTA, failing to communicate with clients about the scope of representation and the basis for fees, engaging in conduct that adversely reflects upon the lawyer's fitness to practice law, failing to disclose a lack of malpractice insurance, and failing to disclose material facts during the disciplinary investigation.

PROCEDURE: The panel found Respondent had engaged in the stipulated misconduct and committed two violations of 8.4(c), even though the relator sought to withdraw the charges. The Board adopted the panel's findings and recommended sanction.

FINDINGS: Respondent represented a client in a criminal matter. Six months later, the client filed a grievance against Respondent alleging that Respondent was disrespectful and threatened to make his life miserable if he filed a grievance.

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Bruner initially denied making the threat, but when presented with a recording of the conversation, acknowledged that it was his voice on the recording. In another matter, Respondent was retained by a client's parents to investigate post-conviction remedies for their son. The clients filed a grievance alleging that Respondent had not provided the legal services for which he had been paid. Respondent admitted that he had not adequately explained the services he would perform and failed to create IOLTA records for the advanced fee. In another matter, Respondent was retained to file a motion to withdraw a guilty plea, but did not check the docket before filing and was unaware that the client's prior counsel had filed a similar motion that was denied. Respondent's motion and memorandum in support failed to cite any legal authority. Respondent was also retained to file a motion for judicial release for a client that was eventually denied because, by statute, the client's sentence was mandatory and he was therefore ineligible for judicial release. During the investigation of a grievance filed by a client related to Respondent's court-appointed representation, Respondent admitted he made inconsistent statements and failed to disclose material facts.

SANCTION: The Supreme Court adopted the Board's recommended sanction of a two year suspension, and ordered Respondent to provide proof to relator within 90 days that he made restitution to two clients.

DISSENTING: Justice Brunner in an opinion joined by Justice DeWine.

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	3.3(a)(1)
Aggravation/Mitigation	A- none; M- (1) (no prior discipline, (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Moore (2017)
Cited By	

SANCTION: The Court adopted the parties' consent-to-discipline and publicly reprimanded Respondent.

OVERVIEW: Respondent received a public reprimand for misconduct related to backdating a signature declaration form in a bankruptcy court case, signing a client's name to the form, and attesting to the client's signature.

PROCEDURE: The Board adopted the parties' consent-to-discipline agreement and recommended adoption by the Court.

FINDINGS: Respondent filed a bankruptcy petition for a client. The court later issued a show cause order indicating that the required signature declaration form had not been filed. The Respondent later signed his client's name to the form, attested to the client's signature by signing his own name, and backdating the form. Respondent later filed a motion to withdraw as counsel that was granted by the bankruptcy court. Respondent's client was later indicted for several crimes, including concealment of assets and fraud. The client was also charged with providing false information in the bankruptcy filings and falsely attesting to their accuracy. Respondent testified at his client's criminal trial that he had signed his client's name to the signature declaration form. Respondent self-reported his misconduct.

Sanction	Indefinite suspension, no credit for time served
Court Modified Sanction	No
Rules Violated	1.4(a)(3), 1.4(a)(4), 1.5(a), 1.8(a), 8.4(b)
Aggravation/Mitigation	A-(2) (dishonest or selfish motive), (4) (multiple offenses), (8) (harm to vulnerable victim) M-(1) (no prior discipline), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Peterson (2012); Harris (2002)
Cited By	

OVERVIEW: The Court imposed an indefinite suspension, with no credit for time served for retaining and misappropriating the proceeds from the sale of a client's real property.

PROCEDURE: The Court imposed an interim felony suspension after the Respondent's conviction for unauthorized use of his client's property. The panel recommended a two-year suspension with one year stayed. The Board recommended an indefinite suspension with no credit for time served.

FINDINGS: Respondent was retained by a client after she was arrested for running a marijuana-growing operation in the basement of her own. She agreed to allow the Respondent to sell a 22-acre parcel of farmland to pay for her representation. The Respondent and client agreed to a flat fee for each stage of the representation. A plea agreement was entered into and the client pled guilty to a third-degree

felony. Prior to entering the transaction, the Respondent failed to comply with the professional-conduct rule designed to protect a client against overreaching by the lawyer. After the Respondent sold the property, he failed to communicate the fact to the client. Respondent also told the client that she was not entitled to any portion of the sales proceeds because he had accepted the land as a flat fee for representing her. An investigation of Respondent by the Ohio Bureau of Criminal Investigation led to his guilty plea to one count of unauthorized use of property, a fourth-degree felony. Eventually, the client filed a civil suit for malpractice and other claims, but it was dismissed as time-barred. In 2016, Respondent agreed to pay the client \$97,767.02 to settle the matter.

SANCTION: The Court adopted the Board's findings of fact and conclusions of law finding Respondent's conduct was tantamount to theft warranted an indefinite suspension. The Court imposed an additional condition that Respondent could not petition for reinstatement until he completed his community-control sanction as part of his criminal conviction.

Sanction	Eighteen-month stayed suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 1.15(a), 1.15(a)(2), 1.15(a)(3), 1.15(a)(5), 1.16(d), 1.16(e), 8.1(b)
Aggravation/Mitigation	A- (1)(prior discipline), (3) (pattern of misconduct), (4) (multiple offenses), (5)(lack of cooperation), (8) (harm to vulnerable victim), M- (2AggMitC4)(no dishonest or selfish motive), (4) (cooperative attitude), (5)(good character, (7)(mental illness)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	
Cited By	

OVERVIEW: Respondent received an eighteen-month stayed suspension for neglect of three client matters, improper client-trust-account management and failure to cooperate in an ensuing disciplinary investigation.

PROCEDURE: The Board found that Respondent had committed all but two of the alleged rule violations.

FINDINGS: Respondent was retained to pursue a personal-injury claim for a client and entered into a one-third, contingent-fee agreement. The matter was settled for \$7,500 and the proceeds were deposited in Respondent's IOLTA. The

client authorized Respondent to pay all medical bills and to pay a court-reporter fee, but Respondent did not take any action. He later cashed checks issued to himself from his IOLTA, did not create or retain required trust-account records, and did not respond to his client's attempts to communicate with her. In another matter, Respondent was hired to represent a client in a juvenile-custody matter and was paid an initial retainer and filing fee that were not deposited into his IOLTA. Respondent prepared documents, but never filed them, performed no additional work on the case, did not respond to her repeated efforts to communicate, and did not honor her request of refund until December 2018. Respondent was also hired to represent clients in a personal-injury case, but the clients' telephone calls and text messages frequently went unanswered. In response to a grievance filed by the clients, Respondent disclosed that he had filed a lawsuit on their behalf, but had not perfected service, which he did not accomplish until one year after he filed the lawsuit. Relator asked Respondent to return his clients' file but he produced only publicly available court documents and admitted he could not locate their medical records or the only copy of a handwritten diary. Respondent also did not timely respond to Relator's letters of inquiry and requested and received two continuances for depositions.

SANCTION: The Court adopted the Board's finding of misconduct, conclusions of law, and recommended sanction of an eighteen-month stayed suspension on conditions that he continue mental-health treatment with his doctor and complete all treatment recommendations, waive the doctor-patient privilege with all healthcare professionals, remain in compliance with his OLAP contracts, serve a one-year period of monitored probation, meet with his monitor at least once a month, and engage in no further misconduct. Justice Kennedy concurs in judgment only.

Sanction	Disbarment
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 1.8(a), 1.15(c), 1.16(d), 3.3(a)(1), 5.5(a), 8.1(a), 8.1(b), 8.4(b), 8.4(c), 8.4(d), 8.4(h), GBR V(9)(G)
Aggravation/Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (8) (harm to vulnerable victim); M- (4) (cooperative attitude), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Fletcher (2013)
Cited By	

OVERVIEW: Respondent was permanently disbarred for misappropriating client funds, misconduct arising from a felony-theft conviction, neglect, and practicing law while under suspension.

PROCEDURE: The Board adopted the panel’s report and recommendation.

FINDINGS: Respondent was court-appointed to represent a client in a criminal matter. Respondent filed a motion for a psychiatric evaluation of his client that was granted. The client was declared incompetent to stand trial. Once the client was released from jail, he asked the client to borrow \$8,000 without informing him of the terms of the loan or advising him to

seek independent counsel. Additional funds were borrowed from the client. The client was eventually placed back in jail and he asked Respondent to assist him in paying bills by giving him several blank checks. Respondent used the checks for his own benefit. Over a period of time, Respondent misappropriated \$22,100 in addition to a total of \$19,200 he had previously borrowed from the client. After the client’s competency was restored, he discovered the misappropriated funds. Respondent was indicted for his theft from the client and pleaded guilty to a fourth-degree-felony count of theft. In three other counts, Respondent failed to act with reasonable diligence in his representation of clients. He often failed to return calls or respond to messages seeking information about the status of their cases. When he did respond to the inquiries, he repeatedly lied. In one matter he accepted a filing fee but made excuses over several weeks as to why he had not filed the complaint. In another matter, he claimed that the probate court had wrongly rejected filings that contained errors that he had committed. He failed to timely file a notice of appeal in another client matter that was eventually dismissed because he never filed an appellate brief. In a separate matter, Respondent falsely informed the court that he had filed his paperwork and fees for reinstatement from his suspension, but that the Supreme Court had not timely processed the documents or reinstated him.

SANCTION: The Court adopted the Board’s recommended sanction of permanent disbarment.

Sanction	One-year suspension, six months stayed
Court Modified Sanction	Yes
Rules Violated	Jud.Cond.R. 1.2, 2.2 2.8(B), 2.9(A), 3.11(C)(3), Prof.Cond.R. 8.4(b)
Aggravation/Mitigation	A-(2) (dishonest or selfish motive) (4) (multiple offenses); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	O’Neill (2004)
Cited By	

OVERVIEW: Respondent was suspended for one year with six months stayed for committing an illegal act that reflects adversely on the lawyer’s honesty and trustworthiness, failing to act in a manner that promotes public confidence in the judiciary, failure to uphold the law, and ex parte communications.

PROCEDURE: The parties submitted stipulations of fact, misconduct, and aggravating and mitigating factors. The Board adopted the panel’s findings of fact, conclusions of law, and recommended sanction of a one-year suspension, with six months stayed with no credit for time served.

FINDINGS: Respondent was suspended on an interim basis based on felony counts that were later reduced to misdemeanors. His criminal convictions stems from his failure to accurately

report on his annual financial-disclosure statements his interest in Whiteacre North, LLC, whose sole asset was an office building in Lorain, Ohio that had several tenant-lawyers who regularly appeared before Respondent in Lorain County Common Pleas Court. In a separate count Respondent wrote a letter on official court stationery to three state representatives regarding his views on certain proposed legislation. A target of the letter was a former judge on the Ninth District Court of Appeals. During a court proceeding he referred to Caucasian defendants as “crackers” and African American or Latino defendants as “homeboys.” He also had an exchange with a defendant that suggested he would have paid to have him beaten before he sentenced him to three years in prison. In a colloquy with another defendant he suggested that a better outcome would be to have a deputy sheriff shoot him. In another count Respondent engaged in an improper ex parte communication with a defendant after the defendant asked if he could withdraw his plea. In a final count he acquitted a defendant on a rape charge because he refused to recognize established case law and attempted to act as a translator for a defendant who spoke Spanish despite a law that requires the court to appoint a qualified interpreter.

SANCTION: The Court imposed a one-year suspension, with six months stayed on condition that he not engage in further misconduct. Justices French, DeWine, Donnelly, and Stewart concurred on granting Respondent credit for time served. Chief Justice O’Connor and Justice Fischer would not grant credit for time served.

DISSENTING: Justice Kennedy dissented and would have imposed a two-year suspension with one year stayed.

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	1.6(a)
Aggravation/Mitigation	A- none; M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Holmes & Kerr (2018)
Cited By	

SANCTION: The Court adopted the parties' consent-to-discipline and publicly reprimanded Respondent.

OVERVIEW: Respondent was publicly reprimanded for revealing confidential client-lawyer communications in a motion to a court.

PROCEDURE: The Board adopted the parties' consent-to-discipline agreement and recommended adoption by the Court.

FINDINGS: Respondent agreed to represent a client in a domestic relations matter at no cost with the understanding that the client would prepare and draft all pretrial documents. The client was a paralegal in Respondent's law firm. Respondent gave the client tasks that needed to be completed according to a timetable. Respondent left the law firm and the relationship between the client and Respondent deteriorated. The client subsequently filed a pro se motion to continue an upcoming hearing and included an affidavit that averred Respondent had been unresponsive. The hearing was continued. Respondent later filed a motion to withdraw as counsel and included confidential client-lawyer communications, including statements contrary to the client's interests. The motion to withdraw was granted.

Sanction	One-year suspension, stayed
Court Modified Sanction	No
Rules Violated	1.1, 1.3, 1.4(a)(3), 1.4(a)(4), 1.16(d), 8.4(c)
Aggravation/Mitigation	A- (3) (pattern of misconduct), (4) (multiple offenses),(5) (lack of cooperation), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character),
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Pfundstein (2010); Mariotti (2019)
Cited By	

OVERVIEW: Respondent was suspended for one year, fully stayed for misconduct related to failing to provide competent representation, adequately communicate with a client, engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation, and failing to properly withdraw from another client matter.

PROCEDURE: Respondent failed to answer the complaint and an interim default suspension was imposed. He responded to a show cause order and the Court remanded the matter for consideration of mitigation evidence only. Neither party objected to the Board’s report and recommendation.

FINDINGS: Respondent represented a client in a divorce case and filed the complaint and a motion for temporary orders regarding custody and support of the client’s minor children. But he

failed to comply with a local rule regarding service of the motion. The court requested that Respondent set an expedited oral hearing on the temporary orders, but he failed to schedule the hearing, failed to notify his client, and did not raise the issue about the temporary orders at three scheduling conferences. He later failed to appear for a subsequent status conference and the scheduled trial date. His client terminated his services and new counsel requested the client file, which Respondent failed to provide. He also falsely represented to the client that his new lawyer had the file, even though it was not delivered until the disciplinary investigation commenced. In a separate count Respondent agreed to provide limited-scope representation of a client in the drafting and negotiation of a separation agreement and the drafting of a closing argument. Respondent entered a notice of appearance, completed only some of the agreed-upon work, and failed to withdraw as required by local court rule. Respondent did not return the client’s file until after a grievance was filed.

SANCTION: The Court terminated Respondent’s interim default suspension but required upon his reinstatement, that he demonstrate that he complied with a November 22, 2019 suspension order, submit proof he has undergone an OLAP evaluation, followed recommended treatment or counseling, and paid the costs of the proceedings. Upon reinstatement, the Court ordered that Respondent be suspended for one year, fully stayed on conditions that he complete one-year of monitored probation focused on law-office management, client communication, case management, and compliance with treatment or counseling recommendations, complete at least six hours of CLE in the areas of office management, client communications, and case management in addition to other requirements, and refrain from further misconduct.

Sanction	Two-year suspension, with eighteen months stayed on conditions.
Court Modified Sanction	No
Rules Violated	3.3(a), 8.4(b),8.4(c), 8.4(d), 1.5(d)(3)
Aggravation/Mitigation	A--(1) (prior discipline),(3) (pattern of misconduct), (4) (multiple offenses), (9) (no restitution); M-(4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	DeMarco (2015); Farrell (2008)
Cited By	

failure to disclose induced the agency to find that to qualify his clients for Medicaid benefits. When the agency discovered the transfers, it resulted in an overpayment to both clients. Respondent later pled guilty to a misdemeanor charge of falsification with the purpose of securing a benefit administered by a government agency. He was ordered to serve a 180-day suspended sentence and pay a fine

SANCTION: The Court adopted the Board’s sanction recommendation of a two-year suspension, with eighteen months stayed on conditions that he engage in no further misconduct and make restitution to the two clients.

OVERVIEW: Respondent received a two-year suspension, with the final eighteen months stayed for not revealing to Medicaid the transfer of a life estate interest by clients prior to applying for benefits. Respondent pled guilty to a first-degree misdemeanor charge of falsification.

PROCEDURE: The Board adopted the panel’s findings of fact, conclusions of law, and recommended sanction.

FINDINGS: Respondent provided financial planning advice to elderly client with the purpose of ensuring their eligibility to receive long-term care benefits under Medicaid. He assisted two clients in gifting a life estate interest in real property to family. In both matters, Respondent failed to disclose the transfer of assets occurring in the last five years as required by law. The

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	1.5(a), 1.8(a)(2), 3.3(a)(1), 8.4(b), 8.4(c), 8.4(h)
Aggravation/Mitigation	A- (2)(dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple), (8)(harm to vulnerable victim), M- (1)(no prior discipline), (4) (cooperative attitude), (5)(good character), (6)(other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Bandman (2010); Zapor (2010); Thomas (2016)
Cited By	

OVERVIEW: Respondent received an indefinite suspension for conduct related to a felony conviction stemming from his administration of an estate.

PROCEDURE: After a hearing before a panel, the Board issued a report finding Respondent had engaged in the stipulated misconduct and recommended indefinitely suspending Respondent with no credit for time served under an interim felony suspension. Neither party filed objections.

FINDINGS: Respondent represented a client who suffered from mental illness, alcoholism, and depression. He assisted her in a landlord-tenant matter on a pro bono basis, provided that she pay him \$20.00 per month. However, he later

entered into a separate written fee agreement to represent her in any capacity for \$250.00 an hour. Respondent later administered the client’s mother’s estate, until its termination in August 2016. During the representation he performed various nonlegal, personal services at both his regular hourly rate and occasionally at a paralegal rate. Overall, Respondent and his firm charged the client \$90,626.44 for handling the eviction matter, administering the estate, and handling her personal matters. After adult protective services received a referral regarding the client, it filed a grievance. During his disciplinary proceeding, Respondent admitted that in addition to transferring \$90,626.44 out of the client’s account, he removed \$57,084.41 to pay for his personal and business accounts, although none of the latter funds were earned. Respondent was indicted for theft from a person in a protected class. He pleaded guilty to a fourth-degree felony theft charge, was sentenced to two years of community control, ordered to complete 100 hours of community service, and make restitution of \$29,450 within two years. In two additional counts Respondent was found to have lied to a court when indicating on probate forms that all attorney fees had been waived in the estate administration when he or his firm had already received substantial fees and for entering into a loan with the client without advising her of the desirability of seeking independent counsel.

SANCTION: The Court adopted the Board’s findings of fact, conclusions of law, and recommended sanction of an indefinite suspension with no credit for time served under the interim felony suspension. The Court conditioned his reinstatement on proof of restitution in the amount of \$66,174.30.

Sanction	Two-year suspension
Court Modified Sanction	No
Rules Violated	1.1, 1.3, 1.4(a)(2), 1.4(a)(3), 1.4(a)(4), 1.7(a)(2), 1.9(c)(1), 1.16(e), 3.3(a)(1), 5.3(a), 8.4(b), 8.4(c), 8.4(d), 8.4(h)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (6) (false or deceptive practices during investigation), (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim), (9) (no restitution); M- (1) (no prior discipline)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Dougherty (2019); Cheselka (2019); Yoder (2020); Detweiler (2013)
Cited By	

OVERVIEW: Respondent received a two-year suspension for misconduct that arose from his representation of three clients, his representation of his wife in a civil-stalking-protection-order, and his sexual relationship with one of the clients.

PROCEDURE: The Board adopted the panel’s findings of fact and conclusions of law, but recommended Respondent be suspended for two years, unstayed, and be required to petition for reinstatement.

FINDINGS: Respondent represented a client, Foster, in a federal lawsuit after concluding a divorce case on her behalf. He filed a motion to withdraw, filed a reply instanter to a counterclaim, and falsely stated that the client had signed the document and filed it pro se. Respondent commenced a sexual relationship with the client before he was retained. She later began to work in his law office without training or instruction about the ethical obligations of lawyers. Respondent ended the relationship with Foster and later reported break-ins of his office. At one point, Respondent threatened the client indicating that he had the capacity to be a killer in order to intimidate and frighten Foster. Later, Respondent’s wife filed a petition for a CSPO against Foster. Respondent used information that he had gained when representing Foster to her disadvantage in the CSPO hearing. His representation of his wife was limited by his former representation of Foster and his own personal interests. The Court ordered restitution in another client matter where his final accounting was not credible, and he had not prepared a bill upon the client’s termination of the representation. Respondent’s appointment to represent a defendant in an appeal of a conviction resulted in the dismissal of the appeal after he failed to file a response with the court upon its request demonstrating how all counts and specifications had been resolved by the trial court in order to determine jurisdiction.

SANCTION: The Court adopted the Board’s findings of fact and conclusions of law, and suspended Respondent for two years. The Court ordered restitution in the amount of \$7,860 to one client within 60 days, required Respondent to petition for reinstatement, and complete six hours of CLE focused on sexual harassment and employee management in addition to the requirements of Gov.Bar. R. X.

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.8(h)(2)
Aggravation/Mitigation	A- None; M-(1) (no prior discipline), (2) (no dishonest or selfish motive), (3) (restitution or rectified consequences), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Bernard (2003); Nelson (2015); Sweeney (2016); Smith (2015); Dundon (2011)
Cited By	

without a written agreement and the notification to seek independent counsel before settling a possible legal malpractice claim. During representation of the daughter, the Respondent did not attend two pretrial conferences, and the judge in the case ordered him to show cause for his absences. The judge ordered Respondent to withdraw from the case, but instead Respondent voluntarily dismissed the case. After an order to show cause for contempt was issued, the Respondent finally withdrew from the case. The client obtained new counsel.

SANCTION: The Court adopted the parties' consent-to-discipline agreement and issued a public reprimand of the Respondent.

OVERVIEW: Respondent received a public reprimand for failing to file a timely complaint in one matter, and failed to participate and comply with a court order to withdraw in another matter.

PROCEDURE: The parties submitted a consent-to-discipline agreement, stipulating to the facts in the complaint, disciplinary violations, and mitigating and aggravating factors, as well as a public reprimand. The Board recommended that the agreement be accepted.

FINDINGS: Respondent was hired by a mother and her minor daughter to represent them in personal-injury matters following an automobile accident. Respondent had limited contact with the clients and failed to file the mother's claim before the expiration of the statute of limitations. Respondent offered the client to settle her claims

Sanction	Indefinite suspension
Court Modified Sanction	Yes
Rules Violated	8.4(c), 8.4(d), JCR 1.2, 2.2, 2.5(B), 2.8(A), 2.8(B), 2.9(A), 2.11(A)(1), 2.11(A)(2)(d)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Parker (2007); O’Neill (2004); Medley (2004)
Cited By	

OVERVIEW: Respondent received an indefinite suspension and was suspended from judicial office without pay for the duration of the suspension for multiple violations of the Code of Judicial Conduct and the Rules of Professional Conduct.

PROCEDURE: The Board adopted the panel’s findings of fact and conclusions of law, and recommended sanction of a two-year suspension. The Board further recommended that Respondent be suspended without pay for the duration of the suspension.

FINDINGS: Respondent refused to follow an administrative order issued by her administrative

and presiding judge to delay cases due to the COVID pandemic. She issued capias warrants and issued bonds for defendants who did not appear in court. She later denied to the press that she had issued any warrants. Respondent also stipulated that in 34 cases she had engaged in *ex parte* communication, improper pleading with defendants, and made arbitrary rulings, sometimes without the prosecutor present. In some cases she unilaterally amended charges and issued journal entries that falsely attributed the amendment to the prosecutor. She failed to follow a local court rule for the setting of ability-to-pay hearings, resulting in capias warrants to issue – thereby ensuring that defendants would be arrested and held on bonds. Respondent did not maintain the requisite decorum and demeanor in her courtroom, including her own courtroom attire, and often treated courtroom participants and staff inappropriately. She held a defendant in contempt when she had not engaged in conduct that was an immediate threat to the administration of justice and placed her in the holding cell for several hours. In one instance, she engaged in dialogue with defendants about accepting kickbacks on fines or arranging “hookups” for herself and her staff.

SANCTION: The Court adopted the Board’s findings of fact and conclusions of law, but indefinitely suspended her without pay for the duration of her disciplinary suspension. The Court conditioned her reinstatement on the submission of a report from a qualified healthcare professional stating that she is able to return to the competent, ethical, and professional practice of law and proof of compliance with her 2021 OLAP contract.

CONCURRING IN PART AND DISSENTING IN PART: Justice Kennedy joined by Justice DeWine

Sanction	One-year suspension, stayed
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(2), 1.4(a)(3), 1.4(c), 1.15(a), 8.1(b), GBR V(9)(G)
Aggravation/ Mitigation	A- (4) (multiple offenses), (5) (lack of cooperation), (9) (no restitution); M- (1) (no prior discipline)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Brueggeman (2010); Peters (2019)
Cited By	

consent-to-discipline agreement.

SANCTION: The Court adopted the parties' consent-to-discipline agreement, suspended Respondent for one year, all stayed, and imposed conditions of proof of restitution to the affected client in the amount of \$1,810, completion of six hours of CLE in law office and IOLTA management, six hours on the subject of professional ethics, in addition to the biennial CLE requirements, and one-year of monitored probation focused on law office management, client communications, and IOLTA requirements, and refrains from further misconduct.

OVERVIEW: Respondent was suspended for one year, fully stayed for misconduct related to failing to provide competent representation, adequately communicate with a client, failing to provide the client with notice that he did not maintain professional liability insurance, and failing to deposit fees and costs in his IOLTA.

PROCEDURE: The Board adopted the parties' consent-to-discipline agreement and recommended adoption by the Court.

FINDINGS: Respondent was retained to represent a client in a personal injury matter. After the matter was settled, Respondent was retained to file a bankruptcy petition on the client and her husband's behalf. Respondent retained \$1,810 from the personal injury settlement to cover his fee and the fee for filing the bankruptcy petition. Respondent never filed the bankruptcy petition and failed to communicate the status of the matter with his clients. The retained fee was not placed in his IOLTA and no monies had been refunded to the clients as of the date of the

Sanction	Two-year suspension, one year stayed
Court Modified Sanction	No
Rules Violated	1.1, 1.3, 1.4(a)(3), 1.4(a)(4), 1.15(c), 3.3(a), 8.1(a), 8.1(b), 8.4(c), GBR V(9)(G)
Aggravation/Mitigation	A-(2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses),(5) (lack of cooperation), (6) (false or deceptive practices during investigation), (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim), (9) (no restitution); M- (1) (no prior discipline), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Talikka (2013); Folwell (2011); Stewart (2013)
Cited By	

OVERVIEW: Respondent was suspended for two years, with one year stayed for failing to provide competent representation, failing to act with reasonable diligence, failing to communicate with clients, and making a false statement of material fact to a court and the Board.

PROCEDURE: The Board issued a report finding Respondent committed 19 rule violations and recommended the dismissal of eight

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violations. No objections were filed.

FINDINGS: Respondent agreed to represent an incarcerated client based on an affidavit presented by an eyewitness that he had been pressured to give false testimony. More than three years later, Respondent filed a petition for postconviction relief which was declined. In another matter he filed an emergency motion to modify an elderly defendant’s prison sentence that was procedurally improper. The motion offered little medical evidence, new argument, or legal authority and was dismissed. In a separate count Respondent filed an untimely appeal of a client’s convictions and sentence without an accompanying motion for leave to file a delayed appeal. The client complained that it took months for the Respondent to respond to his requests and a year to provided requested copies of transcripts. Respondent agreed to a partial refund of his fee. In another count, Respondent dismissed a direct appeal of a client’s conviction based on an associate’s erroneous research and later admitted his error to the client’s family.

SANCTION: The Court imposed a two-year suspension with one year stayed on conditions that he make restitution, submit to an evaluation by OLAP, demonstrate he has complied with any treatment or counseling recommendations arising from his OLAP contract, completed six hours of CLE focused on law-office management, and serve a one-year term of monitored probation.

DISSENTING IN PART AND CONCURRING PART: Justices Kennedy and DeWine.

NOT PARTICIPATING: Justices Donnelly and Stewart.

Sanction	One-year stayed suspension
Court Modified Sanction	No
Rules Violated	1.2(a), 1.4(a)(3), 1.5(c)(2), 1.5(e), 1.6(a), 8.4(c)
Aggravation/Mitigation	A- (4) (multiple offenses); M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Holmes and Kerr (2018); Heben (2017); Niermeyer (2008), Gibson (2011)
Cited By	

OVERVIEW: Respondent received a one-year fully stayed suspension for failing to reasonably communicate with two personal-injury clients, failing to disclose his fee-sharing arrangement with attorneys outside of his firm, and forging a client's signature.

PROCEDURE: The parties entered into stipulations of fact, disputed one alleged rule violation, and the relator agreed to dismiss two other violations. Based on the stipulations, the Board recommended a 12-month, all stayed suspension.

FINDINGS: Respondent was referred a case from a law firm involving a client's fall on loose carpet in the common area of her apartment building. The client signed a fee agreement to pay a contingency fee of 33.3 % if her case settled

before trial. The agreement provided that "Donahay Law Office" is co-counsel in the case. Respondent never informed the client in writing that each lawyer was assuming joint responsibility for the representation or the division of fees would correspond to the proportion of the services each lawyer performed. In negotiating his clients' claim, he made a settlement demand without the client's consent. As part of the settlement Respondent signed his client's name, his own name as a witness, and directed his secretary to notarize the client's signature without the client's knowledge. In a second matter, Respondent accepted a referral from another firm. The client signed an agreement that provided that the client agreed that the law firm would serve as co-counsel. After investigating the case, Respondent concluded that settlement was unlikely and transferred the client's case to lawyer Sanford Meizlish without the client's knowledge or consent. Meizlish contacted the client to schedule an appointment and also indicated that he would need her to advance \$750 for the costs of litigation if she wanted him to represent her. In March 2015, he informed the client that he was closing the file. The client later contacted Respondent who initially agreed to continue to represent her, but later informed her that he was taking no further action in the case.

SANCTION: The Court imposed a one-year stayed suspension on the conditions that Respondent commit no further misconduct and pay the costs of the proceeding.

NOT PARTICIPATING: Justice DeWine

Sanction	Six-month stayed suspension
Court Modified Sanction	No
Rules Violated	5.3(a), 5.3(b), 8.4(d), GBR V(23)(C), GBR V(23)(F)
Aggravation/Mitigation	A- (1)(prior discipline); M-(2AggMitC4) (no dishonest or selfish motive), (3)(restitution or rectified consequences), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	Gaba (2002); Willis (2002)
Cited By	

six-month, stayed suspension against Respondent.

DISSENTING: Justice Fischer

OVERVIEW: Respondent received a six-month stayed suspension for misconduct related to his employment of a suspended lawyer.

PROCEDURE: The Board adopted the parties' consent-to-discipline agreement and recommended adoption by the Court.

FINDINGS: Respondent employed a suspended lawyer in his law firm without registering the employment with the Office of Disciplinary Counsel. Respondent also did not notify clients on whose matters the lawyer worked of the lawyer's suspension as required by Gov.Bar R. V., Sec. 23(F). The suspended lawyer was terminated by Respondent after being employed for over one year.

SANCTION: The Court adopted the parties' consent-to-discipline agreement and issued a

Sanction	Public reprimand; one-year stayed suspension
Court Modified Sanction	No
Rules Violated	1.1, 5.1(c), 5.3(b), 5.3(c), 8.4(d)
Aggravation/ Mitigation	A- none; M- (1)(no prior discipline), (4) (cooperative attitude), (5)(good character); A- (1) (prior discipline); M- (4)(cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	In re Boyce, 371 S.C. 259 (2006); Davis (2019); Miller (2017)
Cited By	

OVERVIEW: Respondent Christensen received a public reprimand and Respondent Kluesener received a one-year stayed suspension for conduct related to the issuance of invalid subpoenas to opposing parties.

PROCEDURE: The Board adopted the parties' consent-to-discipline agreements and recommended adoption by the Court.

FINDINGS: Respondents stipulated that on several occasions they sent invalid subpoenas to opposing parties seeking information about potential personal-injury actions even though neither had filed a lawsuit or a R.C. 2317.48 action for discovery. The subpoenas used the term "pending" in the space provided for a case number or left the space blank. The forms included language threatening recipients with contempt or other sanctions for failure to comply. Respondents admitted that they used the invalid

subpoenas as a way to obtain discovery when a letter requesting the same may not have been successful. Respondent Christensen mistakenly believed that the practice was acceptable based on a conversation with a clerk of court, but admitted he knew they were unenforceable. Respondent Kluesener also knew that the subpoenas were improper. Respondent Christensen admitted that he had responsibly as a lawyer supervisor for Kluesener's work. Respondent Kluesener admitted that he directed a nonlawyer assistant's issuance of an invalid subpoena.

SANCTION: The Court adopted the parties' consent-to-discipline agreements and issued a public reprimand against Respondent Christensen and a one-year fully stayed suspension against Respondent Kluesener.

CONCURRING: Justice Fischer joined by Justice Donnelly.

CONCURRING IN PART AND DISSENTING IN PART: Justice Kennedy and DeWine.

Sanction	Six-month stayed suspension
Court Modified Sanction	No
Rules Violated	DR 1-102(A)(4), DR 1-102(A)(5), 8.4(c), 8.4(d)
Aggravation/Mitigation	A- (3) (pattern of misconduct), (4) (multiple offenses); M-(1) (no prior discipline), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Roberts (2008); Trivers (2009)
Cited By	

and falsely represented that the documents had been personally acknowledged before him. After the law firm discovery, Respondent resigned from the firm and self-reported his actions.

SANCTION: The Court adopted the consent-to-discipline agreement and suspended Respondent for six months, with the entire suspension stayed on condition that he engage in no further misconduct.

OVERVIEW: Respondent received a six-month stayed suspension for improperly notarizing client signatures on multiple legal documents.

PROCEDURE: The parties entered into a consent-to-discipline agreement stipulating to four rule violations. The Board recommended adoption of the agreement in its entirety.

FINDINGS: Respondent's law firm conducted an unrelated review of his client files. During the review, the law firm discovered that over a seven-year period, Respondent had engaged in at least eight incidents of false notarization and/or backdating of clients' legal documents. In one instance, he witnessed his clients sign a warranty deed and then notarized their signatures, but he dated the document to coincide with the property's transfer date. He falsely attested to the date that his clients had signed and acknowledged their signatures before him. In another matter he notarized signatures of clients returned by mail

Sanction	One-year stayed suspension
Court Modified Sanction	No
Rules Violated	3.3(a)(1), 8.4(b)
Aggravation/Mitigation	A-None; M-(1) (no prior discipline), (2) (no dishonest or selfish motive),(4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	DeMarco (2015); Niermeyer (2008)
Cited By	

OVERVIEW: Respondent received a one-year stayed suspension for making a false statement of fact or law to a tribunal and committing an illegal act reflecting adversely on a lawyer's honesty or trustworthiness in connection with the representation of a client.

PROCEDURE: The parties entered into comprehensive factual stipulations, and the matter proceeded to hearing. The Board adopted the panel's report and recommended sanction. No party objected to the Board's recommendation.

FINDINGS: Respondent and a partner ([Atway](#)) represented a client charged with asking an associate to fire gunshots into a home where a rival was allegedly present. After the shooting, the police investigated the client's home and found a large marijuana-growing operation. Respondent represented the client in the state case involving the shooting, while his partner represented the client in the federal case related

to the marijuana operation. Respondent's partner eventually negotiated a plea agreement below the mandatory five-year prison sentence, but the client asked Respondent's partner to find a way to avoid any prison time. The client also asked Respondent and his partner to negotiate a civil monetary settlement with his rival to guarantee that the rival would not appear at his sentencing hearings. Later, the client contacted the FBI to suggest that Respondent, his partner and his rival were attempting to extort money from him by leading him to believe if he did not pay the rival a settlement amount, the rival would offer damaging information at the sentencing. The FBI recorded dozens of conversations between the lawyers, their client, and the rival. Respondent was charged with conspiracy to violate the Hobbs Act, obstruction of justice, making a false statement to law enforcement, and other offenses. After a mistrial, Respondent agreed to plead guilty to a new count of misbehavior in the presence of the court for making two incomplete and misleading statements during his trial. The original indictment was dismissed. He was sentenced to two years of probation and imposed a \$2,500 fine. The court terminated his probation prior to the decision in this case and removed compliance with probation as a condition.

SANCTION: The Court adopted the Board's findings of fact and misconduct, and imposed a one-year suspension stayed in its entirety on conditions that Respondent commit no further misconduct.

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	8.4(b) , 8.4(h)
Aggravation/Mitigation	A- (4)(multiple offenses), (8)(harm to vulnerable victim); M- (1)(no prior discipline), (4) (cooperative attitude), (6)(other penalties/sanctions), (8)(other rehabilitation)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Ridenbaugh (2009); Ballato (2014); Grossman (2015); Martyniuk (2017)
Cited By	

OVERVIEW: Respondent received an indefinite suspension for misconduct arising out of his felony conviction for illegal use of a minor in nudity-oriented material or performance.

PROCEDURE: The parties entered into stipulations of fact, misconduct, and aggravating and mitigating factors and agreed to an indefinite suspension.

FINDINGS: In March 2017, law-enforcement recovered more than 1000 images of child pornography and erotica involving prepubescent females from electronic devices belonging to Respondent. He was later indicted with five fifth-degree felony counts of use of a minor in nudity-oriented material or performance in violation of R.C. 2907.323. The Franklin County Court of Common Pleas accepted Respondent’s guilty plea to one count. He was sentenced to two years of community control and ordered to register as a

Tier I sex offender for 15 years. Respondent denied at hearing that the images portrayed children in sexual acts. He also claimed that he did not knowingly download something he thought was illegal. The Board found that he had continued to download the images even though he knew that doing so was illegal.

SANCTION: The Court indefinitely suspended Respondent with no credit for time served. In addition to the requirements of Gov.Bar R. V(25), the Court conditioned his reinstatement on the submission of proof that he has complied with the terms of his court-ordered community control, engaged in continued treatment or counseling as recommended by a qualified healthcare professional, and obtained a prognosis from a qualified healthcare professional that he is capable of returning to the competent, ethical, and professional practice of law.

SANCTION: The Court adopted the parties’ consent-to-discipline agreements and issued a public reprimand against Respondent Christensen and a one-year fully stayed suspension against Respondent Kluesener.

Sanction	Two-year suspension, 18 months stayed
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 1.4(c), 8.4(h)
Aggravation/Mitigation	A- (2)(dishonest or selfish motive), (4) (multiple offenses), (7)(refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim), (9)(no restitution); M- (1) (no prior discipline)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Hales (2008)
Cited By	

phone calls in response to her requests for information about the lawsuit. She denied Respondent's assertion that he had discussed a voluntary dismissal and she learned from the court that the case had been dismissed. After the lawsuit was dismissed she hired new counsel to file a legal-malpractice claim. Respondent did not answer the complaint and a default judgment was entered against him. He agreed to settle the matter for \$25,000 but failed to execute the agreement, and stopped making payments after two months. The client had to later hire an attorney to enforce the judgment. After garnishments and other collection efforts, Respondent had only paid \$7,102.

SANCTION: The Court suspended Respondent for two years, with the final 18 months stayed on conditions that he make restitution in the amount of \$24,981.74 and commit no further misconduct.

OVERVIEW: Respondent received a two-year suspension with 18 months stayed for neglecting a client's matter and then refusing to pay a judgment entered against him in a malpractice action brought by the client.

PROCEDURE: The Board adopted the panels' report finding the charged misconduct and recommending a suspension of two years with 18 months stayed. No objections were filed.

FINDINGS: In June 2010, Respondent was retained by a client to represent her in a personal-injury action against a hospital. Respondent never informed the client in writing that he lacked malpractice insurance. Respondent filed the lawsuit but did not timely respond to the hospital's discovery requests or its motion for summary judgment which was granted. The client testified that Respondent rarely returned

Sanction	One-year stayed suspension
Court Modified Sanction	No
Rules Violated	8.1(a), 8.1(b)
Aggravation/Mitigation	A- (1)(prior discipline), (7) (refusal to acknowledge wrongdoing); M- (2AggMitC4) (no dishonest or selfish motive)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Bunstine (2015)
Cited By	

OVERVIEW: Respondent received a one-year suspension, fully stayed, for making false statements and failing to disclose a material fact to Relator during its investigation.

PROCEDURE: The Board adopted the panel’s findings of misconduct and recommended sanction of a one-year suspension conditionally stayed and commencing upon Respondent’s reinstatement from her February, 2016 suspension.

FINDINGS: Prior to her 2016 suspension, Respondent agreed to assist her stepmother with the purchase of property. A certificate of transfer was required from probate court to transfer the owner’s decedent wife’s interest in the property to him. Respondent’s stepmother gave her a \$75.00 check to obtain the certificate of transfer. Despite her suspension the next day, Respondent continued to help her stepmother in the filing of documents and other nonattorney tasks related to the property transfer. Relator later received a grievance, purportedly from the property owner, alleging Respondent was practicing law under [Table of Cases](#) [Index](#)

suspension. In response to a letter of inquiry, Respondent admitted that she filed the certificate of transfer but denied having paid the filing fee and stated that she was unaware who had paid the fee. In a follow up letter, Respondent described her work as a part-time notary signing agent. She stated that she filed documents and paid filing fees on behalf of an entity that retained her. Respondent later refused to provide the name of the entity.

SANCTION: The Court suspended Respondent for one year, all stayed, on conditions that she achieve a passing score on the MPRE and engage in no further misconduct, commencing on her reinstatement from the 2016 suspension order.

CONCURRING IN JUDGMENT ONLY: Justice Kennedy.

DISSENTING: Chief Justice O’Connor, Justice Fischer concurring in the dissenting opinion, would have suspended Respondent for two years with one-year stayed with no credit for time served under her prior suspension.

DISSENTING: Justice Fischer dissented and Chief Justice O’Connor concurred in a separate opinion.

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	8.4(b) , 8.4(h)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character), (7) (mental illness), (8) (other rehabilitation)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Schwarz (2020); Goldblatt (2008)
Cited By	

offender counseling.

SANCTION: The Court adopted the findings of fact, conclusions of law, and recommended sanction of the Board and indefinitely suspended Respondent with no credit for time served under the interim felony suspension.

OVERVIEW: Respondent received an indefinite suspension for misconduct related to his felony conviction for attempted unlawful sexual contact with a minor.

PROCEDURE: The parties stipulated to two rule violations and the agreed sanction of an indefinite suspension. The Board adopted the findings of fact and recommendation of the panel. No objections were filed.

FINDINGS: Respondent entered into an online chatroom and began a sexual discussion and solicited a person he believed to be a minor to engage in sexual activity. He made arrangements to meet with the person and was arrested for attempted unlawful sexual conduct with a minor, importuning, and possession of criminal tools. He later pleaded guilty to attempted unlawful sexual contact with a minor, was found to be a Tier II sex offender, and was sentenced to a two-year term of community control. He was ordered to continue and successfully complete sex-

Sanction	Two-year suspension, one year stayed
Court Modified Sanction	No
Rules Violated	1.8(j), 8.4(c), 8.1(a)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (5) (lack of cooperation), (6) (false or deceptive practices during investigation), (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Benbow (2018)
Cited By	

engaging in any misconduct but acknowledged at his hearing of sending “wildly inappropriate” sexual text messages and emails to the client. The panel found Respondent was untruthful about the existence of any inappropriate sexual relationship with the client during Relator’s investigation and that he lied in his deposition testimony. Respondent initially denied that an email address that bore his full name belonged to him and also denied using the account to exchange emails with the client. Respondent admitted at hearing that it was possible that he had sent the emails to the client from the email address. The panel also found that Respondent’s phone records corroborated the client’s testimony and proved that he did not testify truthfully at the hearing. The phone records established that Respondent was in the same small town as the client on the night that she testified that she and Respondent had engaged in sexual intercourse. Respondent also testified that he was entirely responsible for the text messages sent to the client, occasionally stated that he did not dispute the text messages were from him, but more often than not equivocated, stating that he could not say “for sure.”

OVERVIEW: Respondent received a two-year stayed suspension with the second year stayed for engaging in sexual activity with a client and for conduct involving dishonesty, fraud, deceit, or misrepresentation.

PROCEDURE: The Board adopted the panel’s findings of fact, conclusions of law, and recommended sanction of a two-year suspension with one year stayed.

FINDINGS: Respondent’s client disclosed to his firm that he had engaged in a sexual relationship with her prior to withdrawing from her divorce case. Respondent initially denied

SANCTION: The Court adopted the Board’s findings of fact and conclusions of law, and suspended Respondent for two years, with the second year stayed on the conditions that he commit no further misconduct, complete six hours of CLE focused on appropriate behavior and boundaries with clients in addition to the requirements of Gov.Bar R. X.

CONCURRING IN JUDGMENT ONLY:

Justice Kennedy

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	3.1,3.3(a)(1), 8.2(a), 8.4(c), 8.4(d), 8.4(h)
Aggravation/Mitigation	A-(2)(dishonest or selfish motive), (4) (multiple offenses), (5)(lack of cooperation), (6) (false or deceptive practices during investigation), (7) (refusal to acknowledge wrongdoing); M- (1) (no prior discipline)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Frost (2009); Pullins (2010)
Cited By	

OVERVIEW: Respondent was indefinitely suspended for conduct related to the ancillary administration of her mother’s estate.

PROCEDURE: The Board adopted the panel’s findings of misconduct and recommended sanction.

FINDINGS: Respondent’s sibling opened an estate in Alabama and retained Ohio counsel to file an application for ancillary administration in Franklin County to dispose of a house that their mother owned in Columbus. Three days before the hearing, Respondent filed an application to administer the entire estate in Ohio. A magistrate later appointed Respondent as the ancillary administrator. At a later hearing, all parties agreed to sell the property and surrender the remaining proceeds to the Alabama estate. One month later, the magistrate issued a decision

recommending removal of Respondent as ancillary administrator based on findings that she had failed to list the property and had delayed the administration of the estate. In a judgment entry, the court found that Respondent willfully violated Civ.R. 11 by drafting and signing numerous frivolous documents and pleadings, had acted to harass and intimidate the new ancillary administrator, and ordered her to pay the ancillary administrator’s attorney fees. Respondent made numerous disparaging statements about the integrity of the probate court, accused the magistrate of engaging in improper ex parte communication, and claimed the appointment of the new administrator was politically motivated. Respondent also placed different locks on the doors of the real estate after the court had revoked Respondent’s authority subsequent to her forcible entry into the property and falsely alleging that an off-duty police officer had assisted her. In addition, Respondent acted outside the scope of her authority, obstructed the successor ancillary administrator’s ability to sell the property, and threatened parties and witnesses. In her answer to the disciplinary complaint, she continued to impugn the integrity of the magistrate and court and commenced an attack on disciplinary counsel.

SANCTION: The Court indefinitely suspended Respondent from the practice of law. As additional conditions of reinstatement, Respondent must provide proof that she has submitted to an evaluation by OLAP and complied with the recommendations resulting from the evaluation, obtained an opinion from a qualified healthcare professional that she is able to resume the competent, ethical, and professional practice of law, and has paid the fees and costs assessed against her by the Franklin County Probate Court.

Sanction	Impairment suspension
Court Modified Sanction	No
Rules Violated	
Aggravation/Mitigation	
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent was placed on an impairment suspension and registration status changed to inactive for the duration of the suspension.

PROCEDURE: The Board filed a final report recommending pursuant to Gov.Bar R. V(15) Respondent be placed on an impairment suspension and that his registration status be changed to inactive for the duration of the suspension.

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	1.5(c)(2), 1.15(a), 1.15(d), 1.15(e), 8.1(a), 8.4(b), 8.4(c)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (6) (false or deceptive practices during investigation), (9) (no restitution); M- (1) (no prior discipline), (3)(restitution or rectified consequences),(6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Miller (2010); Maybaum (2006)
Cited By	

OVERVIEW: Respondent received an indefinite suspension for failing to safeguard a client’s settlement funds, making false statements about the status of the funds, dishonest conduct during the ensuing disciplinary proceedings, and his misdemeanor theft conviction.

PROCEDURE: The Board adopted the panel’s findings of fact, conclusions of law, and recommended sanction of an indefinite suspension.

FINDINGS: Respondent was retained to represent a client in a personal-injury claim. The client began chiropractic treatment for his injuries and agreed his treatment totaling \$8,835 would be paid from any settlement proceeds. The tortfeasor’s insurance company settled the claim

for \$14,000 with a check jointly payable to the client and Respondent. The client wrote a check for \$12,000 payable to Respondent with the understanding he would take his contingency fee, attempt to negotiate the balance due with the chiropractor, and return any remaining funds to the client. Respondent deposited the check in his personal bank account since he did not maintain an IOLTA and did not prepare a closing statement. Respondent proceeded to misappropriate the funds earmarked for the chiropractor, made some payments from another account to his clients, but failed to pay the chiropractor. The chiropractor sent Respondent multiple letters demanding payment in full – which Respondent ignored. Two years later, the chiropractor notified the client that his debt had been sent to collection. When the client inquired, Respondent stated that he wondered “why this suddenly came up years later.” He asked for the documentation from the collection agency and offered to “figure this out with them.” In the ensuing communications with his client and the client’s spouse Respondent made several false statements. He later admitted that he had attempted to convince his client that he had paid the chiropractor even though he had misappropriated the funds. Respondent later pleaded guilty to a misdemeanor offense of theft and remaining felony charges of forgery, passing bad checks, and theft were dismissed.

SANCTION: The Court adopted the Board’s findings of fact and conclusions of law, indefinitely suspended Respondent, and ordered restitution in the amount of \$8,835 to the client’s chiropractor. In addition to the requirements in Gov.Bar R. V(25), the Court ordered reinstatement conditioned upon proof that he submitted to an OLAP evaluation, is in compliance with treatment recommendations, and work for a period of time upon reinstatement with a monitoring attorney.

Sanction	One-year, stayed suspension
Court Modified Sanction	No
Rules Violated	1.1, 1.3, 1.4(a)(2), 1.4(a)(3), 1.4(a)(4), 3.3(a)(1), 3.3(a)(3), 8.4(b), 8.4(d), 8.1(b), GBR V(9)(G)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (5) (lack of cooperation); M- (1) (no prior discipline)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent received a one-year stayed suspension for misconduct related to the representation of two clients, including failing to provide competent representation, failing to act with reasonable diligence, failing to keep a client reasonably informed about the status of a matter, and falsely notarizing affidavits filed with a court.

PROCEDURE: The panel issued a report finding Respondent committed the stipulated misconduct, with the exception of three violations it dismissed based on insufficient evidence. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction. No objections were filed.

FINDINGS: Respondent filed a dissolution for a client one year after he was retained. The case was dismissed because Respondent failed to file additional financial documents. Respondent initially assured the client that he would get the

case reinstated. Thereafter, Respondent stopped taking telephone calls from the client. He eventually told the client that he had mailed the documents to refile the case. When the client contacted the court two weeks later, she was informed that no additional paperwork had been filed. When contacted by the client, he again promised that the paperwork would be filed. In a second count, Respondent admitted that he forged and falsely notarized the signatures of the client and her husband on their financial-disclosure affidavits filed with the court. During the pending of the disciplinary case, Relator received a grievance from a former client of Respondent. After requesting and receiving an extension of time, Respondent did not timely submit a response to the letter of inquiry. A subpoena duces tecum was later issued for additional information, but Respondent never complied with the subpoena. The former client had retained Respondent to represent him in a child-custody matter to modify a parenting agreement. After an agreement was reached, Respondent agreed to prepare the proper entry. The client was never informed about the details of the agreement, an entry was never filed, and Respondent ceased communicating with the client.

SANCTION: The Court adopted the Board's findings of fact and conclusions of law, and recommended sanction of a one-year suspension, stayed in its entirety on conditions that Respondent make restitution of \$1,500 to one client, complete a one-year term of monitored probation focused on office practices and procedures in monitoring client deadlines, timely handling of client matters, and the establishment of office practices in dealing with clients, and refrain from further misconduct.

CONCURRING IN JUDGMENT ONLY:
Justice Kennedy

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	1.15(a)(5), 5.3(b), DR 9-102(B)(3), DR 1-102(A)(6)
Aggravation/Mitigation	A- none; M- (1) (no prior discipline),(2) (no dishonest or selfish motive), (3)(restitution or rectified consequences),(4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Ponder (2007), 375 S.C. 525
Cited By	

from his client trust account and operating account. He filed a police report which led to the Ohio Attorney General's office conducting a forensic audit of the accounts. It was determined that between 2003 and 2012, Silva had embezzled \$185,365.75 from Respondent, including \$59,417.75 that should have been deposited in his client trust account. Silva pleaded guilty to aggravated theft by deception and tampering with records. During the disciplinary proceedings, Respondent admitted that when Silva worked for him he regularly reviewed the bank statements for his client trust account but never conducted a monthly reconciliation of the account by comparing the client ledgers with the client-trust-account registers and bank statements.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and recommended sanction of a public reprimand.

OVERVIEW: Respondent received a public reprimand for failing to perform required monthly reconciliations of his client trust account and adequately supervise his staff.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction.

FINDINGS: Respondent employed Jayne Silva as secretary, bookkeeper, and office manager. In 2003, she began stealing from Respondent's bankruptcy law practice by recording client payments for fees and court costs in a client ledger, but converting the funds for her own use. In 2012, Silva left Respondent's office to pursue other employment, and in 2014, he decided to merge his law practice with another attorney's. In preparing to close his solo practice, he audited his books and discovered that money was missing

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	1.1, 1.2(a),1.3, 1.4(a)(3), 1.4(a)(4), 1.5(c)(1),1.15(c), 1.16(c), 8.1(a), 8.1(b), 8.4(c), 8.4(d), 8.4(h), GBR V(9)(G)
Aggravation/ Mitigation	A - (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses),(5) (lack of cooperation), (6) (false or deceptive practices during investigation), (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim), (9) (no restitution); M- (1) (no prior discipline)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	DiMartino (2016); Hoskins (2016); Johnson (2017)
Cited By	

OVERVIEW: Respondent was indefinitely suspended for multiple violations arising from his representation of four client matters.

PROCEDURE: The Board adopted the panel’s findings of fact, conclusions of law, and recommended sanction.

FINDINGS: Respondent was paid a flat fee to represent a client in a breach of contract action, but failed to respond to the plaintiff’s motion for summary judgment. The client learned of the judgment from a change in his credit score.

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Respondent produced a fraudulent document to substantiate a previous false statement to Relator concerning his malpractice insurance. He also did not refund an unearned flat fee. In another count, Respondent did not return calls from a client he agreed to represent in an automobile accident and was eventually terminated. He did not have a contingent fee agreement with the client, but attempted to settle the matter with the insurance company based on his attorney’s lien. Despite his termination he filed a lawsuit against the defendants without his client’s knowledge or consent. In a third count, Respondent agreed to file suit on behalf of clients regarding a gas company’s lease on property they owned. The clients learned from the clerk’s office that no complaint had been filed. Respondent gave the clients a complaint that they filed on their own. At a hearing the trial judge instructed Respondent to file a pretrial statement, but he never complied. The panel found his testimony denying he was ever ordered to file a pretrial statement to be blatantly false. Respondent ignored several inquiries from the clients’ son and eventually learned that the court had dismissed the case and that a counterclaim had been filed against them. He did not return any portion of his fee to the clients. In a final count, Respondent agreed to represent two clients in a modification or recession of an oil and gas lease on their property. He filed suit, but the court stayed the action pending arbitration as required by the terms of the lease. A court of appeals determined that most of the client’s arguments were meritless. Respondent failed to convey a settlement offer to his clients and the case was eventually dismissed for want of prosecution.

SANCTION: The Court adopted the Board’s findings of fact, conclusions of law, and recommended sanction of an indefinite suspension and ordered restitution. As a condition of reinstatement, Respondent is required to provide proof of an OLAP evaluation and any treatment.

Sanction	Indefinite suspension with no credit for time served
Court Modified Sanction	No
Rules Violated	1.1, 1.3, 1.4(a)(1), 1.4(a)(4), 1.4(c), 1.15(a), 1.16(d), 3.3(a)(1), 8.4(c), 8.4(d), 8.4(h), 8.1(b), GBR V(9)(G)
Aggravation/Mitigation	A- (3) (pattern of misconduct), (4) (multiple offenses), (5) (lack of cooperation), (7) (refusal to acknowledge wrongdoing), (9) (no restitution); M-(1) (no prior discipline)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Marrelli (2015); Bednarski (2017)
Cited By	

OVERVIEW: Respondent received an indefinite suspension for making a false statement to a tribunal and engaging in conduct prejudicial to the administration of justice and involving dishonesty, fraud, deceit, or misrepresentation, failing to provide competent representation and act with reasonable diligence, and refusing to assist in a disciplinary proceeding.

PROCEDURE: The Court imposed an interim default suspension after Respondent failed to answer the complaint or respond to a show-cause order. After Respondent responded to an order to show cause, the matter was remanded to the Board for consideration of mitigation evidence only.

FINDINGS: Respondent failed to participate in a judgment-debtor examination in municipal court after a summary judgment was granted in favor of one of her creditors. She was held in contempt and jailed. After her release, she filed an affidavit of disqualification against the judge that was denied. When a bailiff served Respondent with an order to show cause why she should not be held in contempt, she blocked the path of the bailiff's vehicle. Local police responded and arrested her. From there, she called 9-1-1 to report that she had been kidnapped. She was charged with obstruction of justice. She eventually completed the debtor's exam and her criminal charges. During the representation of a client in a contract dispute, Respondent failed to keep the client informed about the status of her case, failed to respond to discovery requests, failed to respond to the client's communications, and failed to respond to a motion for summary judgment which the court granted. She also failed to refund fees for an amended complaint she never filed, nor placed the fee in her trust account, and also failed to inform the client that her malpractice insurance had lapsed. In addition, Respondent overdrew her client trust account multiple times and failed to respond to Relator's requests for information and did not appear for her deposition.

SANCTION: The Court adopted the Board's findings of fact and misconduct, and recommended sanction of an indefinite suspension. In addition to the suspension, the Court imposed conditions that she provide proof that she refunded her client, be evaluated by a qualified health-care professional for the existence of mental, substance-use, or nonsubstance-related disorders, comply with treatment, and be able to return to the competent, ethical, and professional practice of law.

Sanction	Six-month suspension stayed in its entirety on conditions
Court Modified Sanction	No
Rules Violated	1.3
Aggravation/Mitigation	A (8) (harm to vulnerable victim); M-(1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (full and free disclosure), (7) (chemical/mental illness)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	Hook (2014); Shuler (2011)
Cited By	

compliance with his four-year OLAP contract, follow the treatment recommendations of his counselor regarding his participation in AA, and engage in no further misconduct.

OVERVIEW: Respondent received a six-month stayed suspension for failing to act with reasonable diligence in representing a client.

PROCEDURE: The parties submitted a consent-to-discipline agreement, stipulating to the facts in the complaint, disciplinary violations, and mitigating and aggravating factors, as well as a six-month stayed suspension. The Board recommended that the agreement be accepted.

FINDINGS: Respondent was charged with professional misconduct for neglecting a single client matter. Respondent, despite receiving \$5,000 for appellate representation in a child-custody matter, failed to file his client's notice of appeal, which deprived his client of the ability to exercise her appellate rights.

SANCTION: The Court accepted the agreement and imposed a six-month suspension stayed in its entirety on conditions that he remain in [Table of Cases](#) [Index](#)

Sanction	One-year suspension, fully stayed on condition.
Court Modified Sanction	Yes
Rules Violated	1.4(a)(3), 1.4(a)(4), 8.1(a)
Aggravation/Mitigation	A-(1) (prior discipline), (4) (multiple offenses), (7) (refusal to acknowledge wrongdoing); M-None.
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Wexler (2014), DeLoach (2011), Tomer (2013)
Cited By	

OVERVIEW: Respondent received a one-year, fully stayed suspension for failing to adequately communicate a legal strategy to a client and falsely testified at his disciplinary hearing.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of a one-year suspension with six months stayed.

FINDINGS: Respondent was retained by a grandmother to seek custody of a great-grandchild in a pending paternity case. Approximately one month later, another grandparent filed a motion to intervene in the pending case, filed a motion for legal custody, and was designated temporary residential parent and legal custodian. Respondent did not submit a response on behalf of his parent. Over the next several weeks, Respondent never returned his client's calls and the client learned through a clerk's office that nothing had been filed in the

case and subsequently terminated Respondent's services. Respondent claimed that he decided it was in his client's best interest to refrain from intervening until the other grandmother had intervened, that service was perfected on the child's mother. The client testified that Respondent had never informed her of his legal strategy. Respondent later sent the client a refund of \$300 against the \$1000 retainer the client had paid. The Board determined Respondent had made multiple false statements during the investigation and hearing.

SANCTION: The Court accepted the Board's findings of fact and conclusions of law, but imposed a one-year fully stayed suspension on condition that he engage in no further misconduct.

DISSENT: Chief Justice O'Connor, and Justices O'Donnell and Fischer dissented and would have stayed six months of the suspension.

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 1.15(c), 1.16(d), 1.16(e), 8.4(d), 8.4(h)
Aggravation/Mitigation	A- (3) (pattern of misconduct), (4) (multiple offenses), (8) (harm to vulnerable victim); M- (4) (cooperative attitude), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Lemieux (2014); Lawson (2008); McCorkle (2005)
Cited By	

OVERVIEW: Respondent received an indefinite suspension for misconduct based on his convictions for driving under the influence and violating a civil protection order; and misconduct related to keeping clients reasonably informed about the status of their cases and refunding unearned fees upon termination of representation.

PROCEDURE: The Court issued an interim remedial suspension pending final disposition of the disciplinary proceeding. The parties entered into stipulations of fact, misconduct, and aggravating and mitigating factors. The Board adopted the recommendation of the panel. No objections were filed.

FINDINGS: In June 2015, Respondent failed to appear in municipal court on behalf of clients and subsequently pleaded guilty to contempt charges. In July, 2015, he was pulled over and charged with OVI and two counts of improperly handling

a firearm in a motor vehicle. He later pleaded guilty to an amended OVI charger, 180 days in jail with credit for time served, probation, and monitoring. Despite a domestic-violence CPO, Respondent had an altercation with his estranged wife. After an altercation with his wife and family that resulted in his arrest for assault, violating a protective order, and obstructing official business. Before his incarceration in October 2015, he had eight separate clients pay flat fees ranging from \$1,500 to \$3,500 to represent them in pending criminal cases. However, Respondent failed to inform his clients of his incarceration, did not return phone calls, turn over a file, and missed scheduled hearings resulting in warrants for his clients' arrest. At the time of the hearing he had not refunded unearned fees to four of his clients. Following his incarceration, he failed to timely file appellate briefs or respond to show-cause orders in two cases. In March 2017, Respondent was arrested and charged with disorderly conduct/public intoxication. He pleaded guilty to an amended charge, but failed to notify his probation officer of the arrest. He was returned to the county detention center, his probation revoked, and a remaining 389 days of previously suspended sentences were imposed. Between his periods of incarceration he accepted thousands of dollars in flat-fee payments from ten separate, additional clients. He failed to perform the work, spent the fees on his own business and personal expenses, and failed to refund any of the unearned fees.

SANCTION: The Court adopted the Board's findings of fact and misconduct, and recommended sanction of an indefinite suspension. The Court conditioned reinstatement on successful completion of OLAP contract, a prognosis from a qualified chemical-dependency professional, and if applicable, a qualified mental-health professional stating that he is capable of returning to the practice of law and full restitution to all affected clients.

Sanction	One-year suspension, stayed
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 1.16(e), 8.4(c)
Aggravation/ Mitigation	A- (4) (multiple offenses), (8) (harm to vulnerable victim), (9) (no restitution); M- (1) (no prior discipline), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Farris (2019); Mariotti (2019)
Cited By	

OVERVIEW: Respondent received a one-year suspension, stayed for failing to diligently pursue her client’s claim, failing to communicate with the clients about the status of their matter and respond to requests for information, failing to refund the retainer paid after her withdrawal from representation, and falsely claiming a refund had been issued.

PROCEDURE: The Board adopted the parties’ consent-to-discipline agreement and recommended adoption by the Court.

FINDINGS: Respondent was retained to represent clients in a property dispute. The clients paid Respondent a \$1,000 retainer and agreed to pay a \$200 hourly rate. Respondent told the clients that she would send letters to the township and their neighbors in an effort to resolve the dispute. Respondent never replied to text or telephone messages from the clients asking for the status of the letters. The client eventually sent Respondent a letter via certified mail terminating

the representation. After Respondent failed to respond to a final text message, the clients filed a grievance and filed a complaint in small claims court which resulted in a judgment against Respondent in the amount of \$1,000 plus interest and costs. The clients subsequently filed a theft report with the sheriff’s office. Later, Respondent sent the clients a package that included a letter indicating the package contained their documents and the \$1,000 retainer. No check was included in the package. Respondent later admitted during deposition that she knew the check was not contained in the package.

SANCTION: The Court adopted the parties’ consent-to-discipline agreement, suspended Respondent for one year, all stayed, and imposed conditions that Respondent submit to an OLAP evaluation and complies with any treatment or counseling recommendations resulting from the evaluation, completes a one-year term of monitored probation with a focus on law practice management, and refrains from further misconduct.

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	Jud.Cond.R. 1.2, 1.3
Aggravation/Mitigation	A- none; M- (1)(no prior discipline), (2AggMitC4) (no dishonest or selfish motive), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5)(good character), (6)(other penalties/sanctions)
Criminal Conduct	Yes
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Marshall (2015); Resnick (2005)
Cited By	Gonzalez (2020); Hawkins (2020)

OVERVIEW: Respondent received a public reprimand based upon her conviction for an OVI, failing to act in a manner as a judicial officer that promotes public confidence in the judiciary and abusing the prestige of office to advance her personal interests.

PROCEDURE: The Board adopted the panel’s findings of misconduct and recommended sanction of a public reprimand.

FINDINGS: Respondent drove her vehicle off of a highway and into a ditch. The responding police officer observed vomit inside the car and a strong odor of alcohol coming from Respondent’s person. In response to questions, Respondent stated that she had been drinking alcohol, gave her name, and stated several times without prompting that she was a common pleas judge. After being placed in the police vehicle she stated

“I am so intoxicated.” Respondent later partially performed one of three field sobriety tests and refused a breathalyzer test. She also asked the officers to take her home and when they did not comply demanded that they call her friend, a local deputy sheriff. She was arrested and charged with a first-degree-misdemeanor count of OVI. At the first court appearance she entered a guilty plea and apologized to the court and public for her misconduct and made a statement to the news media acknowledging her poor judgment and apologized for harming the judiciary. The court sentenced Respondent to 180 days in jail, with 177 days suspended, suspended her driver’s license for one year, ordered her to pay a fine of \$1,074 with \$700 suspended on the conditions that she have no other drug or alcohol related convictions and complete a driver-intervention program.

SANCTION: The Court adopted the Board’s findings of fact and conclusions of law and imposed a public reprimand upon Respondent.

NOT PARTICIPATING: Chief Justice O’Connor.

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	1.1, 1.3, 1.4(c), 1.16(c), 1.16(d), 3.4(c), and 8.4(d)
Aggravation/Mitigation	A-(1) (prior discipline, (4) (multiple offenses); M- (2) (no dishonest or selfish motive), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	Nelson (2015); Godles (2010)
Cited By	

appeared. Respondent did not appear at a subsequent status conference but had informed the client that he had moved out of state, would not appear at the status conference, and was unable to continue representation. Respondent never notified the court or the prosecutor of his intention to withdraw from the case. In his response to a letter of inquiry, Respondent admitted that he had failed to inform his client that he did not carry professional-liability insurance.

SANCTION: The Court adopted the consent-to-discipline agreement and publicly reprimanded Respondent.

OVERVIEW: Respondent received a public reprimand for failing to competently represent a client, act with reasonable diligence, failing to inform a client that he did not maintain professional-liability insurance, withdrawing from representation without leave of court, and engaging in conduct prejudicial to the administration of justice.

PROCEDURE: The panel and Board recommended the Court's adoption of the parties' consent-to-discipline agreement

FINDINGS: Respondent was assigned to represent a client by the National Freedom Project ("NFP"). NFP was paid \$3,500 by the client, but Respondent did not receive any money from either the client or NFP for his representation. On the day of his client's arraignment, Respondent was late to court. When he arrived, the judge told him that he could not appear on his client's behalf because he was not currently registered due to the fact he owed a \$50 late-registration fee. The judge continued the arraignment to a later date, at which Respondent

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	1.5(b), 1.8, 3.1, 3.3(a)(1), 3.4(c), 8.4(c), 8.4(d)
Aggravation/Mitigation	A-(2) (dishonest or selfish motive), (4) (multiple offenses), (6) (false or deceptive practices during investigation), (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim); M-(1) (no prior discipline), (6) (other penalties/sanctions)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Herzog (1999); Batt (1997); Frost (2009); Wrentmore (2013); Cooke (2006); Shaw (2010); Fowerbaugh (1995)
Cited By	

misrepresentation. Respondent made knowingly false statements of fact and law to multiple tribunals. Respondent knowingly disobeyed his obligations under the rules of multiple Ohio courts and prejudiced the administration of justice in multiple cases. Furthermore, Respondent continued to engage in dishonest conduct throughout the disciplinary proceeding.

SANCTION: The Court adopted the Board's findings of fact and misconduct and imposed an indefinite suspension.

DISSENT: Justices Kennedy, French, and O'Neill dissented and would have suspended Respondent for 24 months with six months stayed.

OVERVIEW: Respondent received an indefinite suspension for multiple violations of the Rules of Professional Conduct in four separate legal matters.

PROCEDURE: The panel adopted the parties' stipulations of fact and misconduct and recommended an indefinite suspension. The Board adopted the panel's report and recommended sanction.

FINDINGS: Respondent's misconduct involves multiple instances of dishonesty, fraud, deceit, or

Sanction	Two-year suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.16(c), 1.16(d), 3.4(c), 8.4(d), 8.1(b), GBR V(9)(G)
Aggravation/Mitigation	A- (1) (prior discipline), (4) (multiple offenses),(5) (lack of cooperation); M- (2) (no dishonest or selfish motive), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	
Cited By	

OVERVIEW: Respondent was suspended for two years for multiple violations arising from his abandonment of two clients' legal matters and failure to cooperate in the ensuing disciplinary investigation.

PROCEDURE: The Board adopted the panel's report and recommendation. No objections were filed by either party.

FINDINGS: Respondent entered an appearance in a criminal case pending in the Franklin County Court of Common Pleas after several continuances had been granted. When Respondent made his first appearance, the court informed counsel that no further continuances would be granted. Respondent later moved to New Mexico without notifying the court or filing a motion to withdraw as required by the local rules. Other counsel appeared for the client at the next hearing date, but the client fled from the courthouse. The judge attempted to contact Respondent, denied a motion for a continuance,

and issued a warrant for the client's arrest. The judge unsuccessfully attempted to contact Respondent by e-mail. In a second count, Respondent was retained to represent a client in a custody case and was paid a \$500 retainer. After a continuance was granted, Respondent failed to appear at hearing and did not inform the client he could not continue the representation. He did not timely respond to the client's request for a refund of the retainer.

SANCTION: The Supreme Court adopted the recommended sanction of the Board and suspended Respondent for two years commencing on April 13, 2020 on conditions that that he complete 12 hours of CLE on law-office management and serve a two-year period of monitored probation upon reinstatement with a focus on law-office management. The conditions were in addition to the conditions set forth in the Court's October 30, 2019 suspension order in Case No. 2018-1766.

Sanction	Two-year suspension, with one year stayed; disbarment
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 1.5(a), 1.6(a), 1.15(a), 1.15(c), 1.16(d), 1.16(e), 5.5(a), 8.4(c), former GBR V(8)(G), V(8)(G)(1)(a), GBR V(23)(A)(1), V(23)(F)
Aggravation/ Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (6) (false or deceptive practices during investigation), (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim), (9) (no restitution); M- (1) (no prior discipline)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Fletcher (2013); Rothermel (2007); Talikka (2013)
Cited By	

OVERVIEW: Respondent Dougherty received a two-year suspension with one year stayed for assisting in the unauthorized practice of law and other misconduct. Respondent Cicero was disbarred.

PROCEDURE: The Board adopted the panel’s recommended sanctions. Only Respondent Dougherty filed objections.

FINDINGS: Respondent Dougherty was

retained by a client to represent her in two civil matters. He deposited her payment in his personal account and in one case negotiated a settlement without client consent. The same client met with Respondents Dougherty and Cicero – who was under a prior disciplinary suspension, concerning her cases. Cicero was introduced to the client as Dougherty’s partner. Dougherty never provided the client with an itemized fee statement. In another matter, Respondents met with prospective clients at the “Chris Cicero Law Building” in which Cicero did most of the talking and gave his analysis and opinion. Neither Respondent notified the clients about Cicero’s suspension. In a third count, a former client was arrested for OVI and met Cicero in his office who indicated the charges would be “thrown out” and quoted a legal fee of \$1,800. On a second arrest for OVI, Cicero answered her call and advised her to refuse a blood test before handing the call to Dougherty. In another count, a client met with the Respondents to discuss his pending criminal cases. Cicero quoted a flat fee for the representation and did not notify the client of his suspension. The fee was not designated as “nonrefundable”, and Dougherty placed the funds in his operating account. In a later motion to withdraw as counsel, Dougherty stated that he was firing his client and divulged confidential information. In a final count, Cicero assisted Dougherty in preparing a defense in a murder case and communicated with Dougherty via text during the trial.

SANCTION: The Court suspended Respondent Dougherty for two years, with the second year stayed on conditions that he provide proof of restitution, refrain from any further misconduct, pay half the costs of the proceedings and serve a two-year period of monitored probation and receive a passing score on the MPRE. Respondent Cicero was disbarred and ordered to pay one-half of the costs of the proceeding.

Sanction	Indefinite suspension with credit for time served under interim felony suspension
Court Modified Sanction	No
Rules Violated	8.4(b), 8.4(d)
Aggravation/Mitigation	A-(7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (4) (cooperative attitude), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Gittinger (2010); Blaszak (2004); Kraemer (2010)
Cited By	

FINDINGS: Respondent was convicted of two felony counts of bribery arising from his representation of a client in a criminal proceeding.

SANCTION: The Court adopted the Board's findings of fact and imposed the recommended sanction of an indefinite suspension with credit for time served under his interim felony suspension.

DISSENT: Chief Justice O'Connor and Justices O'Donnell and Kennedy dissented and would not grant Respondent credit for time served under his interim felony suspension.

OVERVIEW: Respondent received an indefinite suspension with credit for time served under his interim felony suspension for his felony convictions.

PROCEDURE: The Court imposed an interim felony suspension based on Respondent's felony convictions. The parties submitted joint stipulations, misconduct, aggravating and mitigating factors, and jointly recommended an indefinite suspension, but disagreed as to whether he should receive credit for time served under the interim felony suspension. After hearing testimony from Respondent and a character witness, the panel adopted the parties' stipulations and recommended sanction with credit for time served. The Board adopted the panel's report in its entirety.

Sanction	Six-month stayed suspension
Court Modified Sanction	No
Rules Violated	3.3(a)(1), 8.4(c), 8.4(h)
Aggravation/Mitigation	A- (2)(dishonest or selfish motive); M-(1)(no prior discipline), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	DeMarco (2015); Spinazze (2020)
Cited By	

He then fabricated a letter to the client, backdated it, and hand-delivered a copy to the judge's secretary. Later, Respondent drafted a letter to the judge admitting that he had fabricated the letter, however the letter did not reach the judge prior to the client's arraignment. Following the arraignment of his client, Respondent also admitted in private to the judge that he had fabricated the letter to his client.

SANCTION: The Court adopted the parties' consent-to-discipline and suspended Respondent for six months, fully stayed.

OVERVIEW: Respondent received a six-month stayed suspension for making a false statement of fact to a tribunal.

PROCEDURE: The Board adopted the parties' consent-to-discipline agreement and recommended adoption by the Court.

FINDINGS: Respondent was retained by a criminal defendant. When his client did not appear for a scheduled arraignment, Respondent advised the judge that his legal assistant had sent a letter with a request for his client to schedule a meeting with her. He informed the judge that he did not know if the letter included the date of the arraignment, but that he would check with his assistant. The judge instructed Respondent to advise her within a week whether the letter included the date of the arraignment. Upon reviewing the client file, Respondent determined that his office had never sent a letter to the client.

Sanction	Six-month stayed suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(c), 1.15(a), 1.15(a)(1), 8.1(b)
Aggravation/Mitigation	A- (4) (multiple offenses),(5) (lack of cooperation) M-(1)(no prior discipline), (2)(no selfish or dishonest motive), (5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Hooks (2014); Malvasi (2015); Shuler (2011)
Cited By	

OVERVIEW: Respondent received a six-month stayed suspension of failing to provide competent representation to a client, act with reasonable diligence, notify the client that she did not carry malpractice insurance, deposit a client’s unearned fee into a client trust account, retain a copy of the executed fee contract, and cooperate in the disciplinary investigation.

PROCEDURE: The Board adopted the panel’s findings of fact, conclusions of law, and recommended sanction with one additional condition of a one-year term of monitored probation. The Court adopted the Board’s recommendation.

FINDINGS: Respondent maintained a private practice in addition to working for the Lucas County Public Defender’s Office. In December 2014, she was retained by a client to defend him against criminal charges that included rape. He agreed to pay Respondent a fee of \$5,000 in two installments and an additional fee of \$3,500 for a

private investigator. The case proceeded to trial. Following his conviction, the client filed a grievance against Respondent alleging that she provided ineffective assistance of counsel. The client testified that Respondent did not adequately prepare him for trial, met with her on eight or ten occasions, never hired a private investigator and waited until the day before trial to subpoena his witnesses, which she made him serve. In support of his motion for post-conviction relief, Respondent in her affidavit and her testimony before the panel admitted that she had not adequately prepared to defend her client. She acknowledged that she did not present any rebuttal evidence at a pretrial hearing regarding the admissibility of statements made by a deceased declarant because she was not aware that she would have the opportunity to do so; waited until five days before trial to mail subpoenas to the sheriff’s department with instructions to serve; failed to subpoena several police officers and children-services investigators; and failed to disclose crucial witnesses. She also testified that she employed another lawyer for the limited purposes of objecting to evidence at trial. But even with the assistance, she admitted that she failed to effectively cross-examine and impeach the state’s witnesses.

SANCTION: The Court adopted the Board’s findings of fact and misconduct, and recommended sanction of a six-month stayed suspension on conditions that she submit to an OLAP assessment, establish and use a client trust account, acquire professional-liability insurance or notify clients as required by Prof.Cond.R. 1.4(c), complete twelve hours of CLE in the area of criminal-trial practice and six hours in the area of law-office management, serve a one-year term of monitored probation, and engage in no further misconduct. Justice Kennedy would not have ordered Respondent to submit to an OLAP evaluation.

Sanction	Two-year suspension, with second year stayed on conditions.
Court Modified Sanction	Yes
Rules Violated	1.4(c), 1.15(a), 1.15(a)(2), 8.4(c).
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (3) (restitution or rectified consequences), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Clafin (2005) Belock (1998) Gildee (2012)
Cited By	

Over the next several years, the client requested money from the client trust account to make purchases. The Respondent informed the client that he had used the money for his own personal use.

SANCTION: The Court agreed with the Board that neither disbarment nor an indefinite suspension was warranted, but due to the misappropriation of a significant sum of money, a two-year suspension with one year stayed was appropriate. The Court imposed conditions on Respondent to complete a CLE course regarding compliance with the client trust account rules and to commit no further misconduct.

OVERVIEW: Respondent received two-year suspension with second year stayed for misappropriating funds he failed to invest for a client.

PROCEDURE: The Board recommended a one year suspension, with six months stayed on conditions. Neither party objected to the board's report and recommendation.

FINDINGS: Respondent created an investment trust for a client. Several years later, the client gave Respondent two checks totaling \$45,000 and instructed him to invest the money in a mutual fund. Respondent failed to do so, and deposited the money in his client trust account.

Sanction	Six-month stayed suspension.
Court Modified Sanction	No
Rules Violated	8.4(c), Jud.Cond.R. 1.2
Aggravation/Mitigation	A-(2)(dishonest or selfish motive),(3) (pattern of misconduct; M-(1) (no prior discipline), (3)(restitution or rectified consequences),(4) (cooperative attitude),(5)(good character), (6)(other penalties/sanctions)
Criminal Conduct	No
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Elum (2012); Kramer (2016)
Cited By	

audited the biweekly time cards Respondent submitted from March 15-September 2, 2016. When compared to his employee-identification-keycard swipes and video footage from courthouse security cameras, it was revealed that he had falsely entered his start or end times on his timecard on 90 of the 122 work days during that period and received \$5,051.04 in pay for 121.8 hours that he had not worked. After an internal disciplinary hearing, Respondent was found to have violated seven workplace rules prohibiting (1) falsification of documents, (2) dishonesty and misrepresentation, (3) misuse or theft of county property, (4) conduct unbecoming, (5) job abandonment, (6) leaving one's work area without permission, and (7) other acts of misfeasance, malfeasance, or nonfeasance. He resigned from his employment and made restitution.

SANCTION: The Court adopted the Board's findings of fact and misconduct, and recommended a sanction of a stayed six-month term suspension.

CONCURRING: Justice Kennedy concurred in judgment only.

OVERVIEW: Respondent received a six-month suspension, all stayed for failing to accurately report his work hours and leave on his timecard while serving as a magistrate.

PROCEDURE: The panel adopted the parties' stipulations of fact and misconduct and the recommended sanction of six months stayed. The board adopted the panel's report and recommendation in its entirety.

FINDINGS: Respondent was required to work eight hours per day, 40 hours per week as a magistrate in the Cuyahoga County Juvenile Court. If he worked less than eight hours a day, he was required to use his accrued leave time to make up the difference. Respondent requested to work from 7:30 a.m. to 3:30 p.m. pursuant to a flexible-schedule policy. The juvenile court

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	1.3, 1.4, 1.15(c)
Aggravation/Mitigation	A- none; M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Ernst (2018); Harsey (2015); Flessa (2019)
Cited By	

property, instructed him not to file the foreclosure action, and advised him that they no longer needed his services. The sale fell through, and Respondent located a prospective buyer who made an offer that was accepted. The clients received no details about the transaction until the morning of the closing. Respondent prepared a billing statement that reflected his time for only the closing. The clients did not receive any bill for services that indicated how the two retainers were used, inquired about the funds, and indicated they expected a refund. Respondent left the closing, and the closing did not proceed. The clients went to his office, and he refused to return their documents.

SANCTION: The Court adopted the parties' consent-to-discipline and publicly reprimanded Respondent.

OVERVIEW: Respondent was publicly reprimanded for failing to act with reasonable diligence and promptness in representing his clients, failing to communicate effectively with the clients, and failing to properly deposit advance fees in his IOLTA.

PROCEDURE: The Board adopted the parties' consent-to-discipline agreement and recommended adoption by the Court.

FINDINGS: Respondent was retained by a couple to represent them in reclaiming rental property held in trust. Respondent received a retainer of \$750.00 and failed to deposit the amount in his IOLTA. Respondent's initial efforts to assist his clients failed and he recommended they file a foreclosure action. An additional fee of \$2,750 was received and deposited in Respondent's personal account. Respondent prepared documents to proceed with the foreclosure action. The clients later notified Respondent that they had secured a buyer for the

Sanction	Two-year suspension, eighteen months stayed on conditions.
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 1.16(e), 8.1(b), GBR V(9)(G)
Aggravation/Mitigation	A-(1)(prior discipline), (4) (multiple offenses), (5) (lack of cooperation); M- (2) (no dishonest or selfish motive),(4) (cooperative attitude), (5) (good character), (7) (mental illness)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	DiAlbert (2008); Bansci (2014); Reed (2016), Hallquist (2011)
Cited By	

client’s multiple efforts to reach him or take any other action to settle her debt before a grievance was filed. After receiving Relator’s letter of inquiry, he promised that he would contact his client. He informed Relator of his sporadic contact with the client, but later learned that the client had settled the matter herself. He later did not respond to requests from Relator that he submit proof that he had honored a promise to pay the balance of the client’s retainer until he was served with a subpoena for his deposition. The parties stipulated that Respondent refunded \$50 of the client’s \$500 retainer. The Court overruled an objection made by Respondent and found that the Board did not abuse its discretion by overruling his motion to supplement his post-hearing brief.

SANCTION: The Court adopted the Board’s findings of fact and misconduct, and imposed a two-year suspension with eighteen months stayed on conditions of two years of monitored probation on reinstatement, during which he must comply with the recommendations of his treating physician, provide proof from a qualified healthcare professional that he can return to the competent and ethical practice of law, comply with any OLAP contract, and work with a monitoring attorney approved by the relator.

CONCURRING IN PART AND DISSENTING IN PART: Justice Kennedy.

OVERVIEW: Respondent received a two-year suspension, with eighteen months stayed on conditions for failure to act with reasonable diligence in representing a client, failure to keep a client reasonably informed, failure to refund any unearned fees upon withdrawal, and a failure to cooperate with a disciplinary investigation.

PROCEDURE: The parties entered into stipulations and the matter proceeded to hearing. The Board adopted the panel’s report and recommended sanction.

FINDINGS: Respondent represented a client in a consumer-debt action. He sent letters to the creditor’s counsel, but did not respond to his

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	1.3,1.4(a)(2),1.4(a)(3), 1.4(a)(4), 1.15(c)
Aggravation/ Mitigation	A- None; M- (1)(no prior discipline), (2)(no selfish or dishonest motive), (3)(restitution or rectified consequences), (4)(cooperative attitude),(5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Harsey (2015); Rucker (2012); Dundon (2011)
Cited By	

retainer. When Respondent refund the retainer, he discovered that he had mistakenly deposited the retainer check into his operating account.

SANCTION: The Court adopted the parties' consent-to-discipline agreement and imposed a public reprimand.

NOT PARTICIPATING: Justice DeWine.

OVERVIEW: Respondent received a public reprimand for failing to reasonably communicate with a client and failing to deposit the client's retainer into his client trust account.

PROCEDURE: The panel recommended the adoption of the parties' consent-to-discipline agreement.

FINDINGS: Respondent was retained by a client to settle his son's estate and was paid a retainer of \$2,500. After learning the decedent had a life insurance policy, the client asked Respondent to establish a trust to preserve the proceeds for his granddaughter. However, Respondent took no action to file a claim for the insurance proceeds and took little action to settle the estate. Over a four-year period, Respondent attempted to inquire with Respondent about the status of the estate. The client terminated the representation and demanded a refund of his

Sanction	Six-month stayed suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(4), 1.15(a), 1.16(d), 1.16(e)
Aggravation/Mitigation	A- (1)(prior discipline), (4) (multiple offenses); M- (2AggMitC4)(no dishonest or selfish motive), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	Ramos (2008); Malvasi (2015); Schnittke (2017)
Cited By	

times regarding the administration of the estate, but only spoke to Respondent five of those times. Eventually, the client was required to hire another lawyer to recover documents from Respondent. Respondent was not paid a fee. In another matter Respondent was retained to obtain a bingo license for a county veteran’s club, but did not deposit a flat fee into her IOLTA. For an eight-month period, Respondent assured the client she was in the process of filing the application – but never did. The client attempted to contact Respondent multiple times during a three-month period. Respondent responded to one text message from the client after a month had elapsed. Respondent refunded her fee.

SANCTION: The Court adopted the parties’ consent-to-discipline agreement and imposed a six-month stayed suspension on conditions that Respondent undergo an OLAP evaluation within 60 days of the order, comply with recommendations resulting from the evaluation, and engage in no further misconduct.

OVERVIEW: Respondent received a six-month stayed suspension for failing to act with reasonable diligence and failing to respond to reasonable requests for information with regard to two clients.

PROCEDURE: The Board recommended the Court adopt the parties’ consent-to-discipline agreement.

FINDINGS: Respondent was retained to assist in the handling of a client’s mother’s estate, the transfer of a tractor and vehicle, and the disbursement of an annuity of which the client was a beneficiary. Respondent failed to handle the transfer or disbursement, and the client transferred the tractor and vehicle on his own. The client and his wife telephoned Respondent 33

Sanction	Eighteen-month suspension, twelve months stayed
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(2), 1.4(a)(3), 1.5(a), 1.15(a), 1.5(d)(3)
Aggravation/Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive), (3) (pattern of misconduct); M-(3)(restitution or rectified consequences),(5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Nelson (2017); Watson (2015)
Cited By	

OVERVIEW: Respondent was suspended for eighteen months with 12 months stayed for failing to properly use and maintain her IOLTA, charging an excessive fee, failing to act with reasonable diligence, and failing to keep a client informed about the status of a legal matter.

PROCEDURE: The Board adopted the panel’s findings of misconduct and recommended sanction. The parties filed a joint waiver of objections.

FINDINGS: The Office of Disciplinary Counsel received notice that Respondent had overdrawn her IOLTA. Respondent claimed that she was going inactive, closing her law practice, and accidentally overpaid a refund to one client. In another count, Respondent was retained to represent a client in a domestic-relations matter. In a written fee agreement, the client agreed to

pay a \$1,500 retainer and \$500 per month for the life of the case. All payments were earned upon receipt, but Respondent failed to advise the client in writing that she may be entitled to a refund. In addition to the agreed upon rate, Respondent invoiced the client for additional charges based on \$350 an hour and \$150 an hour for paralegal work. Another invoice noted that all of Respondents’ clients were “being transitioned to hourly” even though the client did not consent to a modification of the terms of the fee agreement. In another client matter, Respondent was retained to assist in a domestic-relations matter. Respondent assigned another lawyer to appear at a hearing, but indicated that the lawyer would prepare at “no cost” to the client. However, the client was billed for a meeting with the lawyer. After Respondent received discovery requests in the case, the client objected to providing any personal identifying information, and Respondent promised to remove the information, but produced draft responses with the information and made no objections. Later, a motion to compel was filed, and opposing counsel moved for sanctions against the client.

SANCTION: The Court adopted the findings of fact, conclusions of law, and recommended sanction of the Board and suspended Respondent for eighteen months, twelve months stayed. The reinstatement was conditioned upon proof of completion of two three-hour CLE courses on law-office management and submission to an evaluation by OLAP and compliance with any treatment or counseling recommendations resulting from the evaluation. Respondent was also required upon reinstatement to work with a monitoring attorney for a two-year period focused on the practice of law, use of an IOLTA, and fee agreements. The Court noted that due to her inactive status, the sanction has no effect unless and until she restores her license to active status.

Sanction	One-year stayed suspension
Court Modified Sanction	No
Rules Violated	1.3,1.15(c),1.16(c), 1.16(d)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses); M- (1) (no prior discipline), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Fonda (2014)
Cited By	

collect her fee in small claims, but the action was dismissed without prejudice after the client filed a grievance. In a separate count, Respondent withdrew funds from her IOLTA on four occasions without documentation to justify the payments or before clients were invoiced for services allegedly rendered.

SANCTION: The Court adopted the consent - to-discipline agreement of the parties and suspended Respondent from the practice of law for one year, fully stayed on conditions including serving a one-year term of monitored probation, that she secure the services of an accounting professional throughout the term of probation and directs the accounting professional to cooperate with the monitor appointed by relator, and engages in no further misconduct.

OVERVIEW: Respondent received a one-year stayed suspension on conditions for misconduct that included neglect of a client's matter, failure to protect the client's interests during withdrawal, and IOLTA issues.

PROCEDURE: The Board recommended adoption of the parties' consent-to-discipline agreement.

FINDINGS: Respondent was retained by a client to represent her in a post-decree custody matter. Respondent untimely filed a motion for attorney fees and shared parenting plan. Following a dispute over fees, Respondent threatened to withdraw from representation. Respondent later failed to attend a scheduled hearing on the motion for attorney fees and the motion was dismissed for failure to prosecute. The client contacted Respondent on several occasions to obtain her file that was not returned for several months. After Respondent was granted permission to withdraw, she attempted to

Sanction	One-year stayed suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 8.4(c)
Aggravation/Mitigation	A- (4) (multiple offenses), (8) (harm to vulnerable victim); M- (1) (no prior discipline),(4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Pfundstein (2010); Crosser (2016); Miller (2017)
Cited By	

OVERVIEW: Respondent received a stayed one-year suspension after he neglected a client matter and then lied to his client in an effort to conceal his neglect.

PROCEDURE: The Board issued findings of fact, conclusions of law, and a recommended sanction of a one-year stayed suspension.

FINDINGS: Respondent was retained by Euclid Beach, L.P., a Cleveland mobile-home park to contest the taxable value of its property for tax year 2012. Although Respondent prepared and signed a complaint, he failed to file it by the March 31, 2013 statutory deadline. Despite his neglect, he wrote an email to the client implying that he had filed the complaint and that he would inform the client when a hearing was scheduled. On March 3, 2014, Respondent wrote his client and indicated he needed to refile the tax appeal by a March 31, 2014 deadline, but failed to do so in a timely manner. Respondent was notified that his complaint was received after the statutory

deadline. The client later filed a malpractice action against Respondent. In his defense, Respondent took the position that he had no duty to file the complaints because the client had not paid his retainer nor submitted a requested appraisal of the property and other documents to him. Respondent later acknowledged this his position was incorrect and he agreed to a June 2015 entry of judgment in favor of the client in the amount of \$95,000. By the date of his disciplinary hearing, he had paid approximately \$40,000 toward the judgment. He agreed as part of the disciplinary sanction to pay the entire judgment within two years of the Court's final order.

SANCTION: The Court suspended Respondent for one year fully stayed, on conditions that he submit proof to relator that he satisfied the stipulated judgment within two years of the Court's disciplinary order and refrain from future misconduct.

Sanction	One-year, stayed suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(4), 1.16(d), 8.1(b), 8.4(c)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (4) (multiple offenses), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent neglected a client's matter, failed to comply with reasonable requests for information, falsely communicated with his client about filing a claim with his malpractice carrier, and failed to cooperate in the ensuing disciplinary investigation.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of a one-year stayed suspension. No objections were filed.

FINDINGS: Respondent was retained by a couple to assist in obtaining long-term-care Medicaid for the husband's nursing-home expenses. Respondent submitted an application to the Ohio Department of Job and Family Services (ODJFS), but the application was initially denied based on the untimely filing of income information. Respondent informed the nursing home that the client's monthly income was

around \$3,000 and erroneously stated that it was under the Medicaid income threshold. ODJFS required additional information, which Respondent did not submit. Nor did Respondent take any steps to open a qualified-income trust on the clients' behalf. The nursing home staff eventually assisted in helping establish a qualified-income trust. Due to Respondent's failure to recognize the need for and to timely establish a qualified-income trust, the client incurred over \$87,000 in nursing home expenses that would have been covered by Medicaid. Respondent did not return his clients' requested paperwork for nearly two years. The clients retained counsel to file a legal-malpractice claim against Respondent. Respondent falsely implied to plaintiff's counsel that he had submitted a claim with his insurance carrier. A default judgment entry was filed and the former clients were awarded \$87,000 in damages and \$21,750 in attorney fees.

SANCTION: The Court adopted the Board's findings of fact and conclusions of law, and recommended sanction of a one-year suspension, stayed in its entirety on conditions that he commit no further misconduct, pay the balance of the judgment entered against him within 30 days, and submit to an OLAP evaluation. If deemed necessary by OLAP, the stay was also conditioned on entering into an OLAP contact for a duration to be determined by OLAP and compliance with all treatment recommendations.

CONCURRING IN JUDGMENT ONLY:
Justice DeWine

DISSENTING: Justice Kennedy

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(2), 1.4(b), 1.15(a), 1.15(d), 2.1, 8.1(b)
Aggravation/Mitigation	A-(1)(prior discipline), (2) (dishonest or selfish motive), (3) (pattern of misconduct),(4) (multiple offenses), (5) (lack of cooperation), (8) (harm to vulnerable victim); M- None
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Moran (2009); DiMartino (2016); Golden (2002)
Cited By	

OVERVIEW: Respondent received an indefinite suspension arising from his neglect of three client matters, his retention of fees paid by the clients, the overdraft of his client trust account and failure to respond to the ensuing disciplinary investigations.

PROCEDURE: The Board adopted the panel’s findings and recommended sanction after considering the submitted stipulations of fact, misconduct, aggravating and mitigating factors, and Respondent’s testimony.

FINDINGS: Respondent retained Morgan Drexen, Inc., a defunct California company that provided paralegal and paraprofessional services for his law practice. Respondent stipulated the company assisted him in performing “non-formal debt resolution” for his clients. After filing for bankruptcy, the company sent letters to four of

Respondent’s clients indicating that the law firm they hired would continue to represent them and the lawyers of the firm were responsible for their accounts and holding money in trust. After the letter was transmitted, Respondent failed to respond to his clients efforts to communicate with him via voicemail. During the course of the representation Respondent never performed any legal services for the clients, failed to tell one client he was ineligible for bankruptcy, and did not refund any fees to his clients. Respondent’s testimony at the hearing revealed that he never reviewed his banking records and had completely abdicated his duty to safeguard the client funds entrusted to his care through his arrangement with Morgan Drexen, Inc.

SANCTION: The Court adopted the Board’s findings of fact and misconduct and recommendation of an indefinite suspension. The court conditioned reinstatement on proof of restitution, completion of 12 hours of continuing legal education on law office and client trust-account management, submission to an evaluation by a qualified healthcare professional to investigate the possible existence of a disorder, and providing evidence that he has not engaged in further misconduct. Upon reinstatement, the Court ordered Respondent to serve a two-year term of monitored probation.

DISSENT: Justices Kennedy, O’Donnell, and DeWine would have imposed a one-year suspension.

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	1.4(a)(3), 1.5(c)(1)
Aggravation/Mitigation	A- (4) (multiple offenses); M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Adusei (2013); Ernst (2018)
Cited By	

Respondents conceded that they relied on Crosser to communicate with the client and never had any communication with her. The client did not learn that her case was time-barred until one month after the retained counsel presented oral argument at her appeal.

SANCTION: The Court adopted the consent - to-discipline agreement of the parties and publicly reprimanded Respondents.

OVERVIEW: Respondents received a public reprimand for misconduct stemming from the representation of one client.

PROCEDURE: The parties' submitted a consent-to-discipline agreement and the Board recommended its adoption to the Court.

FINDINGS: Respondents were retained as co-counsel in a case handled by attorney Joan Crosser. Crosser was originally retained to represent a client in a personal-injury and wrongful death case in 2012. The original complaint was dismissed without prejudice for want of prosecution. A second complaint was filed, but was dismissed on the grounds that the statute of limitations had expired and the complaint had not been refiled within the statutory period. After Crosser missed the deadline, Field and Weiss agreed to serve as co-counsel in the case but did not reduce their contingent-fee agreement to writing. Crosser retained counsel to appeal the dismissal, and Respondents paid one-half of the retainer.

Sanction	Two-year suspension
Court Modified Sanction	No
Rules Violated	8.4(b) , 8.4(c)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct); M- (1) (no prior discipline), (3)(restitution or rectified consequences), (4) (cooperative attitude), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

money toward reinstating his policy. The bureau calculated that a balance of \$936,335 was owed. He appealed the restitution amount, but the court of appeals affirmed the trial court's judgment.

SANCTION: The Court adopted the Board's findings of fact and conclusions of law, and suspended Respondent for two years, with no credit for time served under his interim felony suspension. The Court conditioned his reinstatement upon providing proof of his substantial, continuing efforts to pay the restitution owed as part of his criminal sentence, in addition to meeting the requirements of Gov.Bar R.V(24).

OVERVIEW: Respondent received a two-year suspension for misconduct related to workers' compensation fraud.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of a two-year suspension. No objections were filed.

FINDINGS: Respondent entered a guilty plea to a charge of workers' compensation fraud by failing to secure or maintain workers' compensation coverage from March 17 to June 30, 2017. The court ordered him to pay \$965,235 in restitution and sentenced him to five years of community control.

Respondent was the president and sole operator of AM Team, Inc. In 2018, BWC agents provided him with his workers' compensation balance, two payroll "true-up reports," and instructions for a reinstatement payment pan. He returned the true-up reports but failed to pay any

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(4)
Aggravation/Mitigation	A-none; M- (1) (no prior discipline), (2) (no dishonest or selfish motive) (3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Nelson (2015); Mickens (2016)
Cited By	

fees. Respondent returned the file to the client, but did not include an itemized bill or a refund of unearned fees. On March 29, 2018, Respondent refunded \$3,500 to the client.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and recommended sanction of a public reprimand.

NOT PARTICIPATING: Justice DeWine

OVERVIEW: Respondent received a public reprimand for failing to competently represent a client and responding to the client's reasonable requests for information.

PROCEDURE: The Board adopted the panel's conclusions of fact and law and recommended sanction of a public reprimand.

FINDINGS: Respondent was retained by a client to represent her in connection with the termination of her marriage. The client tendered \$3,500 that Respondent indicated would cover the entire cost of the dissolution or divorce. In December, 2016 the client dropped off her husband's financial records and paperwork and was told by Respondent that he would be ready to file the case after the first of the year. As of April, 2017, Respondent had not prepared any documents for dissolution or divorce, and the client consequently terminated Respondent as her lawyer. She requested the return of her file, an itemized bill, and the return of any unearned legal

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(4), 1.15(a), 1.15(c), 1.16(d), 8.1(b), 8.4(c), GBR V(9)(G)
Aggravation/Mitigation	A- (1)(prior discipline), (2) (dishonest or selfish motive), (3)(pattern of misconduct), (4) (multiple offenses), (5)(lack of cooperation); M- none
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	
Cited By	

OVERVIEW: Respondent was indefinitely suspended for failing to comply with clients' requests for information, failing to deposit unearned fees in an IOLTA, engaging in dishonest conduct, fraud, deceit, and misrepresentation, and failing to cooperate in the ensuing disciplinary investigations.

PROCEDURE: The Board recommended Respondent be indefinitely suspended. No objections were filed.

FINDINGS: Respondent agreed to represent a client in her divorce and agreed to a flat fee that Respondent cashed on the same day and deposited into her husband's personal checking account. Several months after little or no contact from Respondent, the client asked for a refund. More than a year later, Respondent gave the client \$1700 in cash and a \$300 check that later was returned for insufficient funds. Relator subpoenaed Respondent for a deposition but she never appeared. At hearing Respondent testified that she had mailed a cashier's check to the client, but failed to comply with the panel chair's order

to provide proof of restitution. In another matter Respondent agreed to represent a client in a postdecree matter for a flat fee. The client was awarded attorney fees, and Respondent deposited the attorney fees check in her husband's personal checking account. Respondent falsely indicated to the client that she was delayed in receiving the check and promised to forward a reimbursement check, which the client never received. Respondent failed to respond to Relator's letter of inquiry or appear at a scheduled deposition. In a separate matter Respondent failed to return the client's calls, texts, and emails for two months after an appearance at a pretrial hearing. In another matter Respondent agreed to represent a client in a postdecree matter and was paid an advance fee but did not deposit it in an IOLTA. Respondent attempted to file a separate motion to set aside child support. Respondent informed her client that another \$250 for filing fees was needed and that a hearing had been scheduled on both motions. Respondent did not respond to her client's request for information and converted part of the \$250 from the client for filing fees to personal use. She did not respond to the client's requests to terminate representation or to return her file. At hearing she claimed that she had sent a Venmo payment to the client over the previous weekend, but documentation showed that she had made the payment less than an hour before the hearing.

SANCTION: The Court indefinitely suspended Respondent and conditioned reinstatement on an OLAP evaluation, compliance with treatment recommendations, demonstration of a sustained period of treatment or counseling, and a prognosis from a qualified healthcare professional that she is capable of returning to the competent, ethical, and professional practice of law.

CONCURRING AND DISSENTING IN PART: Justice Kennedy would not have imposed the additional conditions for reinstatement.

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 1.15(c), 1.16(a)(1), 1.16(d), 1.16(e), 5.5(a), 8.1(b), 8.4(c)
Aggravation/Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (5) (lack of cooperation), (9) (no restitution); M- (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Sarver (2020); Freeman (2010)
Cited By	

OVERVIEW: Respondent was indefinitely suspended for continuing to practice law under a prior indefinite suspension and committing multiple violations.

PROCEDURE: The Board adopted the panel’s recommendation of an indefinite suspension to run consecutively to the prior suspension.

FINDINGS: In one count, Respondent was retained to file an emergency custody action. Respondent did not maintain an IOLTA and therefore did not deposit any portion of the client’s advanced fee into a trust account. The client sent multiple messages to the client, some of which were unanswered, concerning the status of her case. Because of Respondent’s failure to communicate, the client sent a letter to her requesting a refund. Respondent never filed

anything on her client’s behalf and failed to appear for a deposition in the disciplinary matter. A second client retained Respondent to assist him in reinstating parenting time. Respondent filed a motion to reinstate the client’s parenting time, but failed to otherwise prosecute the motion. Respondent was suspended before the hearing, but she failed to notify the court or withdraw. She suggested the client attend the hearing on his own and suggested that he blame her by indicating she was out of state due to a family emergency. The magistrate continued the hearing. In a final count, Respondent was retained to represent a client in a divorce proceeding but did not deposit any portion of an advanced fee into an IOLTA. Respondent and the client agreed to hold off on filing the divorce complaint. Later, Respondent did not respond to text messages requesting that she file the divorce complaint. The client learned about Respondent’s suspension and pending disciplinary matter and requested a refund and a return of his paperwork. Respondent did not respond to the client, refund the client’s money, or return his documents.

SANCTION: The Court imposed an indefinite suspension to run concurrently with the prior indefinite suspension imposed in March, 2020. The Court conditioned Respondent’s reinstatement on submission of proof that she has made restitution, undergone an OLAP evaluation, and obtained a written opinion from a qualified healthcare professional that she is capable of returning to the competent, ethical, and professional practice of law.

CONCURRING IN PART AND DISSENTING IN PART: Chief Justice O’Connor and Justice Fischer. Chief Justice O’Connor would have imposed a permanent disbarment.

Sanction	One-year stayed suspension
Court Modified Sanction	Yes
Rules Violated	1.8(j)
Aggravation/Mitigation	A- (1)(prior discipline); M- (2AggMitC4) (no dishonest or selfish motive), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Paris (2016); Siewert (2011)
Cited By	

SANCTION: The Court suspended Respondent for one year, fully stayed on the condition that he engage in no further misconduct.

DISSENTING: Justices Kennedy and Fischer dissented and would have imposed the Board's recommended sanction of one year with six months stayed.

OVERVIEW: Respondent received a fully stayed one-year suspension by commencing a sexual relationship with a client during his legal representation.

PROCEDURE: The panel initially rejected a consent-to-discipline agreement filed by the parties and proceeded to hearing. The parties filed stipulations nearly identical to the consent-to-discipline agreement. The Board adopted the panel's findings of fact, conclusions of law, and a recommended sanction of a one-year suspension with six months stayed on conditions.

FINDINGS: Respondent was retained by a client in a civil matter and commenced an intimate sexual relationship with her six months later. The legal representation concluded with a settlement and dismissal of an action filed against the client. After the intimate relationship concluded, Respondent represented the client in two separate matters. Respondent admitted that it was wrong of him to have entered into the intimate relationship.

Sanction	Two-year suspension, with six months stayed.
Court Modified Sanction	No
Rules Violated	5.5(a), 5.5(b)(2), 8.1(a), 8.4(c), GBR VI(10)(C)(1)
Aggravation/Mitigation	A-(1) (prior discipline), (2) (dishonest or selfish motive), (4) (multiple offenses), (6) (false or deceptive practices during investigation)M-(4) (cooperative attitude), (6) (other penalties/sanctions),
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	Troller (2014)
Cited By	

disciplinary history on a securities application with FINRA. Respondent’s employer confronted her about her status when she failed to ask for reimbursement of her attorney-registration fee in 2015. Upon her admission that she was under suspension her employment was terminated.

SANCTION: The Court adopted the parties’ consent-to-discipline agreement based on the Board’s recommendation.

OVERVIEW: Respondent received a two-year suspension, with the final six months stayed for practicing under a CLE suspension and misrepresenting her disciplinary history on securities application.

PROCEDURE: The parties submitted a consent-to-discipline agreement, stipulating to the facts in the complaint, disciplinary violations, and mitigating and aggravating factors, as well as a six-month stayed suspension. The Board recommended that the agreement be accepted.

FINDINGS: Respondent was employed as counsel and director of institutional compliance by an Akron securities firm. She was required to be licensed in good standing with at least one jurisdiction. When she was hired, she was under a CLE suspension and falsely attested to her

Sanction	One-year stayed suspension
Court Modified Sanction	No
Rules Violated	1.5(c)(2), 1.8(e), 1.15(a), 1.15(a)(2), 1.15(a)(5)
Aggravation/Mitigation	A-(1) (prior discipline); M-(2) (no dishonest or selfish motive), (3)(restitution or rectified consequences), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Royer (2012); Tomer (2103); Thompson (2014)
Cited By	

addition, in two separate cases, he admitted to withdrawing funds from his IOLTA to pay himself for work before he deposited settlement proceeds into the account. In another count, he admitted to making a personal loan of \$300.00 to a client.

SANCTION: The Court adopted the Board's findings of fact and misconduct, and recommended sanction of a one-year, fully stayed suspension. In addition to the suspension, the Court imposed conditions that he (1) serve a two-year term of monitored probation that includes oversight of his office management and IOLTA recordkeeping procedures, (2) complete a minimum of six hours of CLE in law-practice management and IOLTA, and (3) engage in no further misconduct.

NOT PARTICIPATING: Justice DeGenaro

OVERVIEW: Respondent received a one-year stayed suspension for failing to properly safeguard client funds in a client trust account.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended a sanction of a one-year, fully stayed suspension on conditions.

FINDINGS: Respondent disbursed settlement proceeds to two clients from his IOLTA. He also disbursed \$5,747.56 in proceeds to pay his fees and reimburse himself for expenses he advanced. Several days later, Respondent withdrew an identical amount, causing a negative balance in the account and an overdraft. In response to a letter of inquiry, Respondent acknowledged that he had mistakenly paid himself twice. Respondent also admitted that he did not maintain separate ledger sheets for clients, failed to consistently maintain and have his clients sign, disbursement sheets and closing statements. In

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	8.4(b),8.4(c),8.4(h)
Aggravation/Mitigation	A- (1)(prior discipline), (3) (pattern of misconduct), (4) (multiple offenses), (8)(harm to vulnerable victim); M- (4)(cooperative attitude), (5)(good character), (6)(other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	
Cited By	

OVERVIEW: Respondent was indefinitely suspended for misconduct related to his felony conviction for conspiracy to commit wire fraud and securities fraud.

PROCEDURE: A hearing panel found that Respondent had committed the charged misconduct and the Board issued a report recommending the sanction of an indefinite suspension with no credit for time served under his interim felony suspension.

FINDINGS: Respondent was indicted by a federal grand jury on eight counts of criminal conduct arising from his participation in a fraudulent and criminal scheme where a company would purchase crude-oil and refined-fuel products at deeply discounted prices and resell them at a substantial profit. The company solicited investors and promised a guaranteed return of up to 5 percent per month. Respondent allowed his client trust account to be used as a depository for the investor's funds and he was

held out to the investors as an attorney and "escrow agent" to ensure investors that their money would be safe. The scheme ultimately bilked more than 70 investors out of more than \$31 million over four years. The majority of the investor's funds were stolen by the company's principals. Respondent was not a principal of the company and did not perform any legal services for the company or its investors. Respondent testified that he left the company after observing improper conduct, but returned on a month-to-month basis after the principals assured him that they would change their practices. The principals increased Respondent's flat monthly fee from \$2,500 to \$4,000 a month. Respondent pleaded guilty to a single count of conspiracy to commit wire fraud and securities fraud in violation of 18 U.S.C. 1349, was sentenced to 21 months in federal prison, followed by three years of supervised release, and ordered to pay restitution of more than \$17 million, jointly and severally with his conspirators. Respondent was also permanently enjoined by the SEC from committing further violations and ordered to disgorge \$125,940 plus prejudgment interest, representing his profits from the conspiracy. The LFCP awarded a total of \$51,000 to two victims of the conspiracy.

SANCTION: The Court indefinitely suspended Respondent with no credit for time served. As additional conditions of reinstatement, Respondent was ordered to demonstrate that he has complied with the terms of the supervised release, completed three hours of CLE regarding the establishment and maintenance of a client trust account in addition to the requirements of Gov.Bar R. X, made full restitution to LFCP, and has taken reasonable steps to comply with the orders of restitution imposed in connection with his criminal cases.

Sanction	Six-months stayed suspension; public reprimand
Court Modified Sanction	No DPSancInDe
Rules Violated	1.3, 1.4(a)(2), 1.4(a)(3), 1.16(d)
Aggravation/Mitigation	A- none; M- (1)(no prior discipline), (2 AggMitC4) (no dishonest or selfish motive), (4) (cooperative attitude), (5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Hanni (2016); Kluesener (2017)
Cited By	

OVERVIEW: Respondent Gibbons received a six-month stayed suspension and Respondent Jenkins was publicly reprimanded, after failing to diligently represent a client or adequately communicate with him regarding habeas corpus proceedings from his death sentence and related litigation.

PROCEDURE: The Board accepted the parties' consent-to-discipline agreement.

FINDINGS: Respondents' client was convicted of two counts of aggravated murder with death penalty specifications and was sentenced to death on both counts. The Supreme Court vacated one of the sentences on appeal. Respondents were appointed to represent the client in a federal habeas corpus proceeding in February 2007, but the petition was denied. They represented him in an unsuccessful appeal to the Sixth Circuit and in a petition for writ of certiorari to the U.S. Supreme Court. During the appellate

proceedings, Respondents sought and received three extensions of time to file their appellate brief, ultimately filed a defective brief, and missed three deadlines to file a corrected brief. The corrected brief was filed on July 19, 2010. During the pendency of the federal habeas proceedings from 2007 to 2012, Respondents met with their client on eight occasions, spoke with him by telephone on one occasion, and provided him with written status updates and copies of pleadings and orders. After conclusion of the habeas corpus proceedings, his execution date was set, but neither Respondent advised him of the date. In September 2014, the Governor granted multiple death-row inmates, including Respondents' client, reprieve of execution due to issues with the lethal-injection protocol. Neither Respondent advised their client of the reprieve or clemency presentations that might be made on his behalf. In federal court litigation challenging the lethal injection execution protocol, Respondent-Gibbons was counsel of record for the client, but over a five-year period, did not communicate with the client, take any action on his behalf, or file any pleadings. Respondent Gibbons failed to act or respond to several federal court notices or orders and withdrew from the federal lethal injection litigation. Respondents remained counsel of record in the clemency proceedings until the client filed a motion to have them replaced. New counsel for the client was initially unable to obtain the client's file from Respondent-Gibbons due to his failure to respond to emails or telephone messages.

SANCTION: The Court adopted the Board's recommendation to accept a consent-to-discipline agreement and imposed a six-month stayed suspension against Respondent Gibbons and publicly reprimanded Respondent Jenkins.

Sanction	Eighteen-month stayed suspension
Court Modified Sanction	No
Rules Violated	1.4(a)(4), 1.15(a), 1.15(c), 1.15(a)(2), 1.15(a)(3), 1.16(d), 1.16(e)
Aggravation/Mitigation	A-(2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses); M-(1) (no prior discipline), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Barbera (2017)
Cited By	

SANCTION: The Court adopted the parties' consent-to-discipline agreement and imposed an eighteen-month suspension, stayed on conditions that she comply with an OLAP contract, complete at least six hours of CLE focused on law-office management, the proper use of a client trust account, and the proper maintenance of client-trust records, complete an 18-month period of monitored probation with a focus on law-office management and compliance with client-trust-account requirements, and engage in no further misconduct.

NOT PARTICIPATING: Justice DeWine

OVERVIEW: Respondent received an eighteen-month suspension, all stayed for failure to use and maintain her client trust account, reasonably communicate with a client, protect the interests of clients at the termination of representation, and promptly refund an unearned fee.

PROCEDURE: A panel recommended the adoption of the parties' consent-to-discipline agreement.

FINDINGS: Respondent received more than \$180,000 in client funds between January 2013 and March 2017 but did not deposit them into her client trust account and violated several rules. Respondent also failed to respond to one client's messages stating that she no longer wanted to proceed with her divorce, but waited nearly two years to refund the unearned portion of the client's retainer. She also failed to return original client documents.

Sanction	Six-month suspension, fully stayed on conditions.
Court Modified Sanction	No
Rules Violated	8.1(b), GBR V(9)(G)
Aggravation/Mitigation	A- (5) (lack of cooperation) M-(1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Corrigan (2011); Walton (2016)
Cited By	

diagnosed with adjustment disorder with anxiety and later appeared for a deposition.

SANCTION: The Court adopted the Board's findings of fact and misconduct, and recommended a sanction of a fully stayed six-month suspension on conditions that he submit to a mental-health evaluation by OLAP, comply with any treatment recommendations, and engage in no further misconduct.

OVERVIEW: Respondent received a fully stayed six-month suspension for failing to respond to a subpoena for his deposition and failing to timely and adequately respond to a request for information from Relator after his IOLTA was overdrawn.

PROCEDURE: The parties stipulated to the charged misconduct and the Court adopted the Board's findings of misconduct and recommended sanction.

FINDINGS: After Respondent's IOLTA was overdrawn due to the theft and fraudulent issuance of his IOLTA checks by a third party, he timely responded to Relator's letter of inquiry, but failed to include most of the information requested. He later advised Relator he would provide additional information within ten days, but he failed to do so. He also failed to respond to multiple voicemail messages left by Relator and a subsequent letter. Respondent failed to appear at two depositions after being properly served. Several months later, Respondent was

Sanction	Two-year suspension, one year stayed.
Court Modified Sanction	No
Rules Violated	1.15(a), 1.15(a)(2), 1.15(a)(3), 1.15(a)(4), 1.15(a)(5), 8.4(c), 8.4(d), 8.4(h)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive),(4) (multiple offenses); M-(1) (no prior discipline), (3)(restitution or rectified consequences),(4) (cooperative attitude), (7) (mental illness)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Fowerbaugh (1995)
Cited By	

OVERVIEW: Respondent received a two-year suspension, with one year stayed for misappropriating funds in violation of an agreed court order, engaging in a pattern of dishonesty and misrepresentation to conceal his misappropriation, and failing to maintain required records regarding his trust account.

PROCEDURE: The parties entered into some stipulations. After the hearing, the panel found that Respondent had engaged in the stipulated misconduct and dismissed the remaining allegations. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction.

FINDINGS: Respondent was retained by a client on a contingent-fee basis to assist in the

recovery of \$51,032.37 in unclaimed funds from the State of Ohio. The source of the unclaimed funds was an insurance claim that preceded the client's 2010 discharge of his debts in bankruptcy. Respondent notified the bankruptcy trustee of the claim and the trustee moved to intervene in the declaratory judgment action Respondent filed to recover the unclaimed funds. In addition, the trustee reopened the bankruptcy case alleging the funds belonged in the bankruptcy estate. Eventually, the parties signed an agreed order in the bankruptcy court, in which Respondent agreed to accept the unclaimed funds, hold them in his client trust account, and deliver those funds determined to be part of the estate. Respondent deposited the unclaimed funds in his client trust account and began to disburse amounts without the bankruptcy court's approval. A second complaint was filed in the bankruptcy court by the trustee to determine the estate's interest in the unclaimed funds and a portion was returned to the client. Respondent moved to close the case and claimed he was entitled to an hourly calculation of his fee. However, the court held that all remaining funds were the property of the estate. By the time Respondent appealed the bankruptcy case to the Sixth Circuit, he had misappropriated more than \$49,000. Respondent was later held in contempt by the bankruptcy court for not providing the funds or the location of the funds.

SANCTION: The Court adopted the Board's findings of fact and misconduct, and recommended a sanction of a two-year suspension with one year stayed on conditions that he comply with his OLAP contract, make full restitution to the bankruptcy trustee, pay any monetary sanctions imposed by the bankruptcy court, and engage in no further misconduct. The Court also ordered Respondent to serve a one year period of monitored probation upon reinstatement with a focus on proper use of his client trust account.

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	1.1, 1.3, 1.4(a), 1.4(b), 1.5(b)
Aggravation/Mitigation	A-(4) (multiple offenses); M- (1) (no prior discipline), (2) (no dishonest or selfish motive) (3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Domis (2019) Flessa (2019); Harsey (2015)
Cited By	

her behalf, but a few months later he revealed that he had not filed the case. He complied with her request to return the \$300.00. Several months later, the client’s lender filed a foreclosure action against her. She was able to resolve the case, but only after incurring an additional \$7,600 in fees, costs, and interest as a result of Respondent’s neglect.

SANCTION: The Court adopted parties’ consent-to-discipline agreement and imposed a public reprimand.

OVERVIEW: Respondent received a public reprimand for multiple ethical violations related to his representation of one client.

PROCEDURE: The Board recommended the Court adopt a consent-to-discipline agreement in entirety.

FINDINGS: Respondent agreed to represent a client in a dispute with her lender regarding her mortgage escrow account. Respondent did not communicate to the client the nature and scope of his representation or the basis or rate of fee. He told the client to stop paying her mortgage, but did not advise her regarding the potential consequences of the course of action. After several months, the client stopped by his office on multiple occasions but Respondent was not there and did not return her telephone calls. Later, the client paid Respondent \$300 to file an action on

Sanction	Public reprimand
Court Modified Sanction	No DPSancInDe
Rules Violated	JCR 1.1, 1.3
Aggravation/Mitigation	A- none; M- (1)(no prior discipline), (4) (cooperative attitude), (5)(good character), (6)(other penalties/sanctions)
Criminal Conduct	Yes
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Doherty (2020); Williams (2017)
Cited By	Hawkins (2020)

OVERVIEW: Respondent received a public reprimand for failing to comply with the law as a judge and abusing the prestige of office to advance his personal interests.

PROCEDURE: The Board accepted the panel’s findings and recommendations.

FINDINGS: Respondent was a newly appointed judge in Lucas County Common Pleas Court when he was stopped in Findlay by an Ohio State Highway Patrol sergeant for a marked-lanes violation and failing to signal when exiting the highway. The sergeant asked him to step out of the vehicle and sit in the front seat of the cruiser. While in the cruiser, Respondent stated that he was going to tell the sergeant who he was, “... I hate to make this political, and I don’t want to go there, but I just got appointed judge in Lucas County by Governor DeWine in March.” He continued to impress upon the sergeant that he was not asking for favors, but that the incident would “kill [him].” Another trooper responded and noticed a strong odor of alcohol emanating from Respondent, bloodshot and glassy eyes, droopy eyelids, and that Respondent was slurring

his words. Respondent emphasized again that he was a judge in Lucas County and stated “I’m not trying to play that up, but.” Respondent was arrested after a field sobriety test. Respondent mentioned a third time that he was a judge, asked that his parents be permitted to pick him up from the scene, and asked if there was “anything [he] can do?” Respondent refused to provide a chemical sample and was placed under an administrative license suspension pursuant to R.C. 4511.191. Respondent pleaded guilty to one count of OVI in violation of R.C. 4511.19(A)(1)(a) and was sentenced to 30 days in jail with 23 days suspended, ordered to complete a driver’s-intervention program for five days of jail-time credit as well as a victim-impact-panel program for two days of jail-time credit. He was also ordered to pay a fine of \$450 plus costs, and his operator’s license was suspended for 365 days, with limited driving privileges. At Respondent’s hearing he admitted that he was trying to persuade the troopers not to cite him for OVI. He self-reported his conduct to Relator. A substance-abuse assessment revealed that Respondent did not have a drinking problem.

SANCTION: The Court adopted the Board’s recommended sanction and publicly reprimanded Respondent.

Sanction	Six-month stayed suspension.
Court Modified Sanction	No
Rules Violated	JCR 1.2, 1.3, 2.9(A)
Aggravation/Mitigation	A- (4)(multiple offenses), (7)(refusal to acknowledge wrongdoing); M- (1) (no prior discipline), (4)(cooperative attitude), (5)(good character)
Criminal Conduct	No
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Hoague (2000); Porzio (2020)
Cited By	

OVERVIEW: Respondent, a common pleas judge, received a six-month stayed suspension for interfering in a case assigned to another judge, engaging in ex parte communications, and arranging the defendant's release on a recognizance bond two days before arraignment.

PROCEDURE: The Board accepted the panel's findings and recommendations.

FINDINGS: Friends of Respondent contacted him after a daughter's boyfriend was indicted on three second-degree felony counts of illegal use of a minor in a nudity-oriented performance and held without bail. Respondent then contacted the Lucas County Pretrial Services Department and confirmed with an officer that the defendant remained in custody. He asked the officer if a public-safety assessment had been performed. After learning that the case had been assigned to another judge on the common pleas court, he ordered a recognizance bond with a no-contact order allowing for the defendant's immediate release. In the interim, the daughter of

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Respondent's friends had been speaking with the defendant on her cell phone and gave the phone to Respondent who informed the defendant that he had arranged his release. Respondent later sent the defendant's lawyer a text message informing him that he had released the defendant. On a second call, Respondent asked the defendant a series of questions including whether a prior aggravated-menacing conviction had involved the same victim and about the facts underlying the charges pending against him. Respondent left a voicemail for the presiding judge informing him that he had set the bond in the case. However, he did not inform the defendant's lawyer that he had engaged in ex parte communications with the defendant or that he may have learned information that was material to the case. While preparing discovery, the prosecutor listened to the defendant's jail calls and recognized Respondent's voice. He informed his supervisor and notified Respondent that he would be listed as a state's witness in the case.

SANCTION: The Court adopted the Board's recommended sanction and suspended Respondent for six months, all stayed.

CONCURRING IN PART, DISSENTING IN PART: Justice Donnelly would have imposed a public reprimand.

NOT PARTICIPATING: Justice Fischer

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	8.4(c)
Aggravation/Mitigation	A- none; M- (1) (no prior discipline), (2) (no dishonest or selfish motive) ,(4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Thompson (2011); Gottesman (2007)
Cited By	

OVERVIEW: Respondent was publicly reprimanded for falsely notarizing a backdated automobile title.

PROCEDURE: The Board adopted the parties' consent-to-discipline agreement and recommended adoption by the Court.

FINDINGS: Respondent witnessed and notarized a contract for the sale of a vehicle from an estate. At the same time, Respondent falsely notarized and backdated the title to the vehicle to enable its transfer without the involvement of probate court.

SANCTION: The Court adopted the parties' consent-to-discipline and publicly reprimanded Respondent.

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	8.4(d)
Aggravation/Mitigation	A-none; M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Fink (2011); Smith (2016)
Cited By	

inflammatory things about her past and expressed concern that the information might be used against her in the pending litigation. On March 15, 2017, the trial court granted Ms. Krenn's motion. Respondent appealed the judgment. While the appeal was pending, the trial court issued an order suspending Mr. Krenn's parenting time. Respondent moved to vacate the ruling, but the court of appeals denied Respondents' motion and later affirmed the disqualification entry. On October 19, 2017, Respondent withdrew from the case.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and recommended sanction of a public reprimand.

NOT PARTICIPATING: Justice Donnelly

OVERVIEW: Respondent received a public reprimand for engaging in conduct that was prejudicial to the administration of justice.

PROCEDURE: The Board accepted the panel's findings of fact, conclusions of law, and recommended sanction.

FINDINGS: Respondent agreed to represent Rainie Krenn, the wife of his longtime friend and former client Tim Krenn, in a child-support and visitation matter involving Ms. Krenn's daughter from a previous relationship. Mr. Krenn agreed to adopt the child, and Respondent represented the couple in the stepparent-adoption proceeding. The Krenns divorced in 2015, but Respondent did not participate in the proceedings. In January 2017, Ms. Krenn initiated post decree proceedings seeking to have Mr. Krenn cited for contempt and to enforce the parenting-time and child-support orders. Mr. Krenn retained Respondent to represent him in the proceedings. Ms. Krenn sought the disqualification of Respondent and testified that when he was representing her, she told him personal, and

Sanction	One-year suspension, six months stayed
Court Modified Sanction	No
Rules Violated	1.5(a), 1.5(d)(3), 8.1(a), 8.1(b)
Aggravation/ Mitigation	A-(6) (false or deceptive practices during investigation); M- (1) (no prior discipline), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Maney (2017); Smith (2017)
Cited By	

indicated that the authors were aware of the circumstances that had led to the disciplinary investigation. He later acknowledged that some of the authors were not aware of the grievance against him or the purpose for which he had intended to use their letters.

SANCTION: The Court adopted the parties' consent-to-discipline agreement and suspended Respondent for one year, with the final six months of the suspension stayed on the conditions that he refund \$4,750 to his client within 60 days and refrain from any further misconduct.

OVERVIEW: Respondent received a one-year suspension with six months stayed for misconduct related to a client matter and providing false evidence during the ensuing disciplinary investigation.

PROCEDURE: The Board recommended the adoption of the parties' consent-to-discipline agreement.

FINDINGS: Respondent agreed to represent a client in a criminal matter for a \$15,000 flat fee, of which the client paid \$9,500. Respondent failed to advise the client if he did not complete the representation, the client might be entitled to a refund of all or a portion of the flat fee as required by Prof.Cond.R. 1.5(d)(3). Respondent later withdrew from the representation and failed to refund any of the client's fee. During the investigation, Respondent produced a copy of a purported engagement letter, which he claimed that he had given to the client in compliance with Prof.Cond.R 1.5(d)(3). Respondent submitted 28 "letters of support" from various individuals, including judges and other lawyers. He initially

Sanction	Two-year suspension, 18 months stayed
Court Modified Sanction	No
Rules Violated	1.1, 1.3, 1.4(a)(3), 1.16(e), 8.4(c), 8.4(d), 8.4(h)
Aggravation/Mitigation	A-(2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses),(7) (refusal to acknowledge wrongdoing), (9) (no restitution); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Gill (2013); Wineman (2009); Scurry (2007)
Cited By	

OVERVIEW: Respondent received a two-year suspension with eighteen months stayed based on multiple violations arising from his convictions of two alcohol-related offenses while driving under suspension and the neglect or incompetence in handling two client matters.

PROCEDURE: The Board accepted the panel’s findings of fact, conclusions of law, and recommended sanction but also recommended that he be required to serve 18 months of monitored probation.

FINDINGS: Respondent was appointed to represent a client on five felony charges. The client noticed Respondent smelled of alcohol and

was slurring his words on the day of his jury trial. The judge removed Respondent from the case and continued the client’s jury trial. When Respondent left the courthouse, law-enforcement officers responded to a report of Respondent in the driver’s seat of his car and observed signs of intoxication. He was arrested and charged with a physical-control violation and his driving privileges were revoked. At his hearing court personnel noticed that he again smelled of alcohol. Following the hearing, he left the courthouse, got into his car, and drove out of the parking lot where he was charged with an OVI and driving under suspension. Respondent agreed to represent a client in a small-claims matter for a flat fee plus the filing fee. Despite assurances that he would file the complaint and attend the trial, he failed to appear. In another matter, he agreed to file an eviction action for a company to evict tenants. Neither the parties nor Respondent appeared at a February hearing and the case was dismissed with costs to be paid by his client. Based on his own error in writing a check for the filing fees his client was also ordered to pay the delinquent filing fee. He failed to communicate with his client that he missed the hearing or that the case had been dismissed.

SANCTION: The Court adopted the Board’s recommended sanction of a two-year suspension with 18 months stayed on conditions that he engage in no further misconduct, that he complete an OLAP assessment, make restitution to his client. As a condition of reinstatement, he was required to submit proof that he complied with his court ordered probation, abstain from alcohol, and comply with any OLAP contract, pay costs, and serve 18 months of monitored probation.

CONCURRING: Chief Justice O’Connor, Justices French and Donnelly; Justice Fischer concurs with an opinion, Justice Stewart concurs with judgment only.

CONCURRING IN PART AND DISSENTING IN PART: Justices Kennedy and DeWine

Sanction	Two-year stayed suspension
Court Modified Sanction	Yes
Rules Violated	1.5(a), 1.7(a)(2), 1.16(a)(3), 3.1, 3.3(a)(1), 4.2, 4.4
Aggravation/Mitigation	A-(2) (dishonest or selfish motive), (4) (multiple offenses), (7) (refusal to acknowledge wrongdoing), (9) (no restitution); M- (1) (no prior discipline), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent received a two-year stayed suspension for misconduct related to the representation of a single client in several legal matters.

PROCEDURE: The panel recommended a two-year suspension with 18 months stayed on conditions. The Board adopted the findings of fact, conclusions of law, and recommended sanction of the panel.

FINDINGS: Respondent represented a family friend who had been diagnosed with dementia and was living in a specialized care facility. The client and his wife informed Respondent that they wanted to end their marriage and Respondent had previously drafted the estate plan of the client and his wife. Respondent advised that he would not be able to represent either of them in an adversarial proceeding. The client was later arrested and charged with domestic violence and assault following an altercation with his wife and was eventually placed on probation. Respondent

represented the client in the criminal case and shortly thereafter drafted a general and durable power of attorney that named him as attorney-in-fact. In communications with his client's wife's lawyer, he proposed an equal split in marital assets, but requested a \$50,000 advance against his client's share to pay his legal fees. A friend of the client placed him on a plane to Colorado where his daughter resided and Respondent's representation was later terminated. Despite the termination, Respondent continued to negotiate with his client's wife's lawyer on a global settlement of the divorce, which included payment of Respondent's fees and return of his client's Olympic ring, which he claimed was being held as collateral for his fees. When the effort was unsuccessful, Respondent filed a petition for declaratory judgment against the client, his clients' daughter and friend, and the trustee of the Harper Family Trust Agreement. The declaratory judgment also stated civil claims for tortious interference, undue influence, and sought an award of spousal support to include his fees. He also filed a notice in the probate court claiming the former client's daughter had engaged in the unauthorized practice of law by assisting the client in the revocation of his power of attorney. Respondent dismissed his petition and at a status conference falsely informed the court that his former client had been kidnapped. He later asked his former client and wife for a fair payment for the services he rendered.

SANCTION: The Court suspended Respondent from the practice of law for two years, with the entire suspension stayed on the condition that he engage in no further misconduct, and required him to serve a two-year period of monitored probation.

CONCURRING: Justice DeWine concurring in judgment only.

DISSENTING: Justice Stewart joined in a dissent with Justice Kennedy and would order restitution to third parties. Justice Fischer dissented in a separate opinion.

Sanction	Disbarment
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(1), 1.4(a)(3), 1.4(a)(4), 1.5(c)(2), 1.6(a), 1.15(a), 1.15(a)(2), 8.1(a), 8.1(b), 8.4(c)
Aggravation/Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive),(3)(pattern of misconduct),(4) (multiple offenses),(5) (lack of cooperation), (6) (false or deceptive practices during investigation),(7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim), (9) (no restitution); M-(5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Freeman (2011)
Cited By	

OVERVIEW: Respondent was disbarred for misappropriation of client funds, disclosure of client information, failure to communicate with clients, and his dishonesty and failure to respond to demands for information during the disciplinary investigation.

PROCEDURE: The parties entered into stipulations of fact and some misconduct. The panel found that Respondent had committed all but two of the alleged rule violations. The Board adopted the panel’s report and recommendation. No objections were filed.

FINDINGS: Respondent was charged with 28 violations in a five count complaint. He represented a client in a workers’ compensation matter. Respondent did not inform his client of a receipt of a settlement check that he cashed and misappropriated the funds. He lied about circumstances during his deposition, but admitted to the misappropriation at the hearing. Respondent later attempted to convince his client to withdraw the grievance. In a second count also involving a workers’ compensation claim he also cashed a settlement check without immediately transferring the funds to the client. He did not return numerous calls from his client regarding the settlement check. During his representation of another client in a divorce matter he deposited a \$500 advance for expenses and deposited funds into a prepaid-debit-card account instead of a client-trust account. In another matter he was retained to replace a client’s court-appointed counsel in a criminal case. The case was scheduled for trial, but Respondent had a conflict. The court appointed attorney filed a grievance after they discovered that Respondent had visited her client in jail on several occasions without her knowledge or consent during her representation. In the last count, Respondent settled a personal injury claim on behalf of a client, but rather than deposit the check in his trust account, he cashed the check and only gave a partial sum to the client. He testified that he retained the rest of the funds in a safe in his mother’s house, but the funds were never found by Relator’s investigators. Overall, Respondent admitted that he kept his clients’ money “because [he] needed it” and used it to cover his personal expenses.

SANCTION: The Court adopted the Board’s findings of fact and misconduct, and recommended sanction of disbarment. The Court ordered Respondent to make restitution to three clients and a law firm.

Sanction	Disbarment
Court Modified Sanction	Yes
Rules Violated	1.1, 1.3, 1.4(a)(1), 1.4(a)(2), 1.4(a)(3), 1.4(b), 1.15(c), 1.16(e), 8.1(b), 8.4(d); GBR V(9)(G), GBR V(8)(E)(1)(a)
Aggravation/Mitigation	A-(1) (prior discipline), (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (5) (lack of cooperation), (8) (harm to vulnerable victim), (9) (no restitution); M-None
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	Boggs (2011); Bogdanski (2013); DiMartino (2016); Agopian (2006); Frazier (2006); Moushey (2004); Henry (2010)
Cited By	

Board issued a report finding that Respondent had engaged in most of the charged misconduct and recommended an indefinite suspension.

FINDINGS: This is Respondent’s third discipline case before the Court. In October 2012, the Court suspended Respondent for one year, but stayed the suspension on conditions for neglecting 12 bankruptcy matters and one small claims action. Less than two years later, the Court found that Respondent had committed misconduct in connection with four client matters, including incompetently handling and neglecting clients’ cases, failing to maintain records for his client trust account, improperly communicating with an opposing party, failing to cooperate in a disciplinary investigation, and refusing to pay a fee-dispute arbitration award of \$2,500, which resulted in a default judgment against him. Some of the misconduct occurred during the period of the 2012 stayed suspension. The Court suspended him for two years, with six months stayed on conditions, including that he submit proof that he had paid the default judgment. However, Respondent did not comply with the Court’s order and the suspension remains in effect. This case, also involves neglecting clients, failing to cooperate in the disciplinary investigation, failing to notify his clients of his suspension, failing to return advances and unearned fees. Respondent has a history of misconduct, including a pattern of not simply neglecting clients, but abandoning them. Respondent also has a history of not complying with orders of the Supreme Court of Ohio and ignoring the requirements associated with the disciplinary process.

OVERVIEW: Respondent received disbarment for multiple violations of the Professional Conduct Rules, including neglecting client matters, engaging in conduct that is prejudicial to the administration of justice, failing to return unearned fees, and failing to cooperate in the disciplinary investigation.

PROCEDURE: The Court imposed an interim default suspension based on Respondent’s failure to answer the complaint. Respondent later moved for leave to answer Relator’s amended complaint and the Court granted his motion and remanded the matter to the Board. After a hearing, the

SANCTION: The Court adopted the Board’s findings of fact and misconduct, but imposed disbarment.

DISSENT: Justices Kennedy, French, and O’Neill dissented and would have indefinitely suspended the Respondent and deny credit for time served under any other suspension.

Sanction	Public reprimand
Court Modified Sanction	No DPSancInDe
Rules Violated	JCR 1.1, 1.2
Aggravation/Mitigation	A- none; M- (1)(no prior discipline), (4) (cooperative attitude), (5)(good character), (6)(other penalties/sanctions)
Criminal Conduct	Yes
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Gonzalez (2020); Doherty (2020); Williams (2017)
Cited By	

OVERVIEW: Respondent received a public reprimand for failing to comply with the law as a judge and not acting in a manner that promotes public confidence in the judiciary.

PROCEDURE: The Board accepted the panel’s findings and recommendations.

FINDINGS: Respondent was reported by a motorist as a suspected intoxicated driver. A police officer responded to the call and stopped Respondent. When approached by the officer, Respondent stated that, “[she] was trying to figure out how to get home” and explained that she had gotten lost. The officer detected the smell of alcohol coming from the vehicle and asked if she had consumed any alcoholic beverages, to which Respondent replied, “No.” Although she was not asked for her occupation or identification, Respondent stated that she was a judge. She stated that she had been at a restaurant in downtown, but could not recall the name of the establishment. The officer observed an injury on Respondent’s head, which she denied having, scratches and cuts on her hands that she said was

not the result of domestic violence, and vomit on her coat and the floor of the car. Respondent later handed a police sergeant her cell phone and said that her bailiff was on the phone. Respondent failed the field sobriety tests and was arrested for OVI. After being read her Miranda rights, Respondent refused to sign the acknowledgment form, refused to provide a breath sample, and later refused to submit to a blood draw after a warrant had been signed. Four hospital security officers held her down until her blood could be drawn. She was eventually charged with OVI under two statutory provisions and a marked lane violation. She pleaded guilty to a first-degree misdemeanor count of OVI, was sentenced to 90 days in jail with 87 days suspended with the opportunity to complete a 72-day driver intervention program in lieu of three days in jail, fined \$375, had her license suspended for one year, and ordered to serve one year of probation.

SANCTION: The Court adopted the Board’s recommended sanction and publicly reprimanded Respondent.

Sanction	Six-month stayed suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4)
Aggravation/Mitigation	A- (1)(prior discipline), (8)(harm to vulnerable victim); M- (2AggMitC4)(no dishonest or selfish motive), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	
Cited By	

OVERVIEW: Respondent received a fully stayed six-month suspension for failing to act with reasonable diligence and promptness with a single client, failing to keep the client reasonably informed about the status of her case, and failing to comply with the client's reasonable requests for information about her case.

PROCEDURE: The Board adopted the panel's findings and recommendations. No objections were filed by either party.

FINDINGS: Respondent was retained to represent a client in her divorce proceeding and was paid an initial retainer and a filing fee. The divorce decree awarded an interest to the client in her ex-husband's retirement plan and Respondent received an additional \$5,000 fee from the division of property. Opposing counsel submitted a QDRO to effectuate transfer of the

share of retirement benefits to the Ford Motor Company. Ford rejected the QDRO, and opposing counsel submitted a second QDRO to Respondent. At hearing, Respondent conceded that it was his responsibility to send the second QDRO to Ford. He did nothing to follow up on the status form April 2011 until April 2014 when opposing counsel retained QDRO Group to prepare a QDRO that would meet with Ford's approval. An associate of Respondent submitted third and fourth revised QDROs to Ford which were rejected. A fifth QDRO was prepared, but there is no evidence that it was ever submitted. Opposing counsel telephoned Respondent about the QDRO on numerous occasions, but did not speak with Respondent until April 2017. He promised that he would file the document, but did not follow through on his promise. In October 2017 the fifth QDRO was submitted to Ford, but was rejected. In response to Relator's February 2018 inquiry regarding the status of the case, Respondent obtained court approval of a sixth QDRO and submitted it to Ford. Ford approved the QDRO and the client was entitled to receive a monthly benefit of \$402.92. Respondent stipulated that but for his failure to obtain timely approval of the QDRO, his client's benefits would have commenced approximately 82 months earlier.

SANCTION: The Court adopted the findings of fact, conclusions of law, and recommended sanction of a fully stayed six-month suspension on condition that he engage in no further misconduct.

DISSENTING: Justices Fischer, joined by Chief Justice O'Connor and Justice French.

Sanction	One-year suspension, fully stayed on condition.
Court Modified Sanction	Yes
Rules Violated	1.6(a)
Aggravation/Mitigation	A-(2) (dishonest or selfish motive), (7) (refusal to acknowledge wrongdoing); M-(1) (no prior discipline), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Holder (2004); Fowerbaugh (1995); Miller (2017)
Cited By	

OVERVIEW: Respondent one-year suspension fully stayed for revealing confidential client information without informed consent.

PROCEDURE: The panel dismissed all charges against the Respondent except a finding of 1.6(a). The panel recommended a one year suspension with six months stayed. The Board adopted the panel's report.

FINDINGS: Respondent represented a client during the initial stages of her divorce case. Several years into the case, the client again requested Heben's services. The client paid a retainer, but two weeks later she terminated his

legal services. Respondent subsequently moved to withdraw as counsel, and submitted an affidavit stating his reasons for the withdrawal. In the affidavit, he recounted communications he had with his client about the scope of his representation, compensation, her refusal to pay his agreed-upon fees, and legal advice he had given her. He also described his client's discharge of him as "retaliatory" and was based on his advice to her about "potentially illegal actions" she wanted to undertake concerning her ex-husband. Upon the client's motion, the affidavit was stricken from the record in the case. The judge indicated in his order that the disclosure of attorney-client communications in the affidavit were inappropriate and unnecessary for purposes of seeking withdrawal.

SANCTION: The Court adopted the Board's findings of fact and misconduct, but imposed a fully stayed one-year suspension on condition that Respondent engage in no further misconduct.

DISSENT: Chief Justice O'Connor and Justice Fischer dissented and would suspend respondent for one year with six months stayed.

Sanction	One-year suspension, six months stayed
Court Modified Sanction	No
Rules Violated	1.1, 1.3, 1.4(a)(2), 1.4(b), 1.5(d)(3), 1.15(a), 1.15(a)(2), 3.3(a)(1), 5.3(b), 5.3(c)(2), 5.4(a)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses) (8) (harm to vulnerable victim); M- (1) (no prior discipline), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Miller (2012); Schuman (2017); Simonelli (2007)
Cited By	

OVERVIEW: Respondent received a one-year suspension with six months stayed for committing multiple ethical violations related to his handling of a client's bankruptcy matter and his supervision of a nonlawyer in his law office.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of one year with six months stayed, but modified some conditions of the stay.

FINDINGS: Respondent hired a nonlawyer to assist him in his office. The assistant met with

clients, prepared bankruptcy petitions under supervision, and accepted client payments. The assistant rented a room in Respondent's home. In December 2016, Respondent discovered that the assistant was collecting cash payments from clients, but not keeping records or remitting all funds to Respondent. After a period of time and an internal investigation, Respondent estimated that the assistant stole \$19,000 from the firm. The assistant admitted to local police that he stole some funds. No charges were brought against the assistant. In another count, Respondent was hired to represent a client in a Chapter 7 bankruptcy. Respondent filed the petition without giving the client an opportunity to review it. A subsequent property schedule listed the client's vehicle at less than the full market value she had paid and did not list the seller as a secured creditor. The client's signature on the inventory was purportedly forged. Before a meeting of creditors, Respondent learned that a sum of \$3,000 was used as a down payment on a vehicle. Respondent became angry and suggested they skip the creditor's meeting and allow the court to dismiss her case. After Respondent failed to attend a third creditor's meeting, the court dismissed the case for failure to pay the filing fee. Respondent offered to refile the petition, but indicated the client would need to pay the outstanding filing fee plus a new filing fee. The client later requested a refund which Respondent paid. At hearing, an expert testified that Respondent's bankruptcy filings contained numerous deficiencies and errors.

SANCTION: The Court adopted the Board's recommended sanction of a one-year suspension with six months stayed on conditions that he complete six hours of CLE in law-office and client-trust-account management, in addition to the requirements of Gov.Bar R. X, submit to a drug-and-alcohol assessment, pay the outstanding bankruptcy filing fee, and commit no further misconduct.

Sanction	Two-year, stayed suspension
Court Modified Sanction	No
Rules Violated	1.4(a)(3), 3.4(d)
Aggravation/Mitigation	A- (1) (prior discipline), (3) (pattern of misconduct), (8) (harm to vulnerable victim); M- (2) (no dishonest or selfish motive)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	
Cited By	

OVERVIEW: Respondent received a two-year stayed suspension for failing to reasonably communicate with a client and failing to make a diligent effort to comply with discovery requests.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of a two-year, stayed suspension.

FINDINGS: Respondent represented a client in a dispute with the client's insurance carrier after his home was damaged by fire. After a complaint was filed, discovery requests and a notice of deposition were sent to Respondent. He then filed a motion for protective order claiming harassment and that his client had already been questioned under oath regarding his claim. The insurer's counsel later contacted Respondent to inform him that the discovery responses were overdue. Respondent replied that he did not recall receiving the requests. After a second deadline had passed, the insurer's counsel filed a motion to compel discovery. At a hearing on the matter,

Respondent indicated he would immediately provide responses to the first set of interrogatories but would send a verification page at a later time. The insurer's counsel received no responses to further inquiries about the status of verification page or the outstanding discovery responses. Counsel for the insurer later sent an IRS form to Respondent to obtain access to the insured's tax records but received no response. After additional discovery was propounded without a timely response, a second motion to compel discovery was filed, but Respondent did not respond to the motion. The court granted the motion and indicated its intention to grant sanctions against Respondent, up to and including, dismissal of the complaint with prejudice. The insurer later filed a motion for discovery sanctions, dismissal of the complaint, and an award of reasonable attorney fees which the court granted. Respondent's client was not made aware of many important facts regarding his case, including a deposition date, the insured's second motion to compel, a motion for summary judgment that was untimely filed, and that his insurer was not provided a verification page for his signature related to a first set of interrogatories.

SANCTION: The Court adopted the Board's findings of fact and conclusions of law, and suspended Respondent for two years, all stayed.

CONCURRING WITH A SEPARATE OPINION: Justice Kennedy

CONCURRING IN PART AND DISSENTING IN PART Justice Fischer joined by Chief Justice O'Connor

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	Jud.Cond.R. 1.2, 2.11(A)(7)(b)
Aggravation/Mitigation	A- (4) (multiple offenses),(8) (harm to vulnerable victim); M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude) (5) (good character)
Criminal Conduct	No
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Oldfield (2014); Goldie (2008); Vukelic (2004)
Cited By	

OVERVIEW: Respondent, a juvenile magistrate, was publicly reprimanded for failing to recuse herself from proceedings in which her impartiality may be questioned.

PROCEDURE: The Board adopted the panel’s recommendation of a public reprimand. Neither party objected to the Board’s recommendation, findings of fact, and conclusions of law.

FINDINGS: Prior to becoming magistrate, Respondent served for nine years as an attorney for Franklin County Children Services. Less than six months into her new position as magistrate, she presided over three cases in which she had previously participated personally and substantially as a lawyer for the agency. In one case, she had represented children services for over two-years in proceedings involving a mother with chronic drug-dependency issues, arguing positions adverse to the mother in eight hearings. Children Services suspected the same mother was

again using drugs, and sought a temporary order of protective supervision. A magistrate scheduled to preside over the hearing requested Respondent to cover for him because of a conflict of interest. Respondent agreed to hear the matter despite her prior involvement in the case. Respondent recognized the mother when she arrived at the hearing. At the mother’s request, Respondent appointed an attorney who was not present at the hearing. Respondent advised the mother that if she wanted the attorney present, she could request a continuance after the parties had an opportunity to state their requests for temporary orders. But after hearing from attorneys, Respondent failed to give the mother an opportunity to request a continuance or respond to the arguments in favor of temporary orders. Respondent then issued a temporary order placing custody of the one-year-old child with children services. Two weeks later, another magistrate vacated Respondent’s order and reunited the mother and child. Respondent acknowledged at hearing that she should not have presided over the preliminary hearing and two other cases in which she had participated personally and substantially as an attorney for children services. While she disclosed to counsel and parties her involvement in matters, she failed to follow the waiver procedures set forth in Jud.Cond.R. 2.11(C).

SANCTION: The Court adopted the Board’s findings of fact and misconduct, and recommended sanction of public reprimand.

NOT PARTICIPATING: Justice DeWine

Sanction	Six-month stayed suspension
Court Modified Sanction	No
Rules Violated	1.6(a), 8.4(h)
Aggravation/Mitigation	A- (3)(pattern of misconduct); M-(1) (no prior discipline), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Psenicka (1991); Yurich (1997).
Cited By	

forwarded to Kerr e-mails that he had exchanged with his clients which included similar documents he had prepared for them. In June 2016, Holmes' law firm discovered that he had disclosed confidential client information to Kerr and, as a result, removed him from the firm. Kerr admitted to the partners of her firm that she and Holmes had exchanged client information and that he had completed some of her work. Despite the relator's investigation, Respondents continued the same pattern of misconduct.

SANCTION: The Court adopted the parties' consent-to-discipline agreements.

NOT PARTICIPATING: Justice DeWine

OVERVIEW: Respondents were suspended for six months, all stayed for revealing information related to the separate representation of several clients.

PROCEDURE: Respondents submitted consent-to-discipline agreements that recommended a six-month stayed suspension. The Board recommended that the Court adopt the agreements.

FINDINGS: In their respective consent-to-discipline agreements, Respondents stipulated that they primarily represented school districts in their respective law practices and commenced a personal relationship in 2015. Between January 2015 and November 2016, they exchanged a dozen e-mails in which they revealed client information to each other, including information protected by the work-product doctrine or the attorney-client privilege, although they were not employed by the same law firm and did not jointly represent any clients. In general, Kerr forwarded to Holmes e-mails from her clients requesting legal documents. In response, Holmes

Sanction	Two-year suspension
Court Modified Sanction	No
Rules Violated	8.4(h)
Aggravation/Mitigation	A- none; M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions), (7) (mental illness)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Blauvelt (2020)
Cited By	

OVERVIEW: Respondent received a two-year suspension for conduct arising from his armed confrontation with a tenant and a social-media post disparaging the judge who arraigned him on criminal charges.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommendation of a two-year suspension with credit for time served under Respondent's felony suspension.

FINDINGS: Respondent rented out several units on property he owned. His son managed the rentals. Respondent was diagnosed with bipolar disorder and testified that he had refused to take any medication between 2001-2019. During the summer of 2019 he met Jason Pelfrey while working in one of his garages on the property and was informed that he was renting an apartment from Respondent's son. In October 2019, Respondent noticed that someone had accessed a building on the property without authorization. He retrieved a 12-gauge shotgun and began shouting for anyone present to identify themselves. He recognized everyone he met as a

current tenant until he encountered Pelfrey. He demanded that Pelfrey identify himself, accused him of breaking into buildings, not paying rent, and told him to leave the premises. Pelfrey refused to leave and locked himself in his apartment. Respondent later grabbed a baseball bat and shattered a sliding glass door to the apartment. He was arrested and posted bond. He was later indicted on two first-degree felony counts of aggravated burglary with firearm specifications and a first-degree misdemeanor count of aggravated menacing. Several months later he posted a derogatory message on Facebook about the judge who arraigned him and blamed him for the criminal charges that were pending. He failed to appear for a hearing and a warrant was issued for his arrest. After being transferred and involuntarily held at a behavioral healthcare facility, he underwent treatment to restore his competency. He later pleaded guilty to one third-degree felony count of burglary and a first-degree misdemeanor charge of aggravated menacing. He was sentenced to three years of intensive community control and ordered to remain in counseling and take his prescribed medication.

SANCTION: The Court adopted the Board's findings of fact and conclusions of law, and suspended Respondent for two years with credit for time served under his interim felony suspension. Reinstatement was conditioned on proof that (1) he is in full compliance with the conditions of his community control imposed in the criminal case, (2) has submitted to a full psychological assessment conducted by OLAP and complied with all recommendation, (3) has entered into an OLAP contract, and (4) submitted an opinion from his treating psychiatrist stating that he is able to return to the competent, ethical, and professional practice of law.

Sanction	Two-year suspension, one year stayed on conditions.
Court Modified Sanction	No
Rules Violated	1.4(c), 1.5(c)(1), 1.5(e)(2), 1.15(d), 1.15(a)(2), 1.15(a)(3), 1.15(a)(4), 1.15(a)(5), 1.16(c)
Aggravation/Mitigation	A- (1) (prior discipline), (3)(pattern of misconduct), (4) (multiple offenses) M-(4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Royer (2012); Tomer (2013); Corner (2016)
Cited By	

OVERVIEW: Respondent received a two-year suspension, one year stayed for settling clients' personal-injury claims and endorsing settlement checks without the clients' authority and converting the settlement proceeds to her own use.

PROCEDURE: The parties submitted joint stipulations of fact and aggravating and mitigating factors and Respondent admitted to some of the charged misconduct. The Court adopted the Board's findings of misconduct and recommended sanction.

FINDINGS: Respondent represented a client and her daughter in a personal-injury case. Respondent and the client entered into a standard contingent-fee agreement which provided for a

fee of 33.3 percent of the amount recovered if settlement occurred before suit. Respondent did not countersign the contract. Respondent filed the case in 2014, voluntarily dismissed it in 2015, then refiled it in 2016. A final pretrial conference, the client agreed to settle her claim for \$100,000 and her daughter's claim for \$25,000. Because the daughter was a minor, an application for probate-court approval of the settlement was filed. During the hearing, the magistrate indicated that the attorney fees for a minors' claim were limited to one-third of the settlement. He awarded the mother \$7,000 from her daughter's settlement for loss of service which Respondent felt was intended for the mother to pay the remainder of her fee. Respondent and her client met at a public library to sign the settlement checks. A verbal altercation ensued over Respondent's fees and a fee discount and the police were called. Respondent ceased contact with her client, but failed to file a written motion for withdrawal. In her grievance, the grievant claimed she had not received the amount awarded by the probate court. Respondent claimed that a check had been mailed. Five months after the grievance was filed, Respondent issued a new check and stopped payment on the previous check.

SANCTION: The Court adopted the Board's findings of fact and misconduct, and recommended sanction of a two-year suspension with one year stayed. As a condition of restatement, Respondent was required to complete 12 hours of CLE addressing law-office management, with three hours focused on client-trust-account-related instruction. Additionally, Respondent was ordered to serve a one-year period of monitored probation.

NOT PARTICIPATING: Justice DeGenaro

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	8.4(b), 8.4(h), Jud.Cond.R. 1.2, 1.3, 2.3(B), 4.4(B)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (6) (false or deceptive practices during investigation), (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent received an indefinite suspension for criminal convictions related to his failure to complete an accurate campaign statement, allowing staff to work on his judicial campaign, and inappropriate sexual conduct.

PROCEDURE: The Board adopted the panels’ findings of fact and conclusions of law, but disagreed with the recommended sanction.

FINDINGS: Respondent served as a common pleas judge during the period of misconduct. He pleaded guilty to three misdemeanor counts for failing to file complete and accurate campaign statements. Respondent was sentenced to serve

ten days, undergo a drug and alcohol assessment and complete follow-up treatment, pay restitution to the Mid-Ohio Foodbank in the amount of \$2,065, complete 100 hours of community service, verify that he attended at least one AA meeting per week, and stay involved with the program. In addition, he violated other conduct rules by allowing his judicial staff to work on his judicial campaign during work hours and at public expense, using county resources for his judicial campaign, directing his judicial staff to be involved in the receipt, handling and delivery of campaign contributions. Respondent admitted that he told his court staff, “If you want to work on [the campaign], you want to volunteer, that’s great, you know I would appreciate it.” In another count, Respondent was charged with directing inappropriate sexual comments and conduct to members of his staff from the summer of 2013 until the autumn of 2014. He engaged in sexual conduct with one former intern and allowed his friends to touch and grope her inappropriately at his insistence. The same intern stated that Respondent got angry on one occasion when she objected to his sexual statements and she worried it would affect her job.

SANCTION: The Court adopted the Board’s recommended sanction of an indefinite suspension and conditioned his reinstatement on his continued participation in AA, submission to a new OLAP evaluation and compliance with any treatment, not contacting the former employees and interns who testified in the proceedings, and payment of the costs of the proceedings.

Sanction	Two-year suspension
Court Modified Sanction	Yes
Rules Violated	3.3(a)(1), 8.4(b), 8.4(c), 8.4(d)
Aggravation/Mitigation	A- (1)(prior discipline), (2) (dishonest or selfish motive), (4)(multiple offenses); M-(3)(restitution or rectified consequences), (4) (cooperative attitude), (5)(good character), (6)(other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Holland (2005); Stahlbush (2010)
Cited By	

OVERVIEW: Respondent received a two-year suspension stemming from felony convictions for tampering with records and theft.

PROCEDURE: Based on the parties' stipulations, the Board recommended a two-year suspension with credit for time served.

FINDINGS: Respondent was retained by the parents of a defendant in a criminal case. At the time, the defendant was represented by a public defender. Respondent orally agreed to undertake the representation for a flat fee of \$10,000. The defendant's parents paid Respondent a \$4,000 retainer at the end of February and in mid-April, Respondent filed a notice of special, limited appearance of cocounsel stating that he would assist the public defender with motions practice and trial preparation. The prosecutor expressed concern that public funds were being used to

provide legal representation to the defendant when he also had private counsel. The public defender later filed a motion to appoint Respondent as cocounsel, but Respondent reiterated at hearing that the defendant's family was "trying to make arrangements" to privately retain him. However, the court granted the motion and Respondent never disclosed that he had been privately retained nor rejected the appointment. At the conclusion of representation Respondent filed with the court a motion for extraordinary fees and requested approval of a \$6,160 fee. He also filed a motion, entry, and certification for appointed-counsel fees in which he certified that he had received no other compensation in connection with the case. He did not disclose that he already had received \$8,000 directly from his client's parents. The court granted the motion and awarded fees of \$5,000. Respondent later received and cashed two more \$500 checks from his client's parents.

SANCTION: The Court adopted the Board's findings of fact and conclusions of law, and suspended Respondent for two-years with no credit for time served. The Court also required Respondent to complete six hours of CLE focused on ethics and professionalism in addition to the requirements in Gov.Bar R. X and provide proof of completion upon reinstatement.

CONCURRING: Chief Justice O'Connor, Justices Fischer and Stewart.

CONCURRING IN JUDGMENT ONLY: Justice Kennedy.

CONCURRING IN PART AND DISSENTING IN PART: Justices French, DeWine, and Donnelly would grant credit for time served under the felony suspension.

Sanction	Disbarment
Court Modified Sanction	No
Rules Violated	1.4(a)(3) , 1.4(a)(4) , 3.3(a)(1) , 3.4(c) , 4.1(a) , 5.5(a) , 1.16(d) , 1.16(e) , 8.1(b) , 8.4(c) , 8.4(d) , 8.4(h) ; GBR_V(9)(G)
Aggravation/Mitigation	A-(1) (prior discipline), (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (5) (lack of cooperation), (6) (false or deceptive practices during investigation), (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim); M-(6) (other penalties/sanctions)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Fletcher (2013) ; Sabroff (2009) ; Frazier (2006) ; Allison (2003) ; Pryatel (2016) ; Brown (2015) ; Cicirella (2012)
Cited By	

OVERVIEW Respondent was disbarred for violating multiple violations of the Rules of Professional Conduct in the course of representing six separate clients.

PROCEDURE: On February 19, 2015, the Supreme Court of Kentucky suspended Respondent’s license to practice law in that state

for 60 days. The Court imposed reciprocal discipline on April 23, 2015 suspending Respondent for 60 days, and the Court conditioned his reinstatement on several factors, including his reinstatement in Kentucky. The Ohio suspension remains in effect. On June 28, 2016, during the pendency of this action, the Court indefinitely suspended Respondent in another disciplinary action upon finding that he engaged in a disturbing pattern of neglect and an ongoing failure to comply with established rules and procedures, a flagrant disobedience of court orders, and a propensity to engage in dishonesty when his actions are questioned. The Court also found Respondent in contempt on the April 23, 2015 reciprocal discipline order and fined him \$600 for continuing to practice law in three cases while his license was under suspension. Respondent did not appear at the panel hearing for the present matter. The Board issued a report finding that Respondent committed multiple violations and recommended permanent disbarment.

FINDINGS: Respondent knowingly continued to practice law while his license was suspended, impersonated a former colleague in dealings with opposing counsel and the courts of this state, lied to his clients about the status of his license to practice law, and failed to respond to Relator’s demands for information.

SANCTION: The Court adopted the Board’s findings of fact and imposed the recommended sanction of permanent disbarment and ordered Respondent to make restitution of \$1,500 no later than 90 days from the date of the order.

Sanction	Indefinite suspension
Court Modified Sanction	Yes
Rules Violated	5.5(a), 5.5(b)(2), 7.1, 8.4(c)
Aggravation/Mitigation	A-(1) (prior discipline), (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim); M- (3) (restitution or rectified consequences), (4) (cooperative attitude), (7) (mental illness)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Mitchell (2010)
Cited By	

felony convictions violated federal law. In each letter, Respondent included a proposed settlement offer of to avoid filing a complaint with the EEOC if the employer would agree to pay \$50,000. The letters included the name of Respondent’s former law firm. Under the signature of the letters, he typed his name and “J.D., Esquire.” He later admitted that he had no “client” but was acting solely on his behalf. The Board concluded that Respondent had misrepresented his status as an Ohio lawyer in an attempt to mislead and intimidate small businesses into paying him money. One recipient of a letter testified that he signed the agreement and issued a check to the law firm.

SANCTION: The Court rejected the Board’s recommendation of disbarment and imposed an indefinite suspension with conditions for reinstatement to submit to a mental health evaluation with OLAP, maintain and comply with his OLAP contract, and comply with all recommendations of OLAP and his treating professionals.

DISSENT: Chief Justice O’Connor and Justice O’Donnell dissented and would have disbarred the Respondent.

OVERVIEW: Respondent was indefinitely suspended for practicing under suspension, engaging in misleading communications and dishonesty, fraud, deceit, and misrepresentation.

PROCEDURE: The Board adopted the panel’s findings of fact, conclusions of law, and recommended a sanction of disbarment.

FINDINGS: Respondent perceived that he was unable to find employment after a previous suspension due to his race and prior felony convictions. In response, he sent “demand letters” to at least 20 internet job posting that included language disqualifying applicants who had criminal backgrounds. He warned in his letter that blanket exclusion of job applicants with

Sanction	Two-year suspension, with the second year stayed on condition
Court Modified Sanction	No
Rules Violated	8.4(b), 8.4(c), 8.4(d), 8.4(h); Jud.Cond.R. 1.2
Aggravation/Mitigation	A-(2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (7) (refusal to acknowledge wrongdoing); M-(1) (no prior discipline), (3) (restitution or rectified consequences), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions), (8) (other rehabilitation)
Criminal Conduct	No
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Hale (2014); Medley (2004); Squire (2007); Connor (2004)
Cited By	

conduct that adversely reflects on the his fitness to practice law.

PROCEDURE: Respondent stipulated to most, but not all, of the allegations against him. The Board adopted the panel’s findings of fact and conclusions of law, and recommended a two-year suspension, with the second year stayed on condition.

FINDINGS: Respondent’s misconduct arises from his activities that led to his criminal convictions while serving as a judge for the Bedford Municipal Court. Respondent was found guilty of soliciting prostitution and falsifying a court record.

SANCTION: The Court adopted the Board’s findings of fact and misconduct, and imposed a two-year suspension with the second year stayed on condition that he commit no further misconduct.

DISSENT: Chief Justice O’Connor and Justice French dissented and would not stay any portion of the suspension.

OVERVIEW: Respondent received a two-year suspension, with the second year stayed for failing to act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary and to avoid impropriety and the appearance of impropriety, committing an illegal act that reflects adversely on the his honesty or trustworthiness, engaging in conduct that is prejudicial to the administration of justice, and

Sanction	Six-month stayed suspension
Court Modified Sanction	No
Rules Violated	1.15(a), 1.15(c), 1.15(d), 1.4(c), 1.5(c)(2)
Aggravation/Mitigation	A- (3) (pattern of misconduct), (4) (multiple offenses); M- (1) (no prior discipline), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Keating (2018); Gregory (2012)
Cited By	

OVERVIEW: Respondent received a six-month stayed suspension for violating IOLTA rules, failing to inform a client that he did not carry malpractice insurance, failing to prepare a closing statement in a contingent-fee agreement, and failing to notify a third party of receipt of funds.

PROCEDURE: The parties originally entered into a consent-to-discipline agreement that included a public reprimand that was rejected by the Court and remanded to the Board. Two cases filed by Relator against Respondent were consolidated.

FINDINGS: Respondent was retained to review a case file of an incarcerated client and paid \$2500. After his review, he notified the client's mother that there were no grounds for appeal and that the only option was to file a state-court

habeas corpus petition. After receiving an additional amount to perform more research, he did not deposit the fee in his IOLTA nor maintain detailed records of disbursement of the funds after the representation was terminated. Respondent never filed a pleading on the client's behalf, nor could he produce any documentation concerning the representation. In other matters, he entered into contingent-fee agreements with two clients and was on notice that a chiropractor clinic was to be paid out of the respective settlements. After Respondent settled the two cases he deposited the amounts into his client trust account. After the settlements, he received a call from the clinic inquiring when it would be paid. Respondent was unable to furnish evidence that the clinic had been paid for one client's treatment. The clinic later filed a grievance against Respondent.

SANCTION: The Court agreed with the Board's recommended sanction of six months all stayed. He was also ordered to complete three hours of continuing legal education in law office management and three hours of CLE in client-trust-account management within 120 days of the disciplinary order and to commit no further misconduct. Chief Justice O'Connor would not have stayed the suspension.

Sanction	Six-month, stayed suspension
Court Modified Sanction	No
Rules Violated	1.1, 8.4(c), 8.4(d)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (4) (multiple offenses); M- (1) (no prior discipline), (3) (restitution or rectified consequences), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Stubbs (2006); Champion (2016)
Cited By	

OVERVIEW: Respondent received a fully stayed six-month suspension for misconduct arising from the false representation of the purchase price of a vehicle on the title paperwork and failing to adequately review a partial estate account before filing.

PROCEDURE: The Board adopted the parties' consent-to-discipline agreement and recommended adoption by the Court.

FINDINGS: Respondent's spouse, Diana Jancura, applied to administer an estate in Cuyahoga County. Diana's application was approved by the probate court. In October 2019, Diana wrote and cashed a \$5,200 check, payable to cash, from the estate. She then purchased a cashier's check in the same amount, payable to James Kepler. Diana gave the cashier's check to Respondent and told him the funds were attorney fees from an estate client. Respondent used the funds to purchase an automobile. When Respondent transferred the automobile's title, he

falsely represented the purchase price to avoid payment of sales tax. Respondent filed a notice of appearance as Diana's attorney in administration of the same estate. Diana provided Respondent with a partial fiduciary account that contained a false entry that the \$5,200 payment to Kepler was a "decedent debt-work - performed prior to death." Respondent signed and filed the partial account without reviewing the document. A relative of two minor beneficiaries of the estate became suspicious about the expenses Diana assessed and hired a lawyer, James Arnold, to review the records. Arnold asked Diana to account for expenses. Her written response falsely described the payment to Kepler. Diana asked Respondent to also sign the response, which he did without reviewing or verifying the contents. Arnold later deposed Diana who admitted to falsifying the \$5,200 claim. Respondent's actions contributed to a 12-month delay in administering the estate. He made restitution to the Bureau of Motor Vehicles by paying the balance of the sales tax due on the original purchase of the automobile.

SANCTION: The Supreme Court adopted the parties' consent-to-discipline agreement, suspended Respondent for six-months, fully stayed on the condition that he commit no further misconduct.

Sanction	Two-year suspension, one year stayed
Court Modified Sanction	No
Rules Violated	3.3(a)(1), 3.4(b), 4.1(a), 8.4(a), 8.4(c), 8.4(d)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (3) (restitution or rectified consequences), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent received a two-year suspension with the second year stayed for fraudulently misappropriating funds from the probate estate of a family member and engaging in a pattern of deceit and dishonesty to conceal her theft.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommendation of a two-year suspension, with one year stayed.

FINDINGS: Respondent created a revocable trust for her cousin (and his wife) who died two years later. Respondent revised the trust to designate the widow's mother as successor trustee and revised her will to name her mother as guardian of minor children. Respondent was retained to represent the grandmother as trustee

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and guardian. The paternal grandmother of the minor children, Respondent's aunt, died, making the children the sole heirs to her estate. Respondent applied to administer her aunt's estate. Based on the value of the estate, Respondent would have been entitled to approximately \$6,000 in fiduciary fees and another \$6,000 in attorney fees, but a local rule would have capped all fees incurred to \$9,000. Respondent made a distribution to the heirs and a distribution of \$10,000 to her firm for legal fees related to her representation of the guardian of the children. Later, she issued a \$5,200 check, payable to cash from the estate account, cashed the check, and used the proceeds to purchase a cashier's check payable to James Keplar to purchase a 2003 BMW. Additional withdrawals amounted to \$27,200 for Respondent's fees. In a later motion for attorney fees, Respondent filed a partial fiduciary account that included a false entry to conceal her \$5,200 misappropriation. The entry stated the amount was paid for work performed for the decedent prior to death. A lawyer was retained by the guardian/trustee to review the estate's record who then requested an accounting of numerous expenses, including the payment to Keplar. Respondent sent a letter to the lawyer knowing the content was false and in response to a request for additional information, provided two fabricated receipts. The guardian/trustee filed a motion seeking Respondent's removal as administrator of the estate and an order refunding fees. Respondent withdrew as administrator, repaid the misappropriated \$5,200, \$12,000 in fees for the administration of the estate, and \$10,000 in fees for work related to the guardianship and trust.

SANCTION: The Court adopted the Board's findings of fact and conclusions of law, and recommended sanction of a two-year suspension, with one year stayed. As an additional condition of reinstatement, Respondent was required to submit proof of compliance with her September, 2021 OLAP contract.

Sanction	Eighteen-month, stayed suspension
Court Modified Sanction	Yes
Rules Violated	1.3, 1.4(a)(2), 1.14(a), 1.16(d), 5.3, 8.4(c)
Aggravation/Mitigation	A- (3) (pattern of misconduct), (4) (multiple offenses), (8) (harm to vulnerable victim); M- (1) (no prior discipline),(4) (cooperative attitude), (6) (other penalties/sanctions)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent received an eighteen-month suspension, fully stayed, for seven rule violations stemming from the representation of a married couple in an estate-planning matter including failure to reasonably communicate with clients, neglecting the matter, falsely notarizing estate-planning documents, instructing his employee to falsely indicate she had witnessed signatures, and failing to promptly deliver the client file at termination.

PROCEDURE: The Board adopted the panel’s findings of fact and conclusions of law and recommended sanction of a stayed one-year suspension and a condition of restitution. No objections were filed.

FINDINGS: Frank Balcar’s wife Lenore and daughter Karen met with Respondent after Frank suffered a stroke. Respondent told them that he could create an irrevocable trust, apply for

Medicaid on Frank’s behalf and protect their assets. However, Respondent did not advise Karen of the Medicaid “lookback” or “penalty” period of 16 months, other than to say the period was “very short.” Karen paid Respondent \$7,500 but did not enter into a written fee agreement. Respondent drafted an irrevocable trust, wills, durable powers of attorney, and other estate planning documents. One of Respondent’s staff members met with Frank at a nursing home and had him sign the power of attorney. At no time did Respondent explain to Lenore the purpose of the estate-planning documents or ascertain if Frank had the capacity to or wanted to sign the documents. Respondent later directed his assistant, who was not an Ohio notary, to meet with Frank to sign some documents. Respondent later backdated and falsely notarized the documents. The Ohio Department of Job and Family Services later determined that the application filed for Medicaid on Frank’s behalf was incomplete. Frank died without qualifying or receiving Medicaid benefits. Later, two sons of Frank and Lenore learned about the irrevocable trust and hired counsel. A complaint was later filed against Karen in probate court alleging she used undue influence, coercion, or other means to persuade Frank and Lenore to revise their estate plan. Karen filed a legal-malpractice action against Respondent and was awarded compensatory and punitive damages. The matter was appealed, and the parties eventually settled.

SANCTION: The Supreme Court adopted the Board’s findings of fact, conclusions of law, and suspended Respondent for eighteen months, stayed in its entirety on the conditions that he commit no further misconduct and make restitution of \$7,500 to Karen Balcar.

CONCURRING IN JUDGMENT ONLY: Justices DeWine and Stewart

DISSENTING: Justice Kennedy

Sanction	Indefinite suspension with no credit for time served.
Court Modified Sanction	No
Rules Violated	1.3, 1.5(c)(2), 1.5(e), 1.15(a)(1), 1.15(a)(2), 1.15(a)(3), 1.15(a)(4), 1.15(a)(5), 1.15(c), 1.15(d), 1.5(d)(3), 1.4(a)(1), 1.4(a)(2), 1.4(a)(3), 1.4(a)(4), 1.4(c), 1.16(d), 1.16(e), 8.1, GBR V(9)(G).
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (5) (lack of cooperation), (8) (harm to vulnerable victim), (9) (no restitution); M-None
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	DiMartino (2016); Gottehrer (2010); Hoskins (2016)
Cited By	

OVERVIEW: Respondent received an indefinite suspension for violating rules relating to client trust accounts, division of fees with lawyers not in the same firm, failing to act with reasonable diligence, and failing to cooperate in a disciplinary investigation.

PROCEDURE: The Court imposed an interim default suspension based on Respondent's failure to answer the complaint. The case was remanded to the Board for further proceedings. After Respondent obtained counsel, and responded to a default motion in another matter, the Board

consolidated the two matters.

FINDINGS: In regard to one client, the Respondent asked another lawyer to serve as co-counsel in a personal-injury case without the written consent of the client. Respondent did not advise the client that he did not carry malpractice insurance. He also could not produce or refused to produce receipts, cancelled checks, deposit slips, ledgers or file materials related to the handling of the client's funds. After the matter was settled, two different settlement/disbursement sheets were produced, but the Respondent was never able to account for \$12,500 of funds related to the original settlement. In another matter, Respondent was retained to represent a client in a pending divorce matter. He was paid a flat fee, but requested additional funds to conduct a deposition that was never held. After opposing counsel agreed to prepare the final divorce decree, he did not respond to the client's inquiries. Upon receipt of a draft decree, the client found numerous errors and declined to sign it. The client later discovered that the final decree had been filed and adopted by the court without her knowledge or consent. In two separate matters, Respondent failed to file original documents requested by the client in a divorce action, and failed to file a motion for leave to plead an answer to a foreclosure complaint, resulting in a decree of foreclosure being issued. In response to charges filed in an amended complaint, Respondent stipulated that he had accepted payments for his retainer and courts costs from 14 clients, but often failed to file prepared documents in court.

SANCTION: The Court adopted the Board's sanction recommendation, findings of fact, but dismissed 8.4(c) and 1.1 violations. The Respondent was also ordered to make restitution and submit to a mental-health evaluation with OLAP.

Sanction	Six-months stayed suspension
Court Modified Sanction	No
Rules Violated	8.4(c), 8.4(h), 8.1(a)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (6) (false or deceptive practices during investigation); M- (1) (no prior discipline), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character), (8) (other rehabilitation)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Wexler (2014); DeLoach (2011)
Cited By	

OVERVIEW: Respondent was suspended for six months, stayed for making a false statement in a disciplinary investigation, engaging in deceitful conduct, and engaging in conduct that adversely reflects on his fitness to practice law.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of a six-month, stayed suspension. The parties jointly waived objections.

FINDINGS: Respondent claimed that Sean McKee, who had begun dating his estranged wife, left him a threatening voicemail. McKee was employed in the men's-clothing business and used the brand names "The Haberdasher Club" and "Alphasuit." Respondent, without notifying McKee, incorporated two businesses with the

same brand names. Upon discovering the filings, McKee filed a grievance. In response to the grievance, Respondent falsely stated that he had filed the articles of incorporation to protect McKee's business from "trademark bullying" and that one filing was to form a debt purchasing company to purchase charged off automobile loans from banks. Respondent later dissolved the two companies and admitted he had incorporated the entities to retaliate against McKee for dating his wife. After Respondent learned of McKee's grievance, he sent his then ex-wife hostile text messages about the grievance and his financial support of her. One of the messages threatened retaliation against McKee. Another text message stated that his law licenses supported her and their children and that McKee's false allegations threatened the family's security.

SANCTION: The Supreme Court adopted the Board's recommended sanction of a six-month, stayed suspension on conditions that he comply with his OLAP contract for a period of two years or longer if recommended by OLAP, complete one-year term of monitored probation focused on ethics, and refrain from any further misconduct.

CONCURRING IN PART, DISSENTING IN PART: Justice Kennedy joined by Justice DeWine

NOT PARTICIPATING: Justice Brunner

Sanction	Two-year suspension, eighteen months stayed.
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(1), 1.4(a)(2), 1.4(b), 1.15(a), 1.15(b), 1.15(c), 8.1(a), 8.4(c)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (6) (false or deceptive practices during investigation), (8) (harm to vulnerable victim); M-(1) (no prior discipline), (3) (restitution or rectified consequences), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Keller (2006); Riek (2010)
Cited By	

OVERVIEW: Respondent was suspended for two years, with eighteen months stayed for violating ten professional-conduct rules, neglecting a client’s immigration matter, failing to reasonably communicate with the client, and failing to maintain client funds separate from his own property.

PROCEDURE: The Board adopted the panel’s findings of fact, conclusions of law, and recommended a sanction of a two-year suspension with 18 months stayed on conditions.

FINDINGS: Respondent represented a Bulgarian dancer who had obtained permission to enter the United States on an O-1B visa. Soon after the client arrived, she was offered employment with the owner

of dance studio in California. The client asked Respondent to help transfer her visa from another studio sponsor to the California studio. Respondent indicated that the client could begin working in the California studio once a new petition was filed. After three months, Respondent falsely responded to inquiries from the client about the status of the petition. In the interim, the original studio requested that the I-129 petition it had filed be revoked. Between December 2015 and April 2016, the client and her employer made numerous requests for proof that the petition had been filed. At one point, the employer demanded that Respondent provide the receipt number for the petition. Respondent then filed the petition the next day and signed the employer’s name in two places without authority. Respondent emailed the receipt number to the client and employer, and the next day the employer received a request for additional evidence from immigration. Without conferring with his client, he changed the immigration classification on behalf of his client. Eventually, the client retained new counsel, but had to leave the country in order to activate her new O-1B visa status. Between June 2015 and May 2016, Respondent used his client trust account to pay both personal and business expenses even though he maintained an operating account.

SANCTION: The Court imposed a suspension of two years with 18 months stayed on conditions that he enter into an OLAP contract and comply with the treatment recommendations and engage in no further misconduct.

CONCURRING: Justices Fischer and DeGenaro concur but would require practice monitoring as a condition.

DISSENT: Justices O’Donnell and Kennedy.

Sanction	One-year suspension, six months stayed
Court Modified Sanction	No
Rules Violated	1.8(e), 1.15(a), 1.15(a)(3), 1.15(a)(4), 1.15(a)(5), 1.15(b), 5.3(a), 5.3(b)
Aggravation/ Mitigation	A- (1) (prior discipline), (4) (multiple offenses); M- (2) (no dishonest or selfish motive), (3) (restitution or rectified consequences), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Podor (2009)
Cited By	

OVERVIEW: Respondent was suspended for one year with six months stayed for failing to supervise a nonlawyer employee, improper financial assistance to clients, and misconduct related to his IOLTA.

PROCEDURE: A panel adopted the parties' stipulated rule violations, granted relator's motion to amend the complaint to conform to the stipulations, dismissed nine alleged rule violations, and recommended the dismissal of an additional violation based on the insufficiency of the evidence. The board adopted the panel's findings, conclusions, and recommended sanction. No objections were filed.

FINDINGS: Respondent discovered that his paralegal had issued a check payable to herself

and terminated her employment. The paralegal pleaded guilty to one count of theft and one count of forgery. Prior to termination, the paralegal had witnessed an accident and recommended an injured party retain Respondent. Respondent stipulated that the paralegal invited the client to her house, discussed settlement, and later forged the Respondent's signature to the back of the settlement check. In an unrelated count, Respondent had provided improper financial assistance to clients on five occasions ranging from \$200 to \$4,500 and reimbursed himself from settlement proceeds. Related to the IOLTA violations, Respondent did not create a separate record for each account indicating the date, amount, and client for each debit and credit, kept more than a minimal amount of his personal funds in his IOLTA, including a three-month period when he kept at least \$150,00 of his own funds in the account, provided checks to payees from his IOLTA and allowing them to cash and secure funds from the IOLTA before his bank had received payment on deposits, failed to create a ledger for some transactions, and had inadvertently allowed third parties access to his IOLTA from his PayPal account when he permitted a client to pay him through the PayPal account.

SANCTION: The Supreme Court adopted the Board's findings of fact, conclusions of law, and recommended sanction of a one-year suspension with six months stayed on conditions that he engage in no further misconduct and pay the cost of the proceedings. The Court ordered as a condition to reinstatement that Respondent complete a minimum of 24 hours of CLE on the topics of professional ethics and law-office management. Upon reinstatement Respondent was ordered to serve one year of monitored probation.

Sanction	Six-month stayed suspension.
Court Modified Sanction	No
Rules Violated	1.4(c),1.4(c)(1),1.5(c)(1), 1.15(a)(3), 1.15(a)(5), 1.15(d)
Aggravation/Mitigation	A- (4) (multiple offenses); M -(1)(no prior discipline), (2)(no selfish or dishonest motive), (3) (restitution or rectified consequences), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Fletcher (2009); Peden (2008); Bricker (2013)
Cited By	

OVERVIEW: Respondent received a six-month, fully stayed suspension for failing to maintain proper client-trust account records, failing to properly identify and remit payment for medical treatment provided to three personal-injury clients, and failing to inform clients that he did not maintain professional malpractice insurance.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of a six-month, fully stayed suspension.

FINDINGS: Respondent's firm was retained by three separate clients to pursue automobile-related personal-injury claims. In all three cases, the firm agreed to pay a chiropractor for treatment. All three cases had settled out of court, and the chiropractor was owed approximately \$4,175. A grievance was filed by the chiropractor after failure of the firm to pay, despite claims that

checks were issued. Respondent eventually paid the chiropractor in full for the services at issue. Respondent was previously an associate in another firm that he eventually purchased from the owner. In 2008, Respondent and the owner began noticing certain accounting discrepancies, which led them to believe that their accounting firm was stealing money from their client trust account. Over the course of three years, the firm opened additional IOLTAs, but left funds in the accounts because they could not identify the owners of the funds. Respondent eventually hired an accountant to conduct an analysis of all accounts and concluded that the leftover funds in the IOLTA were most likely profits of Respondent's firm. None of the funds were claimed by third parties. Respondent stipulated that he failed to inform new clients that he did not have professional-liability insurance or retain signed acknowledgements from his clients.

SANCTION: The Court adopted the Board's recommendation and imposed a six-month stayed suspension on conditions that he serve a two-year period of monitored probation, employ an individual with accounting expertise to ensure proper management of his IOLTA, complete three hours of CLE related exclusively to client-trust - account management during his suspension and probation, and engage in no further misconduct.

Sanction	Two-year suspension, stayed
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(2), 1.4(a)(3), 1.4(a)(4), 1.6(c), 1.15(a), 1.16(b)(1), 1.16(c), 1.16(d)(3)
Aggravation/Mitigation	A- (4) (multiple offenses); M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude), (8) (other rehabilitation)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Allerding (2009); Bulson (2020)
Cited By	

OVERVIEW: Respondent was suspended for two years with one year stayed for failing to act with reasonable diligence in representing a client and improperly withdrawing from representation.

PROCEDURE: A panel adopted the parties' stipulated sanction of a two-year conditionally stayed suspension. The Board adopted the panel's findings of fact, conclusions of law, and recommendation.

FINDINGS: Respondent was transported twice during a 24-hour period by emergency medical personnel for a psychiatric evaluation. The second time he was placed in an inpatient mental-health-and-chemical-dependency facility after acknowledging he had taken several substances including cocaine and Adderall. After he was admitted to rehabilitation, the Respondent had his girlfriend place a message on his voice-mail

indicating he was no longer taking cases and reassigning current cases to new lawyers. At the time, Respondent had 15 clients in domestic-relations and criminal matters. He missed at least one hearing, made no arrangements to communicate with clients, to continue representation, or withdraw as counsel. Respondent's client files were transferred to local counsel who agreed to represent the affected clients pro bono. After a relapse, Respondent was hospitalized a second time. Respondent's girlfriend discovered, and later delivered to relator's counsel, approximately 20 client files he had left in the trunk of her car that he abandoned at a gas station.

SANCTION: The Supreme Court adopted the Board's findings of fact, conclusions of law, and recommended sanction of a two-year suspension, all stayed on conditions that he remain in compliance with his OLAP contract, enters into an additional two-year contract upon the issuance of the final order, completes three hours of continuing legal education focused on law-office management, in addition to the requirements of Gov.Bar R. X, serves a two-year period of monitored probation focused on law-office management and compliance with his OLAP contract, and engages in no further misconduct.

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	8.4(b) , 8.4(c) , 8.4(h)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive); M- (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions), (8) (other rehabilitation)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Kellogg (2010)
Cited By	

OVERVIEW: Respondent was indefinitely suspended for misconduct stemming from felony convictions for money laundering and attempted money laundering.

PROCEDURE: The parties entered into stipulations of fact, misconduct, and aggravating and mitigating factors. The Board issued a report recommending Respondent be indefinitely suspended.

FINDINGS: Respondent engaged in a recorded conversation with a confidential informant for the FBI. Respondent told the informant, posing as a drug dealer, that he would form a corporation for the purpose of laundering the money derived from the informant's profits in the drug trade. Respondent later accepted \$20,000 in marked bills from the informant and told the informant he would deposit the money into his client trust account in amounts less than \$10,000 to avoid federal currency-reporting requirements. Respondent never incorporated the proposed shell company or deposited the \$20,000 in his client trust account. Over several weeks he

complied with the informant's multiple requests for cash. He eventually returned the entire \$20,000 and wrote and delivered two \$2,000 checks to the informant from his personal account. One check made payable to the shell corporation was never cashed. The informant later absconded with the \$20,000 and one check for \$2,000 from Respondent's personal checking account. Respondent was charged with one count of attempted money laundering for accepting \$20,000 that had been represented to be the proceeds of drug trafficking and two counts of money laundering for issuing the two \$2,000 checks. He served 22 months of a 44-month prison sentence.

SANCTION: The Court adopted the Board's recommended sanction and indefinitely suspended Respondent from the practice of law with no credit for time served. In addition to the requirements set forth in Gov.Bar R. V(25), upon petitioning the court for reinstatement, Respondent is required to demonstrate he has completed the term of supervised release imposed in his underlying criminal case.

Sanction	Six-month suspension stayed in its entirety on conditions
Court Modified Sanction	No
Rules Violated	1.1, 1.3, 1.4(a)(3), 1.16(d), 3.4(d)
Aggravation/Mitigation	A-None; M-(1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (full and free disclosure), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Sebree (2002); Hooks (2014); Fonda (2014)
Cited By	

Respondent did not communicate with his client about his failure to hire an expert, his failure to respond to the discovery requests, the dismissal of the complaint, or the fact that Respondent's failures could provide a cause of action for legal malpractice.

SANCTION: The Court accepted the agreement and imposed a six-month suspension stayed in its entirety on conditions that he engage in no further misconduct.

OVERVIEW: Respondent received a six-month stayed suspension for failing to provide competent representation, failing to act with reasonable diligence, failing to keep the client reasonably informed about the status of a matter, failing to withdraw from representation to take steps reasonably practicable to protect the client's interest, and failing to make a reasonably diligent effort to comply with a legally proper discovery request by an opposing party.

PROCEDURE: The parties submitted a consent-to-discipline agreement, stipulating to the facts in the complaint, disciplinary violations, and mitigating and aggravating factors, as well as a six-month stayed suspension. The Board recommended that the agreement be accepted.

FINDINGS: Respondent's misconduct arises from his neglect of a single client matter.

Sanction	Six-month suspension stayed in its entirety on condition.
Court Modified Sanction	No
Rules Violated	1.1, 1.3, 3.1, 1.4(c), DR 6-101(A)(1)
Aggravation/Mitigation	A-(4) (multiple offenses); M-(1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (full and free disclosure), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Bhatt (2012), Thomas (2010), Sherman (2010)
Cited By	

OVERVIEW: Respondent received a six-month stayed suspension for failing to act diligently and competently, and failing to inform his clients of the lack of liability insurance.

PROCEDURE: The Court remanded the Board's recommended sanction on a previously filed consent-to-discipline agreement. On remand, Relator amended the complaint. Respondent stipulated to most of the charged conduct in the amended complaint. After a hearing, the Board issued a report finding that Respondent had engaged in the stipulated misconduct. No objections were filed.

FINDINGS: In one count Respondent was hired to handle an immigration petition on behalf of a client who had entered without authorization. Prior to the representation, Respondent had not handled similar matters. After the petition for

classification as an alien relative was approved, he was required to return to Honduras for consulate process. However, the client declined to return and Respondent was unsure of the next steps. Eventually the petition was canceled. Subsequent efforts to apply for a green card, or temporary protected status failed due to inaction by Respondent, or mistakes made during the application process. Eventually, deportation proceedings were initiated, but another petition to classify the client as an alien relative was granted. In a second count, Respondent was hired by a client, whose home was the subject of a foreclosure proceeding. After Respondent met with the client, she had failed to sign relevant documents in the case. Respondent was later notified that the filings were incomplete and included errors. An amended filing did not include appropriate signatures and Respondent was late to the first creditor's meeting. The court eventually issued a discharge to the client. In neither matter did Respondent notify his clients that his malpractice insurance had lapsed prior to his representation.

SANCTION: The Court adopted the Board's recommendation of a six-month suspension stayed in its entirety on condition that he engage in no further misconduct.

Sanction	Disbarment
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a), 1.4(a)(1), 1.4(a)(2), 1.4(a)(3), 1.4(a)(4), 3.1
Aggravation/Mitigation	A-(1) (prior discipline), (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim); M- none
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Harvey (2017)
Cited By	

OVERVIEW: Respondent was permanently disbarred after his third disciplinary proceeding that involved multiple instances of neglect and failure to communicate with two clients.

PROCEDURE: The Court adopted the findings of misconduct and recommended sanction of disbarment by the Board.

FINDINGS: In one count Respondent was retained by a couple to assist them in collecting funds loaned to another couple. Respondent entered an appearance in a case the clients had already filed and obtained a continuance of a scheduled hearing. Respondent moved to continue the date of the hearing due to a conflict in another court. He never informed his clients who drove six hours round trip to attend the hearing. Respondent later missed a third scheduled hearing date forcing his clients to present their case pro se. Respondent filed a

notice of withdrawal following the missed hearing date. In a second count, Respondent represented a client in two proceedings related to a challenge of his residency before the board of elections. After filing a civil complaint on behalf of his client, Respondent both failed to issue discovery and respond to discovery, and did not file a response to a motion for summary judgment. He then voluntarily dismissed the lawsuit without client consent. Respondent later refiled the complaint without client consent and admitted that he did not investigate any factual bases to support the claims. Respondent again failed to respond to discovery requests and requests for admission that were later deemed admitted. Respondent advised his client to dismiss the suit and failed to respond to a motion for sanctions or appear at the hearing. Respondent and his client were held jointly liable for over \$14,000 in sanctions representing attorney fees and expenses incurred by the defendants.

SANCTION: The Court adopted the Board's recommendation of disbarment and ordered Respondent to make restitution of \$2,500 to his client in the second count and reimburse any sums he was required to pay as a sanction in the underlying litigation.

DISSENT: Justices Kennedy, French and DeWine dissented and would have imposed an indefinite suspension.

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	JCR 2.2, 2.9(C), 2.11(A)(1),
Aggravation/Mitigation	A- (4) (multiple offenses); M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent was publicly reprimanded for independently investigating facts, failing to recuse, and failing to perform the duties of judicial office fairly and impartially.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommendation of a public reprimand.

FINDINGS: A member of Respondent's staff was contacted by a school resource officer concerning the well-being of children in custody of D.M. The staff member visited the home with a Scioto County Children Services Board ("SCCSB") caseworker and found that the water in D.M.'s home had been shut off, the toilet was overflowing, there were no beds, the refrigerator did not work, and the floor was littered with dog feces. The staff member informed Respondent of his observations. SCCSB made an initial decision not to remove the children from the home. Respondent later contacted the SCCSB caseworker. The next day, accompanied by law-enforcement officers, Respondent conducted his

own investigation of the residence. He confirmed the same conditions his staff member had observed in addition to other problems. After the investigation, Respondent issued an entry finding that the children in D.M.'s home were in imminent danger and ordered children's services to place the children in its temporary custody and investigate the matter. A hearing was scheduled for three days later but was not held because SCCSB had not completed its investigation. After a new complaint was filed by SCCSB, Respondent issued an ex parte order giving SCCSB custody of the children. At the probable-cause hearing, Respondent never informed the parties that he had visited D.M.'s residence but did mention the conditions of the home. Respondent admitted at hearing that he should not have independently investigated the facts in the matter and should have recused himself from the case.

SANCTION: The Supreme Court adopted the Board's findings of fact, conclusions of law, and recommendation of a public reprimand.

CONCURRING: Chief Justice O'Connor

Sanction	One-year suspension, six months stayed.
Court Modified Sanction	Yes
Rules Violated	1.3, 1.8(j), 1.15(c), 1.16(e)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (4) (multiple offenses), (8) (harm to vulnerable victim); M- (1)(no prior discipline), (4)(cooperative attitude),(5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Owen (2014)
Cited By	

OVERVIEW: Respondent received a one-year suspension, six months stayed for failing to deposit a retainer into his client trust account, failing to perform contracted legal work, and engaging in a sexual relationship with a client during representation.

PROCEDURE: The Board adopted the panel's report and recommendation. No objections were filed by either party.

FINDINGS: Respondent was retained by a husband and wife to file a Chapter 7 bankruptcy petition on their behalf. They paid him \$1,850 in advance. Respondent deposited the funds into his operating account instead of his client trust account. The wife inquired about the status of the matter on numerous occasions, and in October 2015, Respondent indicated the case had been filed. However, in December 2015, he informed the wife that he had waited to file the bankruptcy because of a change in the law and informed her

that she and her husband would need to sign new forms. Respondent never filed the bankruptcy petition and creditors filed collection action against them, repossessed a car, and foreclosed on their home. In late December 2015 or January 2016, Leon and the wife began exchanging e-mails of a personal nature that progressed to sexting. They later engaged in consensual sexual activity including intercourse. The husband discovered the affair and Respondent immediately withdrew from further representation of the couple, but did not refund their retainer or filing fee.

SANCTION: The Court adopted the Board's findings of fact and conclusions of law, but imposed a sanction of one year with six months stayed on the conditions that he engage in no further misconduct and pay the costs of the proceeding.

DISSENT: Justices O'Donnell and DeWine would have adopted the recommendation of the Board.

Sanction	Two-year suspension, six months stayed.
Court Modified Sanction	No
Rules Violated	8.4(b), 8.4(c), 8.4(d)
Aggravation/Mitigation	A-(1) (prior discipline) and (2) (dishonest or selfish motive); M-(5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	DeMartino (2016); Marshall (2007)
Cited By	

OVERVIEW: Respondent received a two-year suspension, with the final six months stayed for committing an illegal act that reflected adversely on his honesty or trustworthiness, for engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation, and engaging in conduct that is prejudicial to the administration of justice.

PROCEDURE: The parties entered into stipulations regarding some, but not all, of the charged misconduct. The matter proceeded to a hearing where the panel found that Respondent engaged in the stipulated misconduct and dismissed the other counts against him. The Board adopted the panel's report. Neither party objected to the Board's report.

FINDINGS: Respondent and another attorney, Heather Wilsey, left a bar together. Ms. Wilsey operated and subsequently lost control of Respondent's vehicle. The vehicle struck a utility pole and crossed over to the other side of the street, rendering the vehicle inoperable. Two police officers testified at the disciplinary hearing

that Respondent told them that an unknown African-American man was driving at the time of the accident. Respondent admitted he did this to protect Ms. Wilsey, whom he recently began dating, because she was driving at the time of the accident. Nevertheless, Respondent admitted that on the day following the accident, he submitted a written statement to the police that he had given his keys to an unknown man who agreed to drive him and Ms. Wilsey home, and this man crashed his vehicle. Respondent was arrested for obstructing official business. During the pendency of the criminal case and disciplinary investigation, Respondent and Ms. Wilsey were involved in another incident. Respondent was charged with OVI and did not voluntarily disclose the second incident to Relator during the disciplinary investigation. On the obstructing official business charge, Respondent entered a no-contest plea and was found guilty. Respondent was sentenced to 90 days in jail with 80 days suspended, one-year of probation, and a \$750 fine. On the OVI charge, Respondent entered a no-contest plea and was found guilty. Respondent's driver's license was suspended and he was fined. Ms. Wilsey was charged in a separate disciplinary action, however it was dismissed after she died of an apparent drug overdose.

SANCTION: The Court adopted the Board's findings of fact and misconduct, and imposed a two-year suspension, with the final six months stayed on conditions that Respondent 1) comply with all terms of his OLAP contract and any extension of that contract; 2) continue attending AA meetings and stay in regular contact with his sponsor; and 3) refrain from further misconduct.

CONCURS IN JUDGMENT ONLY: Justice French

NOT PARTICIPATING: Justice DeGenaro

Sanction	Two-year suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4)
Aggravation/ Mitigation	A- (1) (prior discipline), (4) (multiple offenses); M- (2) (no dishonest or selfish motive), (3)(restitution or rectified consequences), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Haynes (2020); Engel (2018); Braun (2012)
Cited By	

SANCTION: The Supreme Court suspended Respondent for two years, retroactive to May 30, 2020 with additional conditions for reinstatement of obtaining an OLAP assessment and complying with any recommendation, and completing six hours of CLE in law-office management, in addition to the other requirements of Gov.Bar R. X. Upon reinstatement, Respondent was required to complete a one-year period of monitored probation focusing on his compliance with any recommendations made by OLAP.

OVERVIEW: Respondent received a two-year suspension for failing to communicate and diligently represent a client.

PROCEDURE: The Board adopted the panel's report and recommendation. No objections were filed.

FINDINGS: Respondent was retained to represent a client in a marriage-dissolution proceeding. After the dissolution was granted, Respondent was required to prepare and submit QDROs in order to divide the parties' retirement assets. Respondent never prepared the QDROs and had no further communication with the client. The client was forced to retain new counsel to complete the necessary QDROs. Respondent made restitution to the client in the amount of \$2,490 which covered the costs to hire new counsel and an outside company to prepare the QDROs.

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	8.4(b), 8.4(c), 8.4(h)
Aggravation/Mitigation	A-(2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (5) (lack of cooperation), (8) (harm to vulnerable victim); M-(1) (no prior discipline)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Hiltbrand (2006); Zimmer (2013)
Cited By	

findings of fact and misconduct, and imposed an indefinite suspension with reinstatement conditioned upon proof that Respondent completed a domestic-abuse assessment conducted by OLAP or an otherwise qualified professional and that she has complied with any recommendations, complied with an established substance-abuse treatment program, and received a prognosis from a qualified health-care professional that she is capable of returning to the competent, ethical, and professional practice of law under specified conditions.

OVERVIEW: Respondent received an indefinite suspension for engaging in conduct that reflected adversely on her honesty or trustworthiness, engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation, and engaging in conduct that reflected adversely on her fitness to practice law.

PROCEDURE: The Board adopted the panel's findings of fact and a recommended sanction of an indefinite suspension.

FINDINGS: Over a two-year period, Respondent violated the Rules of Professional Conduct by engaging in multiple serious criminal violations, including disorderly conduct arising from a domestic situation, endangering her children, leaving the scene of an accident, falsification, and driving while impaired.

SANCTION: The Court adopted the Board's

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	8.4(b) , 8.4(c) , 8.4(d) , 8.4(h) , GBR V(20)(A)
Aggravation/Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive), (5) (lack of cooperation), (6) (false or deceptive practices during investigation), (7) (refusal to acknowledge wrongdoing); M- (5) (good character), (6) (other penalties/sanctions), (8) (other rehabilitation)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	McElroy (2014)
Cited By	

OVERVIEW: Respondent was indefinitely suspended for misconduct stemming from his convictions on felony counts of theft, drug possession, and tampering with evidence. In addition, he gave false testimony about the status of his license in another jurisdiction.

PROCEDURE: The Board adopted the panel’s report and recommendation.

FINDINGS: Respondent was observed while working as a pharmacist at Cleveland Clinic stealing prescription medication. He was found guilty of theft, drug possession, and tampering with evidence. He was ordered to serve two years of community control and pay a fine of \$750. As a result of his convictions, his pharmacist license

was permanently revoked. While the matter was pending before the Supreme Court, Relator discovered evidence that Respondent had been suspended on an interim basis and ultimately disbarred in Michigan as a result of his felony convictions. Relator filed an emergency motion seeking a stay in the case and a remand to the Board for further proceedings. On remand, the panel determined that Respondent had been aware of his Michigan interim suspension and disbarment order and a pending USPTO proceeding before a deposition was taken in August 2018. During the deposition he testified that his Michigan law license was “just no longer active” and denied the existence of any other disciplinary proceedings in his capacity as a lawyer.

SANCTION: The Supreme Court indefinitely suspended Respondent from the practice of law and with additional conditions for reinstatement of remaining drug-alcohol free, entering a two-year contract with OLAP, submitting to random drug screens, participating in mental health/substance-abuse counseling with a qualified chemical-dependency professional, notifying OLAP of all prescription drugs, submitting proof of successful completion of a substance-abuse-treatment-program, submitting a prognosis that he can return to the competent, ethical, and professional practice of law, and committing no further misconduct.

Sanction	Disbarment
Court Modified Sanction	No
Rules Violated	1.15(a) , 1.15(a)(2) , 1.15(d) , 8.4(c) , 8.4(h)
Aggravation/Mitigation	A -(4) (multiple offenses), (8) (harm to vulnerable victim), (9) (no restitution); M -(1) (no prior discipline), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Leksan (2013); Becker (2014); Roland (2016); Belock (1998)
Cited By	

\$3.80 in one case to \$201,048. She used the misappropriated funds to pay liens in unrelated cases, her own personal professional benefit, and office-related expenses. In another matter, she failed to withdraw the total amount of her earned attorney fees which resulted in a commingling of personal and client funds. The Board, in making its recommendation to disbar, found no reason to deviate from the presumptive sanction. It found that she was “not contrite” at her disciplinary hearing, and that portions of her testimony as “disingenuous, misleading, and manipulative.”

SANCTION: The Court adopted the Board’s findings of fact and imposed the recommended sanction of disbarment.

OVERVIEW: Respondent was disbarred for misappropriating over \$363,000 in settlement funds related to several client matters and failing to maintain adequate records for her client trust accounts.

PROCEDURE: Respondent stipulated to the charged misconduct, and the Board issued a report and recommendation adopting the stipulations and recommending disbarment. No party objected to the board’s report and recommendation.

FINDINGS: In twenty-two separate client matters, the Respondent deposited settlement funds into her trust account, paid out her fees and her clients’ share, but wrongfully withheld all portions of the remaining settlement amounts that should have been paid to lienholders, co-counsel, or held pending discovery of additional liens. The amounts she misappropriated ranged from

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	8.4(b), 8.4(h) GBRV20A
Aggravation/Mitigation	A- (4) (multiple offenses), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (4) (cooperative attitude), (6) (other penalties/sanctions), (8) (other rehabilitation)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Connors (2020); Maryniuk (2017); Grossman (2015)
Cited By	

all charges. He was sentenced to an aggregate ten-year prison term and designated a Tier II sex offender.

SANCTION: The Supreme Court adopted the Board's findings of fact, conclusions of law, and recommended sanction of an indefinite suspension with no credit for time served.

OVERVIEW: Respondent was indefinitely suspended for misconduct arising from his conviction on multiple felony counts of pandering sexually oriented matter and illegal use of a minor in nudity-oriented material or performance.

PROCEDURE: The Board adopted the findings and recommendation of the panel. No objections were filed.

FINDINGS: Respondent was indicted on five second-degree felony counts of pandering sexually oriented matter involving a minor and one fifth-degree felony count of possessing criminal tools. He was additionally indicted on eight counts of pandering sexually oriented matter involving a minor and two counts of illegal use of a minor in nudity-oriented material or performance, all second-degree felonies. He entered no-contest pleas and was found guilty of

Sanction	Two-year suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4, 1.4(a), 1.4(c), 1.8(c), 1.15(a), 1.15(d), 1.16, 1.16(a)(1), 1.16(a)(2), 5.5(a), 8.4(c), 8.4(h)
Aggravation/Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (8) (harm to vulnerable victim); M- (3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	
Cited By	

OVERVIEW: Respondent was suspended for two years for failing to reasonably communicate with clients, personally accepting retainers after clients signed a fee agreement with her law firm, failing to place prepaid fees in an IOLTA, and failing to deliver clients' papers and property upon termination of representation.

PROCEDURE: The Board adopted the panel's recommendation that Respondent be suspended for two years with credit for time served under her ongoing attorney-registration suspension.

FINDINGS: Respondent accepted a retainer fee from a client, endorsed, and cashed the check without notifying the firm. She did not attend a hearing with the client, instructing him to attend the hearing alone. Respondent left her firm and

began to practice as a sole practitioner. She did not carry malpractice insurance, failed to provide her client with notice of that fact, failed to maintain an IOLTA, and failed to hold her client's retainer in the IOLTA. She later asked her client to help her pay her electric bill and buy school supplies for her children. After her attorney-registration suspension she informed her client that she would withdraw from the case, but failed to file a withdrawal or substitution of counsel with the court. She failed to return the client's file until several months later and owed the client restitution. In a second count, Respondent joined a new law firm and signed a fee agreement with a client. She failed to deposit the client's retainer in an IOLTA. The fee and agreement were either lost or stolen. After a month, the client contacted the firm to inquire about the status of her matter. The firm notified the client that Respondent had left the firm and the firm had no record of the client. The file was not returned to the client because Respondent had lost it. In a third matter in juvenile court, Respondent seldom returned the client's phone calls and informed her that she was free to obtain another lawyer. Respondent told the client that she, her child, and fiancé needed to fly to Cincinnati for a hearing. Respondent was 30 minutes late for the hearing. The client would have testified that Respondent was not prepared for the hearing, did not initiate or participate in settlement discussions, nor was prepared to negotiate a settlement on her behalf.

SANCTION: The Supreme Court suspended Respondent for two years, with credit for time served under her attorney-registration suspension, and ordered her to pay \$316.50 in restitution for one client. The Court required her to petition the court for reinstatement to the practice of law, submit documentation from a qualified healthcare professional opining that she is capable of returning to the competent, ethical, and professional practice of law.

Sanction	Court dismissal
Court Modified Sanction	Yes
Rules Violated	-
Aggravation/Mitigation	
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: The Court dismissed the case. Respondent was originally charged with Prof.Cond.R. 8.4(c) for notarizing unsigned powers of attorney, one of which was later signed outside of Respondent’s presence.

PROCEDURE: The Board adopted the panel’s findings of fact, conclusions of law, and recommended sanction of a public reprimand.

FINDINGS: The Court found that Respondent had always intended that the clients’ estate-planning documents would be executed in his presence and that the conduct did not amount to a willful breach of the rules. Citing Prof.Cond.R., *Preamble*, and Gov.Bar R. IV(1).

SANCTION: The Court dismissed the case.

CONCURRING: Chief Justice O’Connor and Justice DeWine.

CONCURRING IN SEPARATE OPINION: Justice Kennedy joined by Justice DeWine.

CONCURRING IN JUDGMENT ONLY: Justice Stewart

DISSENTING: Justices Brunner, Fischer, and Donnelly

Sanction	Two-year suspension, fully stayed.
Court Modified Sanction	No
Rules Violated	5.5(a), 8.4(h)
Aggravation/Mitigation	A-(1) (prior discipline); M- (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Good (2007); Simmons (2008); Troller (2014)
Cited By	

OVERVIEW: Respondent was suspended for two years, fully stayed for practicing law in a jurisdiction in violation of the regulations of the jurisdiction and engaging in conduct that adversely reflected on the lawyer’s fitness to practice law.

PROCEDURE: The Board adopted the panel’s findings of fact and conclusions of law, but recommended a different sanction of a fully stayed two-year suspension.

FINDINGS: Respondent served in a variety of positions, including general counsel, for the Florida based TBC Corporation. In February, 2015, Respondent received a letter from the unauthorized practice division of the Florida Bar concerning a complaint filed by a former employee of his employer. The UPL division counsel informed Respondent that he needed to be a member of the Florida Bar or certified as authorized house counsel. At the UPL counsel’s

insistence, Respondent deleted the title of general counsel from his biography on TBC’s website and submitted an application for authorized house counsel. Relator’s investigation noted that Respondent had been ineligible to practice law in Ohio since December 2011 due to various CLE suspensions. Respondent did not believe that his activities constituted the practice of law or that serving as general counsel violated the Florida rules governing UPL. Respondent testified at hearing that he did not remember receiving written notices of his CLE noncompliance or suspension, and denied having accessed his attorney information on the Ohio office of attorney services web portal or having called the office about his CLE compliance. Ultimately, the panel found that Respondent was “cavalier, inattentive, negligent, and foolish” with regard to his obligations under both the Ohio and Florida rules of professional conduct.

SANCTION: The Court adopted the Board’s findings of fact and misconduct, and recommended sanction of a fully stayed, two-year suspension on conditions that he remain in full compliance with his CLE and attorney-registration obligations and engage in no further misconduct.

CONCURRING: Chief Justice O’Connor

Sanction	Disbarment
Court Modified Sanction	No
Rules Violated	1.3 , 1.5(a) , 3.4(a) , 3.4(b) , 3.4(c) , 1.7(a)(2) , 8.4(c) , 8.4(d) , 8.1(b) , and GBR V(9)(G)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (5) (lack of cooperation), (8) (harm to vulnerable victim), (9) (no restitution); M- (1) (no prior discipline)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Dixon (2002) ; Sanz (2011)
Cited By	

OVERVIEW: Respondent was disbarred for failing to act with reasonable diligence in representing his client, disobeying an obligation under the rules of a tribunal, and failing to cooperate in the disciplinary investigation stemming from conduct while serving as a guardian of client's property and trustee of an inter vivos trust.

PROCEDURE: The parties submitted stipulated facts and exhibits. The parties jointly recommended that Respondent be disbarred for the alleged violations. The panel issued a report that recommended disbarment and that Respondent be ordered to make restitution. The Board adopted the report in its entirety.

FINDINGS: Respondent drafted a revocable living trust for his client that included a [Table of Cases](#) [Index](#)

distribution of property to two charities. In 2010, the Delaware Court of Chancery adjudicated the client incompetent and appointed Respondent as guardian of property. The court authorized Respondent to transfer and administer assets in the trust and ordered him to file an inventory within 30 days. Later in 2010, Respondent executed an amendment to the trust that added his adult children as successor trustees and deleted the provision for distribution of assets to the charities. Upon his client's death, a final account was filed and the guardianship was terminated. The chancery court's order had set the fee for Respondent's services at 1 percent of the value of the trust assets the following year, and only authorized payment to a special law firm. Yet, Respondent paid himself \$148,839 in trustee fees, paid himself legal fees without court approval, and transferred \$682,821.05 in additional funds from the trust's account to his personal accounts. In 2014, the charities filed a complaint to compel Respondent to furnish a report pursuant to R.C. 5808.13(C). The court granted a motion for default judgment, found Respondent in contempt and appointed an accounting firm to submit a forensic accounting of the trust for the period of 2008-2014. The report found that in addition to the legal fees and trustee fees, Respondent had withdrawn \$514,000 from various trust accounts and \$890,000 more that remained unaccounted for. The Board concluded that in addition to the legal and trustee fees, Respondent had received an additional \$168,321.05 that he had not reimbursed.

SANCTION: The Court adopted the Board's findings of fact and misconduct. The Court found that the facts warranted permanent disbarment. The Court ordered restitution in the amount of \$312,899.47 to banks, beneficiary charities, and the forensic accounting firm.

NOT PARTICIPATING: Justice DeGenaro

Sanction	Six-month, stayed suspension
Court Modified Sanction	No
Rules Violated	1.8(j)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Hines (2012); Fortado (2020)
Cited By	

Respondent for six months, fully stayed.

DISSENTING: Justice Kennedy would have remanded the case.

OVERVIEW: Respondent received a fully stayed six-month suspension for engaging in sexual activity with a client when no previous consensual sexual relationship existed.

PROCEDURE: The Board adopted the parties' consent-to-discipline agreement and recommended adoption by the Court.

FINDINGS: Respondent was retained to represent a client in a divorce action. Both she and the client met and spoke on several occasions about the pending divorce. During some of the conversations personal matters were discussed. In October 2019, Respondent and her client exchanged intimate text messages and engaged in sexual intercourse. Two days after the sexual encounter, the client and his wife had a verbal and physical altercation. Later that day, the client was found deceased in the marital residence and his death was determined to be a suicide.

SANCTION: The Court adopted the parties' consent-to-discipline agreement, and suspended

Sanction	Two-year suspension, one year stayed
Court Modified Sanction	No
Rules Violated	1.1, 3.4(c), 5.5, 8.4(c), 8.4(d)
Aggravation/Mitigation	A- (1)(prior discipline), (3)(pattern of misconduct), (4) (multiple offenses); M- (4)(cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Dearfield (2011); Chambers (2010); Bruce (2020)
Cited By	

OVERVIEW: Respondent received a two-year stayed suspension stemming from rule violations in two client matters.

PROCEDURE: Respondent stipulated to two rule violations and the panel dismissed half of the alleged rule violations. The Board adopted the panel findings of misconduct and recommended sanction. Neither party objected to the Board's report.

FINDINGS: Respondent was retained to represent a minor daughter in a personal-injury lawsuit. After accepting a filing fee, Respondent told the parents in January 2018 that he had filed the complaint. He later filed the complaint in June 2018, but the client terminated him after learning that he had lied. Respondent later sent a letter to the defendant's insurer placing a "lien" on his former client's claims. In a second client matter, Respondent filed a personal-injury complaint on behalf of two clients in the United

States District Court for the Eastern District of Kentucky. Under the court's local rules, a lawyer may apply for admission to the bar of that court if he or she had been admitted before the Supreme Court of Kentucky. In the alternative, a lawyer may apply for pro hac vice admission. Respondent was not admitted to Kentucky and failed to seek pro hac vice admission. Not having access to the electronic case-filing system, he filed a paper complaint in person. The clerk of the court notified Respondent that his check for filing fees had been returned for insufficient funds. The judge in the case ordered Respondent to file a status report regarding service of the complaint, which Respondent had not initiated, and to show cause why the complaint should not be dismissed. Respondent failed to file a response and the complaint was dismissed without prejudice. Respondent later refiled the complaint and an order was issued to show cause why the case should not be dismissed as untimely. He later failed to appear at a show cause hearing. The judge issued an order prohibiting Respondent from practicing law in the Eastern District of Kentucky for two years. Respondent stated that he did not receive the court's notices and orders, but acknowledged that he had failed to file a change-of-address form, failed to register for the court's electronic case-filing system, and failed to check the online docket. He also admitted that he had little experience practicing in federal court.

SANCTION: The Court adopted the Board's findings of fact and conclusions of law, and suspended Respondent for two-years with the second year stayed on condition that he refrain from further misconduct.

CONCURRING IN JUDGMENT ONLY:
Justice Kennedy

Sanction	Court dismissal
Court Modified Sanction	Yes
Rules Violated	-
Aggravation/Mitigation	
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: The Court dismissed the case *sua sponte*. Respondent was originally charged with Prof.Cond.R. 1.15(e) and 8.4(c) for misconduct arising from the representation of a client in a personal injury claim and his failure to pay creditors entitled to certain settlement funds.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of a public reprimand.

SANCTION: The Court dismissed the case *sua sponte*.

DISSENTING: Chief Justice O'Connor would have adopted the sanction recommended by the Board.

Sanction	Court dismissal
Court Modified Sanction	Yes
Rules Violated	-
Aggravation/Mitigation	-
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Wiest (2016); Hale (2014)
Cited By	

relationship existed, the Court dismissed all violations found by the Board.

CONCURRING: Chief Justice O'Connor, and Justices Fischer and O'Donnell.

OVERVIEW: The Court dismissed the complaint against Respondent with prejudice.

PROCEDURE: The Board recommended a public reprimand against Respondent after dismissing five alleged rule violations based on the insufficiency of evidence. On objections filed by Respondent, the Court dismissed the remaining rule violations found by the panel because it did not find that an attorney-client relationship existed. The panel's unanimous dismissal of some rule violations precluded review by the Board or Court.

FINDINGS: The Board's recommendation included conclusions of fact and law that Respondent had been approached by a third party to pay him a \$1,000 flat fee and the costs of an appeal on behalf of a client. Relying on the word of the third party, Respondent filed a notice of appeal and brief on the client's behalf. He later orally argued the case in the court of appeals, which affirmed the client's conviction and sentence. The client testified at hearing that he was unaware of Respondent's representation of him. The Board recognized that the testimony and an accompanying affidavit "could arguably support a dismissal" of two violations it found on the ground that no attorney-client relationship existed. Finding that no attorney-client

Sanction	One-year suspension, six months stayed on conditions.
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 8.1(a), 8.4(c), 8.4(d)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (5) (lack of cooperation), (6) (false or deceptive practices during investigation); M-(1) (no prior discipline), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Broeren (2007); Derivan (1998)
Cited By	

the Respondent falsely stated that he had informed his client of the status of the case, given him the discovery requests, but never received a response. Respondent later admitted that he had fabricated the letters to his client in an effort to conceal his neglect and abandonment of his client's interests and had put his file on a shelf and forgotten about it.

SANCTION: The Court adopted the findings of facts and misconduct agreed with the recommended sanction of a one-year suspension with six months stayed on conditions he remain in compliance with his OLAP contract and engage in no further misconduct.

DISSENT: Justice O'Neill dissented without comment.

OVERVIEW: Respondent was suspended for one year with six month stayed on conditions.

PROCEDURE: The Board adopted the panel's findings and recommendations based on stipulations and hearing testimony. Respondent objected to the Board's report based on due process grounds.

FINDINGS: Respondent was retained to represent a client in a collection action filed against him in municipal court. Respondent answered the complaint, but did not respond to plaintiff's discovery requests or a motion for summary judgment or forward the documents to his client. The court entered judgment against the client. In response to an inquiry form the Relator,

Sanction	Two-year suspension, one year stayed
Court Modified Sanction	No
Rules Violated	8.4(b), 8.4(c)
Aggravation/Mitigation	A-(2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses),(7) (refusal to acknowledge wrongdoing); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Ezzone (2004); Lawrence (2016); Jacobs (2014)
Cited By	

OVERVIEW: Respondent received a two-year suspension with credit for time served for misconduct related to his felony conviction of filing a false tax return.

PROCEDURE: A panel found Respondent had engaged in most of the conduct stipulated by the parties, and recommended a one-year stayed suspension that the Board adopted.

FINDINGS: Respondent opened a solo practice in June 2008. In 2010, after receiving reports that Respondent's wife had been making large cash deposits and withdrawals at a bank, the IRS launched an investigation. In March 2015, Respondent was indicted on three counts of filing false tax returns for underreporting his income on his 2008, 2009, and 2010 tax returns. In August,

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2017, Respondent pleaded guilty to filing a false income tax return. The court found Respondent guilty, dismissed the remaining charges, and sentenced him to one year of probation. The court ordered him to pay \$42,472.58 to the IRS. He paid the unpaid-taxes amount at the time of his sentencing.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and recommended sanction of a two-year suspension, with one year stayed on conditions that he commit no further misconduct, demonstrate his compliance with the restitution order in the underlying criminal case at the time of his reinstatement, and remain in compliance with that order during the stay. Upon reinstatement, he was ordered to serve a one-year period of monitored probation to be focused on his operating and client-trust accounts and his compliance with applicable tax laws and regulations. Chief Justice O'Connor and Justice Fischer would not grant credit for time served.

CONCURRING IN PART AND DISSENTING IN PART: Justices Kennedy and DeWine

Sanction	One-year stayed suspension
Court Modified Sanction	No
Rules Violated	1.2(c), 1.3, 1.4(b), 1.4(a)(3), 1.4(c), 1.15(c), 8.1(b), 8.4(c), GBR V(9)(G)
Aggravation/Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (5) (lack of cooperation); M- (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	Fumich (2007); Crosser (2016)
Cited By	

OVERVIEW: Respondent received a one-year stayed suspension for neglect of a client’s matter, failure to limit the scope of a client’s representation, failure to communicate, failure to deposit an unearned fee, and failure to cooperate in the ensuing discipline investigation.

PROCEDURE: Respondent answered the complaint after imposition of an interim default suspension. On remand, the parties entered into stipulations of fact and misconduct. No objections were filed.

FINDINGS: Respondent agreed to assist a client in a commercial-eviction action filed against the client. There was no agreement between Respondent and the client regarding the scope of the representation or Respondent’s compensation. A motion for default judgment was filed against the client. Respondent however

did not file any answer or other responsive pleadings or appear at the motion hearing. When his client inquired about whether they had missed a court date, Respondent replied, “No. You didn’t need to be there. Everything is fine.” Respondent filed a late answer on his client’s behalf, but the trial court later journalized an entry stating that it had entered a \$14,000 default judgment against his client. When confronted, Respondent informed his client that “There’s more than what the docket states. The case is still going on and I have been negotiating with [the plaintiff’s] attorney to settle the money and car issues.” Unable to negotiate a settlement, Respondent filed a motion for relief from judgment that was later denied. Respondent failed to inform his client of his right to appeal.

SANCTION: The Court adopted the Board’s findings of fact, conclusions of law, and recommended sanction of a one-year stayed suspension on conditions that he complete six hours of CLE in law-office management in addition to the requirements of Gov.Bar R. X, one year of monitored probation, and engage in no further misconduct. Chief Justice O’Connor and Justice Kennedy would have suspended Respondent for one year with six months stayed on conditions.

NOT PARTICIPATING: Justice Donnelly

Sanction	Six-month stayed suspension
Court Modified Sanction	No
Rules Violated	5.3(c), 8.4(c)
Aggravation/Mitigation	A- none; M- (1)(no prior discipline), (2AggMitC4) (no dishonest or selfish motive), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Freedman (2016); Clark (2018)
Cited By	

court conducted two hearings regarding the validity of the power of attorney used in the domestic violence and divorce actions. At the hearings, Respondent admitted that the power of attorney was unwitnessed at the time of its execution and was later signed by her employees.

SANCTION: The Court adopted the parties' consent-to-discipline and suspended Respondent for six months, fully stayed.

DISSENTING: Justice Kennedy

OVERVIEW: Respondent received a six-month, stayed suspension for misconduct related to her use of two improperly witnessed and notarized powers of attorney.

PROCEDURE: The Board accepted the parties' consent-to-discipline agreement.

FINDINGS: Respondent's father was married to a woman Respondent believed was abusing her father. The father signed a power of attorney and a power of attorney for health care in Respondent's presence. Respondent later directed two employees in her law firm to sign the powers of attorney as attesting witnesses and another employee to notarize her father's signature. Respondent subsequently used the healthcare power of attorney to direct her father's medical care and the general power of attorney to sign an affidavit filed with the domestic relations court in Stark County in a petition for a domestic violence civil protection order, to file a complaint for divorce, and to execute a restraining order. Respondent later represented to the court that she had the power of attorney for her father. The

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	8.4(b) , 8.4(c)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses); M- (1) (no prior discipline), (3)(restitution), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Bennett (2010); Wagner (2013); Helbley (2014)
Cited By	

and economically disadvantaged individuals and service-disabled veterans. Respondent entered into a plea agreement and pled guilty to one count of attempt and conspiracy to commit wire fraud. Respondent's underlying misconduct involved the creation of companies that qualified for the grant program because of the disadvantaged individuals chosen to run them, but the companies were actually run by others who did not meet the grant requirements.

SANCTION: The Court imposed an indefinite suspension with no credit for time served while under an interim felony suspension.

OVERVIEW: Respondent was indefinitely suspended with no credit for time for misconduct stemming from his felony conviction for an attempt and conspiracy to commit wire fraud.

PROCEDURE: After an independent review of the record, the Court adopted the Board's findings of misconduct and recommended sanction. No objections were filed by either party.

FINDINGS: Respondent was a defendant to a 12-count indictment alleging that he and others had conspired to defraud the federal government out of over \$140 million in federal-agency contracts and payments. Between February 2003 and October 2014, Respondent and others falsified information enabling four businesses to qualify for federal programs intended to assist small businesses owned and operated by socially

Sanction	Six-month suspension
Court Modified Sanction	No
Rules Violated	8.4(d), Jud.Cond.R. 1.2, 1.3, 2.2, 2.3(A), 2.9(A)
Aggravation/Mitigation	A- (1) prior discipline, (4) (multiple offenses); M- (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	Yes
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	Hale (2014); Hoague (2000)
Cited By	

OVERVIEW: Respondent received a six-month suspension for failing to respect and comply with the law and acting in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

PROCEDURE: The panel and Board recommended the Court's adoption of the parties' consent-to-discipline agreement.

FINDINGS: Respondent was a Scioto County Common Pleas judge when his daughter was stopped by the highway patrol for speeding and for having expired tags. When the officer approached the vehicle, the daughter stated that her father was "Judge Marshall." The daughter proceeded to call her father and asked the officer to talk to Respondent. In the telephone conversation, Respondent disputed the assertion that the tags were expired and asked if the officer was going to give his daughter a ticket. Several days later, Respondent sent a letter to a judge in the Scioto County Common Pleas court on court letterhead identifying himself as the residential

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parent of his daughter for purposes of ensuring the matter was not transferred to Jackson County, the address listed on his daughter's driver's license. After the case was assigned, Respondent attempted to engage the prosecutor in his daughter's traffic case. At the arraignment hearing, Respondent told the magistrate that "the trooper was rude to him" and that he "wanted to get the trooper in trouble." During a pretrial conference, the magistrate indicated to the bailiff that she would only allow counsel in the courtroom. Despite her instructions, Respondent approached the bailiff and said "I'm her father and I'm an attorney, and I'm coming in" while pushing the bailiff's arm out of the way. Respondent told the prosecutor that "[b]ack when there was a professional courtesy [his] daughter would not have received a ticket." During a suppression hearing on a matter in his courtroom, Respondent interrupted a direct examination and began questioning the witness about the calibration of his speedometer and the condition of the tuning forks that were used to check the calibration. He later made derogatory comments to counsel about the highway patrol. During the final adjudicatory hearing involving his daughter, he directed the highway patrolman to not ask questions, and took the stand as an expert witness on radar readings. The magistrate did not issue a decision from the bench and in the interim Respondent called the magistrate to ask her whether she had ever had an expert testify about radar. The magistrate did not answer his question. The phone call concluded when Respondent hung up after stating that the magistrate could not make a finding and was questioning his credibility. At a case disposition hearing Respondent reiterated that he always required a radar expert to make a finding as a municipal court judge.

SANCTION: The Court adopted the consent-to-discipline agreement and suspended Respondent for six months.

NOT PARTICIPATING: Justice DeWine

Sanction	Indefinite suspension with no credit for time served under interim felony suspension
Court Modified Sanction	No
Rules Violated	8.4(b), 8.4(h)
Aggravation/Mitigation	A-(4) (multiple offenses); M-(1) (no prior discipline), (4) (cooperative attitude), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Grossman (2015); Ballato (2014); Butler (2011)
Cited By	

sanction of an indefinite suspension with no credit for time served under his interim felony suspension.

DISSENT: Justice O'Donnell dissented and would disbar Respondent.

OVERVIEW: Respondent received an indefinite suspension with no credit for time served under his interim felony suspension for his felony convictions.

PROCEDURE: The Court imposed an interim felony suspension based on Respondent's felony convictions. The parties submitted stipulations, misconduct, and aggravating and mitigating factors. The panel adopted the parties' stipulations and recommended an indefinite suspension with no credit for time served under his interim felony suspension. The Board adopted the panel's report in its entirety.

FINDINGS: Respondent was convicted of multiple felony counts of pandering sexually oriented material involving a minor.

SANCTION: The Court adopted the Board's findings of fact and imposed the recommended

Sanction	Indefinite suspension with no credit for time served under interim felony suspension
Court Modified Sanction	No
Rules Violated	Jud.Cond.R. 1.2
Aggravation/Mitigation	A-(8) (harm to vulnerable victim); M-(1) (no prior discipline), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	McCafferty (2014); Katalinas (2000); Whitfield (2012); Goodall (2004); Harris (1982)
Cited By	

OVERVIEW: Respondent, a sitting judge, was indefinitely suspended after pleading guilty to attempted felonious assault and domestic violence involving his estranged wife.

PROCEDURE: The Court imposed an interim felony suspension based on Respondent's felony conviction. Based on the stipulations and evidence presented at hearing, the panel found that Respondent had committed the charged violates. The Board adopted the panel's recommendation of disbarment.

FINDINGS: While traveling in a vehicle with his estranged wife and two children, Respondent became upset during a discussion and began assaulting his wife. He struck her in the head, hit her head against the armrest, dashboard, and the

window of the passenger door, and bit her face. Respondent's wife attempted to escape the moving vehicle. When the vehicle stopped at a red light, she opened the door and fell to the ground. Respondent exited the vehicle and began to strike his wife as she lay on the ground. He then returned to the vehicle and drove away, leaving his wife behind. Upon arriving at his home, he called his sister to pick up his children because he intended to shoot himself. He was later arrested. As a result of the attack, Respondent's wife sustained severe physical harm to her head, face, and neck, including an orbital blowout fracture under her left eye.

SANCTION: The Court adopted the Board's findings of fact, but imposed an indefinite suspension with no credit for time served instead of the Board's recommendation of disbarment. Conditions for reinstatement included a mental-health reevaluation conducted by OLAP and a report that he is able to return to the competent, ethical, and professional practice of law, enter into an OLAP contract, and comply with all recommendations of OLAP and his treating professionals.

Sanction	One-year suspension, six months stayed
Court Modified Sanction	No
Rules Violated	1.8(j), 8.4(h)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (4) (multiple offenses), (7) (refusal to acknowledge wrongdoing),(8) (harm to vulnerable victim); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Sleibi (2015); Jacob (2017)
Cited By	

soliciting charge in exchange for dismissal of the remaining charges. He claimed that he did not know the woman he met was a prostitute. Despite his guilty plea and the trial court’s finding that the record contained strong evidence of guilt, Respondent maintained that he was innocent, that the detective was seeking retribution for “tough” cross-examinations in other cases, and that the woman was a confidential informant for local police. In a second count, Respondent agreed to take a client’s case and commenced a sexual relationship with the client on multiple occasions. He also exchanged more than 300 sexually explicit text messages. After the divorce became final, the client asked Respondent to address unresolved property and financial issues with her ex-husband. In the following months Respondent and client exchanged more than 1,400 text messages about post decree issues and other personal matters. Many of the text messages contained sexually explicit language and innuendos. Although Respondent sent his client an invoice, she never paid him, and he has stipulated he will not attempt to collect the fees.

OVERVIEW: Respondent received a one-year suspension with six months stayed for two violations of the Rules of Professional Conduct arising from his criminal conviction for solicitation of prostitution and his sexual relationship with a client.

PROCEDURE: The Board adopted the panel’s recommendation of a one-year suspension with the final six months stayed on conditions.

FINDINGS: Respondent responded to a Craigslist advertisement posted by a woman and engaged in sexual activity with her on several occasions. Local law-enforcement discovered Respondent’s conduct in a sting operation and charged him with several misdemeanor counts including soliciting sexual activity for hire. Respondent entered an *Alford* plea to the

SANCTION: The Court adopted the Board’s findings of fact, conclusions of law and recommended sanction with conditions that he engage in no further misconduct, submit to an OLAP evaluation, authorize OLAP to disclose the results of the evaluation to the relator and if OLAP determines the treatment is necessary, enter into an OLAP contract.

Sanction	One-year stayed suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 1.15(d), 1.16(d),1.16(e),8.4(d)
Aggravation/Mitigation	A-(1) (prior discipline),(3) (pattern of misconduct),(4) (multiple offenses), (9) (no restitution); M- (2) (no dishonest or selfish motive), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Yakubek (2015)
Cited By	

appear for scheduled court hearings, and in one case resulted in her client representing herself pro se. Respondent also failed to provide her clients with a requested itemized statement of legal services, failed to turn over client files after terminating representation, and failed to refund unearned fees to one client after termination of representation.

SANCTION: The Court adopted the Board’s findings of fact, conclusions of law, and recommended sanction on conditions that Respondent provide proof of restitution to one client for unearned fees, submit to an OLAP evaluation, serve a two-year period of monitored probation, and engage in no further misconduct.

OVERVIEW: Respondent received a one-year stayed suspension for failing to act with reasonable diligence in the representation of a client, failing to keep a client reasonably informed, and failing to provide clients with a requested itemized statement of legal services.

PROCEDURE: A panel found Respondent had engaged in most of the conduct stipulated by the parties, and recommended a one-year stayed suspension that the Board adopted.

FINDINGS: Respondent represented a client in divorce and child-support proceedings in early 2015. When the court issued its final judgment entry, the client noticed several errors including that the child support was in an amount less than what the parties had agreed to. Respondent failed to respond to the client’s inquiries and never filed a motion to attempt to correct the errors identified by the client. Respondent was also found to have committed additional rule violations by failing to

Sanction	One-year suspension, six months stayed.
Court Modified Sanction	Yes
Rules Violated	DR 1-102(A)(4), 8.4(b)
Aggravation/Mitigation	A- (4) (multiple offenses); M-(1)(no prior discipline), (2)(no selfish or dishonest motive), (4)(cooperative attitude),(5)(good character),(6)(other penalties/sanctions)
Criminal Conduct	Yes
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	DeMarco (2015)
Cited By	

OVERVIEW: Respondent received a one-year suspension, with six-months stayed for conduct stemming from his criminal convictions after pleading guilty to unlawful use of a telecommunications device, one count of attempted disclosure of confidential information acquired in the course of public duties, and two counts of making false statements in an official proceeding.

PROCEDURE: The parties submitted stipulations and sought to dismiss six of the eight violations alleged in the complaint. The panel recommended and the Board adopted a recommendation Respondent be publicly reprimanded.

FINDINGS: Respondent was elected to the Mahoning County Board of Commissioners. At the time the county department on job and family services had been leasing offices from the Ohio Valley Mall Company for approximately 18 years. The commissioners had begun discussing moving the agency when the lease expired and

purchasing the Oakhill Renaissance Center from the Southside Community Development Corporation that had filed for bankruptcy. When the property was offered for sale by the trustee, Respondent and other officials filed objections in bankruptcy to the proposed purchase by the county. The objections were overruled and the commissioners voted to buy the property. Two lawsuits were filed by Ohio Valley against the county seeking to rescind the sale and recover \$1,000,000 in breach of contract damages. Prior to this period of time Respondent had faxed a copy of the county's offer to purchase Oakhill to counsel for Ohio Valley. A local newspaper began to run articles suggesting Respondent and other officials had engaged in unethical conduct while opposing the county's acquisition of Oakhill. Later Respondent was indicted with others in Cuyahoga County on 73 counts. Respondent pled guilty to four misdemeanors and all remaining counts pertaining to him were dismissed.

SANCTION: The Court imposed a one-year suspension with six months stayed on the condition Respondent engage in no further misconduct.

NOT PARTICIPATING: Justices DeGenaro and Fischer

Sanction	One-year stayed suspension on conditions.
Court Modified Sanction	No
Rules Violated	1.3,1.4(a)(3), 1.4(a)(4)
Aggravation/Mitigation	A-(1) (prior discipline); M- (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Reed (2016); Hanni (2016); Malvasi (2015)
Cited By	

OVERVIEW: Respondent received a one-year stayed suspension for failure to act with reasonable diligence in representing his client, failing to keep the client reasonably informed about the status of the case and respond to reasonable requests for information.

PROCEDURE: The Respondent stipulated to some, but not all the charges of misconduct. A panel found that he engaged in the stipulated misconduct, but dismissed all other allegations. The Board issued a report adopting the panel's findings and recommended sanction. Neither party objected to the Board's report.

FINDINGS: Respondent was retained to represent a couple to investigate a water-drainage problem in their back yard that involved the builder of their home. Respondent sent one letter to the homebuilder to inform them of the drainage problem, but he received no response. He

conducted no further investigation and had no contact with the clients for several months. After additional efforts to contact the Respondent failed, the clients filed a grievance, at which time he sent a second letter to the homebuilder and met with the clients. He did not perform any additional work. During the proceedings, the Respondent admitted that he never checked the home warranty or homeowners' insurance to see if the drainage issue was covered, and that he never made contact with anyone at the homebuilder who had authority to discuss his client's issue. He also admitted that he never filed a complaint on behalf of his clients. He refunded a \$400 retainer to the clients before hearing.

SANCTION: The Court adopted the Board's report and recommendation and imposed a one-year suspension, fully stayed on conditions that he complete six hours of CLE on law-office management in each of the next three years and engage in no further misconduct.

DISSENT: Chief Justice O'Connor would have stayed six months of the respondent's suspension.

Sanction	Six-month stayed suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(2), 1.4(a)(3), 1.4(a)(4), and 1.4(c)
Aggravation/Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive); M-(4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	Kluesener (2017); Simon (2016)
Cited By	

Respondent about the status of his case. Respondent told the client he would look into it, but the client never heard from Respondent again. Respondent never resolved the matter with the insurance company, nor did he ever file a complaint on the client's behalf. Respondent admitted he did not carry malpractice insurance during the representation and had no recollection of having informed his client of that fact.

SANCTION: The Court accepted the agreement and imposed the recommended sanction on conditions. Respondent's entire suspension was stayed on the conditions that he pay restitution to his client within sixty days of the order, complete six hours of continuing legal education in law-office management in addition to the requirements of Gov.Bar R. X, serve one year of monitored probation, and engage in no additional misconduct.

NOT PARTICIPATING: Justice DeGenaro

OVERVIEW: Respondent received a six-month suspension, stayed on conditions for accepting a retainer from a client to pursue an insurance claim and neglecting to do so.

PROCEDURE: The parties submitted a consent-to-discipline agreement, stipulating to the facts in the complaint, disciplinary violations, and mitigating and aggravating factors, as well as a sanction of a six-month suspension, stayed on conditions. The Board recommended that the agreement be accepted.

FINDINGS: In December 2003, a client retained Respondent to pursue an insurance claim arising from a structural fire. The client provided Respondent with all the paperwork he received from the insurance company and paid Respondent a \$500.00 retainer plus a \$300.00 filing fee. Thereafter, Respondent failed to return his client's calls. In 2016, during a chance meeting at a local courthouse, the client asked

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	1.5(a), 1.5(b), 1.5(e)
Aggravation/Mitigation	A- none; M- (1)(no prior discipline), (2)(no selfish or dishonest motive), (3)(restitution or rectified consequences), (4)(cooperative attitude),(5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Adusei (2013); Martorana (2013)
Cited By	

Without his client's consent, Respondent asked another lawyer with little criminal law experience to draft a motion in the doctor's case. Although he reviewed and approved the motion, he did not sign it, but accepted a \$17,500 fee for the work. The motion was fundamentally flawed and the court overruled the motion.

SANCTION: The Court adopted the parties' consent-to-discipline agreement and imposed a public reprimand.

NOT PARTICIPATING: Justice DeWine

OVERVIEW: Respondent received a public reprimand for collecting an excessive fee, failing to establish the basis for the rate of the fee, and sharing a fee with another lawyer without client consent and proportional to the work performed.

PROCEDURE: The parties submitted a consent-to-discipline agreement and the panel and Board recommended adoption.

FINDINGS: Respondent was retained by a doctor to take legal action to change the effect of his conviction after pleading guilty to a misdemeanor count of workers' compensation fraud. Respondent discussed his fees with the client, but he never established a specific fee amount or provided the client with a written fee agreement. He accepted a check for \$25,000 from the doctor and deposited it into his client trust account. Respondent then sent \$12,500 of the fee to another lawyer retained by the client to defend against related professional misconduct charges that were pending before the medical board.

Sanction	One-year suspension stayed in its entirety on conditions
Court Modified Sanction	No
Rules Violated	1.1, 1.3, 8.4(b), 8.4(c), 8.4(d)
Aggravation/Mitigation	A-(2) (dishonest or selfish motive); M-(1) (no prior discipline), (3) (restitution or rectified consequences), (4) (full and free disclosure), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Fowerbaugh (1995); Shaffer (2003); Kinney (2000); Fumich (2007)
Cited By	

OVERVIEW: Respondent received a one-year stayed suspension for failing to act with reasonable diligence, failing to provide competent representation, committing an illegal act that reflects adversely on his honesty or trustworthiness, engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation, and conduct that is prejudicial to the administration of justice.

PROCEDURE: The parties submitted a consent-to-discipline agreement, stipulating to the facts in the complaint, disciplinary violations, and mitigating and aggravating factors, as well as a one-year stayed suspension. The Board recommended that the agreement be accepted.

FINDINGS: Respondent represented a seller in a real-estate transaction valued at approximately \$2.26 million. Respondent also oversaw the closing of the transaction as the manager of the title company, which was owned by his law firm. Respondent knew that the city would have to approve the legal description for one of the tracts involved in the transaction, but he closed the deal without seeking approval. Respondent submitted the deed-conveyance forms to the appropriate county office, but they were returned with a notation that the legal description of one tract required city approval. Respondent disbursed funds from the transaction to the seller, the real-estate agents, and the county treasurer, but he continued to hold funds owed to the law firm and the title agency. An attorney from Respondent’s firm requested copies of the recorded mortgage to submit with the buyer’s application to transfer a liquor license. Respondent affixed a recording stamp on the first pages of the mortgage and assignment of rents to make it appear as if they had been recorded. The title company sent one of its employees to the courthouse, only to discover that the deed, mortgage, and assignment of rents had never been recorded. And in the title company’s own file, an employee found slips of paper that Respondent had used to alter the documents. Respondent admitted that he had cut the recording information from authentic documents, pasted it onto the document that he should have recorded, and photocopied the altered documents to make them appear authentic. The firm terminated Respondent’s employment.

SANCTION: The Court accepted the agreement and imposed a one-year suspension stayed in its entirety on conditions that he engage in no further misconduct.

DISSENT: Justice O’Donnell dissents and would have remanded the case to the Board to reconsider the sanction to be imposed.

Sanction	One-year stayed suspension
Court Modified Sanction	No
Rules Violated	8.4(b), 8.4(h)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive); M- (1) (no prior discipline), (4) (cooperative attitude), (6) (other penalties/sanctions), (7) (mental illness)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Salters (2016); Landis (2010)
Cited By	

OVERVIEW: Respondent received a one-year stayed suspension for leaving the scene of an accident involving an injury.

PROCEDURE: The parties entered into stipulations of fact, misconduct, and aggravating and mitigating factors and agreed upon a one-year suspension.

FINDINGS: Respondent was involved in a two-car crash in Fredericksburg, Virginia on April 29, 2017. He failed to yield the right-of-way and collided with another car. The driver and passenger in the other vehicle were transported to the hospital. Respondent's car was significantly damaged causing his airbags to deploy and he left the scene of the accident. Respondent was apprehended a short time later and cooperated with the investigation. He admitted that he had consumed six beers that evening. A BAC test showed that his blood-alcohol content was 0.12. Respondent was charged in Virginia with leaving the scene of an accident involving injury or death, a fifth-degree felony, and driving while

intoxicated, a first-degree misdemeanor. He was sentenced to three years in prison for the felony and 60 days in jail for the misdemeanor but the court suspended both terms and placed him on supervised probation for five years. He was ordered to complete the Virginia Alcohol Safety Action Program, pay a fine and court costs, comply with all terms of his probation, and remain on good behavior.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law and recommended sanction of a one-year suspension stayed in its entirety on the conditions that he successfully complete the five-year term of probation imposed in his criminal case, continue to actively participate in his substance-abuse recovery and treatment as recommended by a qualified chemical-dependency professional, remain drug-and alcohol-free, and commit no further misconduct.

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 3.3(a)(1), 3.4(b), 3.4(c), 3.4(d), 4.1(a), 8.4(c), 8.4(d)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (7) (refusal to acknowledge wrongdoing); M- (1) (no prior discipline)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Gruttadaurio (2013); Donchatz (2017)
Cited By	

OVERVIEW: Respondent received an indefinite suspension for failing to act with reasonable diligence and promptness, failing to keep a client informed about the status of a legal matter, failing to comply with discovery requests, making false statements to opposing counsel and a tribunal, and counseling a client to give false deposition testimony.

PROCEDURE: The Board adopted the panel's report and recommendation in its entirety. Respondent objected to the Board's report.

FINDINGS: In March 2015, a client retained Respondent to represent him in an employment-discrimination action against the client's former employer. After a complaint was filed in state court, the employer's counsel caused the matter to be removed to federal court. Respondent was later served with discovery requests, and Respondent requested additional time. A

deposition was rescheduled for November 6, 2015. The employer's counsel traveled from Boston to Cleveland for the deposition, but neither Respondent nor his client appeared. A motion to compel was filed by the employer's counsel and was granted. Respondent later filed responses to discovery that were neither verified nor notarized. During preparation for his deposition, Respondent indicated to his client that he played games in an effort to delay the discovery process, inconvenience opposing counsel, and make her look bad in front of the court. He also told his client that he lied to opposing counsel and the magistrate about these matters and also asked his client to answer "yes" if he were asked during the deposition whether Respondent had told him about the scheduled depositions. Respondent's client recorded his conversations with the Respondent and the recording revealed Respondent disparaging opposing counsel as well as statements that contradicted his testimony at hearing.

SANCTION: The Court imposed an indefinite suspension.

DISSENT: Justices French and DeWine would have suspended Respondent for two years.

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	3.3(a)(1)
Aggravation/Mitigation	A-None; M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Mezacapa (2004), Flowers (2014), Wilson (2014)
Cited By	

OVERVIEW: Respondent received a public reprimand for knowingly making a false statement of fact or law to a tribunal.

PROCEDURE: The parties submitted stipulations of fact, misconduct, and recommended a public reprimand. The panel granted the parties' motion to waive the hearing and adopted the stipulations and recommended sanction. The Board adopted the panel's report in its entirety.

FINDINGS: Respondent signed a client's name to an affidavit without indicating that the signature was not the client's or that she had signed the client's name with the client's authorization, notarizing that signature as the client's, and then filing it in court.

SANCTION: The Court adopted the Board's findings of fact and misconduct, and imposed a public reprimand.

Sanction	Disbarment
Court Modified Sanction	No
Rules Violated	1.5(a), 8.4(c), 8.4(d)
Aggravation/Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (8) (harm to vulnerable victim); M- none
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Nyce (2018)
Cited By	

OVERVIEW: Respondent was disbarred for charging a client a clearly excessive fee, engaging in dishonest conduct in his efforts to collect the fee, and engaging in conduct prejudicial to the administration of justice.

PROCEDURE: The Board adopted the panel's recommendation of disbarment. During the pendency of the matter the Court imposed an interim default suspension on Respondent after he failed to answer a separate disciplinary complaint. Before the Board issued its report and recommendation Respondent applied to retire or resign from the practice of law, but the Court denied his application.

FINDINGS: Relator charged Respondent with multiple rule violations stemming from his efforts to collect a clearly excessive fee for representation he indicated he would handle for free. However, less than four weeks after representation commenced, Respondent sent his client an invoice for \$9,500 under the theory that he intended to seek an award of legal fees from

her spouse in the divorce proceedings. Later, Respondent emailed the client an \$11,000 promissory note and requested that she sign it, which she agreed to do because she was desperate to maintain his representation. One day after Respondent was suspended from the practice of law in *Cincinnati Bar Assn. v. Moore*, 2015-Ohio-2488, Respondent admitted to his client on the way to a hearing that he had been suspended and did not know if he would be able to represent her, "but we're going to try." Respondent was instructed to leave the courtroom by the presiding magistrate. Respondent suggested that Andrew Green, an attorney with whom he shared office space, could assume Marshall's representation of the client. Green testified that he did not provide a fee agreement with the client and believed that Respondent would pay him for his services. After the representation ended, Green filed a breach-of-contract action on behalf of Respondent against the client. The complaint made false allegations based on information from Respondent about the billing rates for the original services and the failure of the client to respond to requests for payment. The trial court dismissed the complaint.

SANCTION: The Court adopted the Board's recommended sanction of permanent disbarment.

Sanction	One-year suspension, six months stayed
Court Modified Sanction	Yes
Rules Violated	3.5(a)(6), 8.2(a), 8.4(d)
Aggravation/Mitigation	A- (5) (lack of cooperation), (7) (refusal to acknowledge wrongdoing); M- (1) (no prior discipline), (2) (no dishonest or selfish motive)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent was suspended for one year with six months stayed for making improper statements that impugned the integrity of judicial officers in a document filed with the Supreme Court.

PROCEDURE: The Board adopted the panel’s recommendation that Respondent be suspended from the practice of law for one year, fully stayed. Objections were filed by both parties.

FINDINGS: Respondent appealed a Board of Tax Appeals decision on behalf of a client to the Eighth District Court of Appeals. Because Respondent failed to present a current value of the subject property’s value, the court of appeals held that the BTA’s decision was reasonable and lawful. Respondent next sought a discretionary review of the court of appeals’ decision. He argued in his memorandum in support of jurisdiction that the Supreme Court’s prior decision in *Moskowitz v. Cuyahoga Cty. Bd. of Revision* was wrongly decided, had applied its own burden of proof, and that the Court should

have supported its decision with “solid case law.” He also stated that the Court intentionally misstated the holdings of cases cited and criticized the Court for accusing him of “being disingenuous in his view” of the BTA’s citation to a case. Additionally, he accused the Supreme Court of seeking to achieve its own political agenda in a prior BTA decision. Respondent also criticized two justices for favoring the government at the expense of the taxpayers and Constitution. He stated that the decision in *Moskowitz* was delayed to permit the retirement of certain justices.

SANCTION: The Supreme Court adopted the Board’s findings of fact and conclusions of law and suspended Respondent for one year, with six months stayed on the condition that he commit no further misconduct.

CONCURRING: Chief Justice O’Connor in an opinion joined by Justices Fischer, Donnelly, Brunner and Stewart.

CONCURRING IN PART AND DISSENTING IN PART: Justice Stewart would adopt the recommended sanction of the Board.

DISSENTING: Justice Kennedy and Justice DeWine in separate opinions.

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	1.5(b), 1.5(c)(1), 1.5(d)(3)
Aggravation/Mitigation	A- none; M- (1)(no prior discipline), (2AggMitC4) (no dishonest or selfish motive), (4) (cooperative attitude), (5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Seibel (2012)
Cited By	

12 percent contingency fee, in addition to the \$6,000 fee previously paid. The contingent fee agreement was never reduced to writing. The clients later terminated Respondent. Respondent did not refund any portion of the flat fee, but Relator concluded that Respondent did an appropriate amount of work on the case.

SANCTION: The Court adopted the parties' consent-to-discipline and publicly reprimanded Respondent.

OVERVIEW: Respondent received a public reprimand for failing to properly communicate the basis or rate of his fee or a change in the basis or rate of the fee, failing to provide a written contingent fee agreement, and collecting a flat fee without advising a client that they may be entitled to a full or partial refund.

PROCEDURE: The Board accepted the parties' consent-to-discipline agreement.

FINDINGS: Respondent was retained to represent a couple with regard to claims arising from the installation of a septic tank on their property. The clients paid Respondent \$6,000 as a flat fee, but Respondent did not provide them with an engagement letter or other document memorializing the nature of the fee or scope of the representation. Respondent also did not provide written notice that the fee was "earned upon receipt" or any written documentation regarding their responsibility for litigation expenses. After a lawsuit was filed and a mediation failed, Respondent informed his clients that his continued representation would require a

Sanction	Two-year suspension, one year stayed
Court Modified Sanction	No
Rules Violated	1.15(a), 1.15(c), 3.3(a)(1), 8.4(c)
Aggravation/Mitigation	A- (1) (prior discipline), (3) (pattern of misconduct), (4) (multiple offenses), (5) (lack of cooperation),(7) (refusal to acknowledge wrongdoing); M- (2) (no dishonest or selfish motive), (3)(restitution or rectified consequences)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	
Cited By	

OVERVIEW: Respondent was suspended for two years, with one year stayed for depositing client funds into an improper account and engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of a two-year suspension, with one year stayed.

FINDINGS: After Respondent was reinstated to the practice of law in July 2018, he contacted Relator about its Modest Means Program, a referral service intended to provide affordable legal representation. Lawyers participating in the program agree to accept a \$500 retainer and to bill

clients at a rate of \$75 per hour. Respondent accepted 18 referrals with the program. In April 2020, Relator served Respondent with a notice advising him of the belief that he had violated the terms of his monitored probation and IOLTA rules. After a meeting with the ethics committee to explain his conduct, Respondent filed an application with the Supreme Court to terminate his probation. During the hearing, Respondent maintained that he believed that the retainers in the Modest Means Program were earned upon receipt, and thus he did not deposit the retainers in his IOLTA. He also claimed that he used a fee agreement that designated the funds as earned upon receipt. When Relator requested production of all of Respondent's fee agreements, he claimed that they had been misplaced following his evacuation of his law office in downtown Cleveland in May 2020. The Board dismissed the allegations concerning the production of the fee agreements but found that the allegations constituted aggravating factors.

SANCTION: The Court adopted the Board's findings of fact and conclusions of law, and suspended Respondent for two years, with one year stayed on conditions that he commit no further misconduct. Upon reinstatement, Respondent was required to serve a two-year period of monitored probation and submit all fee agreements and client-trust account records to his monitoring attorney on a monthly basis.

Sanction	Two-year suspension, with eighteen months stayed on conditions
Court Modified Sanction	No
Rules Violated	1.4(c), 1.5(d)(3), 1.15(a)(1), 1.15(a)(2), 1.15(a)(3), 1.15(a)(4), 1.15(a)(5), 1.15(c), 1.16(e), 8.1(b), GBR V(9)(G)
Aggravation/Mitigation	A- (1) (prior discipline), (5) (lack of cooperation); M-(2) (no dishonest or selfish motive), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Scaccia (2014); Summers (2012)
Cited By	

OVERVIEW: Respondent was suspended for eighteen months with twelve months stayed for mishandling a client's fee in a criminal matter and failing to cooperate during the investigation.

PROCEDURE: The Board adopted the report and recommendation of the panel.

FINDINGS: Respondent represented a client on a drug-related felony after his girlfriend paid \$10,000 in case to represent him. He testified that he considered the \$10,000 a "flat fee * * * earned on receipt." And placed the funds in a lockbox in his house rather than in this client trust account. He admitted that he failed to advise his client or his girlfriend that if he did not complete the representation, they may be entitled to a refund of all or a portion of the fee and that he lacked

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malpractice insurance. Respondent was terminated after two weeks. He advised his client that he would refund a portion of the \$10,000 fee after he completed a bill. After two months without receiving a refund, the client's girlfriend filed a grievance. After receiving a notice of intent to file a disciplinary complaint, Respondent formally responded to the grievance and submitted an itemized statement of services in the amount of \$6,803.50. At hearing Respondent conceded he did not deposit the fee in his client trust account or comply with the record-keeping requirements for client funds held in trust.

SANCTION: The Court adopted the Board's recommended sanction of a two-year suspension with eighteen months stayed on conditions that he complete at least six hours of CLE on law-office management, and serve a one-year period of monitored probation on trust-account and record-keeping requirements relating to fees and other client materials.

DISSENT: Justice O'Donnell dissented and would have imposed a 24-month suspension, fully stayed.

Sanction	One-year suspension, six months stayed
Court Modified Sanction	No
Rules Violated	1.8(j), 3.3(a), 4.1(a), 8.4(c), 8.4(h)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent was suspended for one year with six months stayed for engaging in sexual activity with a client, making a false statement to a court, making a false statement in the course of representing a client, engaging in conduct that adversely reflects the lawyer's fitness to practice law and in conduct involving dishonest, fraud, deceit or misrepresentation.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of a one-year suspension, with six months stayed. No objections were filed.

FINDINGS: Respondent engaged in a sexual relationship with a divorce client for two years. The spouse's counsel asked Respondent if he was having an affair with his client, which he denied. He later told his client that he had lied to opposing counsel and withdrew from the case. When Respondent was campaigning as a judicial candidate he attempted to reconcile with his ex-wife. He did not tell her that he was dating the client and did not want the information to become public knowledge. Later, the client's husband, D.P., a police officer, confronted Respondent.

Respondent's ex-wife found a flirtatious text message on Respondent's cell phone from his client and confronted him. He denied a physical relationship but said that the client's ex-husband had accused him of having an affair. Respondent's ex-wife reached out to the D.P. to obtain more information about the alleged affair. Prior to the meeting, a man approached her and said that he knew her and her husband. Later, she received an envelope in her mailbox, containing a letter purportedly written by the client that detailed the affair, a photo of Respondent and the client at a reception table, and a picture of a man and woman engaging in sexual intercourse. Suspecting a connection between the man and D.P., Respondent's ex-wife suggested a meeting between her, Respondent, D.P., and the police chief. During the meeting, Respondent misrepresented the nature of his relationship with the client. Respondent and his ex-wife both filed written personnel complaints against D.P., who was eventually cleared of any wrongdoing. Misdemeanor counts of falsification and making false alarms were filed and later dismissed against Respondent. Respondent's ex-wife pleaded guilty to an amended charge of disorderly conduct, a minor misdemeanor. Respondent later petitioned to seal the record in his dismissed case. When cross-examined, Respondent testified that he did not lie to the police chief. The court denied the petition, noting that Respondent had admitted to lying to the police during the hearing and that the statute of limitations for the dismissed charges had not elapsed.

SANCTION: The Court adopted the Board's findings of fact and conclusions of law, and suspended Respondent for one year, with six months stayed on condition that he commit no further misconduct and continue to participate in mental-health counseling.

Sanction	Disbarment
Court Modified Sanction	No
Rules Violated	1.4(c) , 1.4(c)(1) , 1.15(a) , 1.15(a)(1) , 1.15(a)(2) , 1.15(a)(3) , 1.15(a)(4) , 1.15(a)(5) , 1.15(b) , 1.15(d) , 1.16(c) , 4.2 , 8.1(a) , 8.1(b) , 8.4(c) , 8.4(h) , Gov.Bar R. V(9)(G)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (5) (lack of cooperation), (6) (false or deceptive practices during investigation), (7) (refusal to acknowledge wrongdoing); M-(1) (no prior discipline)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Watson (2002) ; Hoskins (2017) ; Harvey (2017) ; Roland (2016)
Cited By	

OVERVIEW: Respondent was permanently disbarred for failing to advise clients that he did not maintain professional liability insurance, failing to maintain records documenting funds held in client trust accounts, and making false statements of material fact in conjunction with a disciplinary investigation.

PROCEDURE: The Board adopted the findings of fact and conclusions of law and recommended

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sanction of the panel.

FINDINGS: In one count, Respondent was retained by a company in an action brought by a tenant of a commercial rental property. After the client did not prevail, another lawyer was hired to handle the appeal. During the lawyer’s investigation of the matter, he discovered that the client had property-liability insurance that would have covered the liability, but that Respondent had never advised the client to file a claim. When the lawyer asked about Respondent’s malpractice insurance, he failed to respond to the inquiry. The evidence at hearing showed that Respondent had never advised his client of his lack of malpractice insurance. In an unrelated count, Respondent failed to produce copies of fee agreements, client ledgers, bank statements, and reconciliations for his IOLTA. In a count related to the IOLTA, Respondent transferred funds from his mother’s assets to his IOLTA, then later transferred the same funds into a closed probate estate for which he was the executor, deposited \$200,000 into a CD in his name, and used remaining funds to pay for a condominium held in the name of his wife and son. According to Respondent, funds in his IOLTA were held for nine individuals he identified as private clients, but for whom he was not providing legal services. Respondent failed to cooperate throughout the investigation, the discovery process, and proceedings. He sought to conceal evidence, gave false and evasive testimony, and used several means to attempt to derail the disciplinary process.

SANCTION: The Court adopted the Board’s recommendation of a permanent disbarment.

DISSENT: Justices Kennedy, French, and O’Neill would have imposed an indefinite suspension.

Sanction	Six-month, stayed suspension
Court Modified Sanction	Yes
Rules Violated	JCR 2.8(B)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Hoague (2000); Elum (2012)
Cited By	

OVERVIEW: Respondent received a fully stayed six-month suspension for failing to be patient, dignified, or courteous to a witness and failing to require similar conduct of a lawyer subject to the judge's direction and control.

PROCEDURE: The panel recommended a six-month, stayed suspension. The Board adopted the panel's findings of fact, conclusions of law, but recommended a sanction of a six-month suspension.

FINDINGS: The executor of an estate retained Respondent's daughter, Brittany, to represent her in the estate's administration. After the application to probate the will was filed, Brittany filed several waivers of disqualification signed by the beneficiaries of the estate. The waivers disclosed Respondent's familial relationship with Brittany and his position as a former shareholder and creditor of Brittany's law firm. One beneficiary, Buccalo, attended a public meeting

of the county board of commissioners and stated his belief that Respondent should recuse himself from cases in which his family represents parties. He wanted to ensure that the commissioners were aware of Respondent's practice. Upon learning about Buccalo's appearance at the meeting, Respondent scheduled a status conference and required all beneficiaries to attend. At the hearing he played a recording of Buccalo's comments, then proceeded to cross-examine Buccalo for almost an hour on issues related to the waiver and his comments to the commissioners. Respondent informed Buccalo of confrontations he had had over the years with the county commissioners and characterized Buccalo's comments as "slander." Respondent later permitted Brittany to question Buccalo and make statements for more than 15 minutes. Respondent did not curtail Brittany's questioning. In closing, Respondent berated Buccalo by stating that his comments at the board of commissioners meeting was intended to slander and disparage him and his daughter. Respondent then announced his formal recusal from the case. His notice of recusal indicated that Buccalo had raised concerns about the integrity and ethics of the probate court "without any basis in law or fact."

SANCTION: The Court adopted the Board's findings of fact and conclusions of law, and suspended Respondent for six-months, stayed on conditions that he commit no further misconduct and complete six hours of continuing judicial education focused on judicial demeanor, civility, and professionalism.

CONCURRING IN PART AND DISSENTING IN PART: Chief Justice O'Connor and Justice Brunner

Sanction	One-year suspension, six months stayed.
Court Modified Sanction	Yes
Rules Violated	3.1, 3.3(a)(1), 3.3(a)(3), 3.4(a), 3.4(c), 8.1(a) 8.4(c), 8.4(d), 8.4(h)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (6) (false or deceptive practices during investigation); M-(1) (no prior discipline), (5)(good character),(6)(other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Azman (2016)
Cited By	

OVERVIEW: Respondent received a one-year suspension, with six months stayed for violating professional conduct rules for behavior both during and after an incident involving his motor vehicle and a bicyclist.

PROCEDURE: A panel found that Respondent had engaged in most of the charged misconduct and recommended that he serve a one-year suspension with six months stayed on conditions. The Board adopted the findings of misconduct, but increased the sanction to a two-year suspension with one year conditionally stayed.

FINDINGS: In one count, Respondent was driving on a residential street when a bicycle decided to bypass a lineup of cars including Respondent's. Respondent testified that the bicyclist had smacked or hit his car. Believing

the bicyclist may have damaged the vehicle, he followed him in an effort to stop him. Respondent then deliberately drove his vehicle in front of the bicyclist and stopped suddenly, causing the bicyclist to strike the rear of Respondent's car. A witness began recording Respondent with his mobile phone. Respondent asked him to stop, but when the witness refused, the situation escalated into a physical altercation. The witnesses' phone was dropped and stomped on by Respondent. Respondent stated to a police officer that the bicyclist had purposefully run into his vehicle and that he took the witnesses' phone for evidence. Respondent was charged with criminal damaging, a second-degree misdemeanor, for shattering the witnesses' cell phone. Respondent entered a no-contest plea, and after a finding of guilty, the court imposed a suspended 90-day jail sentence, ordered restitution in the amount of \$950, ordered a \$100 fine, and placed him on community control. The Court adopted the Board's finding that during the disciplinary investigation Respondent's deposition testimony was "clearly false and contradicted the testimony of all witnesses at the scene, as well as the video recording, and the recording of [the bicyclist's] 9-1-1 call." In a civil suit brought by the witness involved in the physical altercation, the Court adopted findings that Respondent's answer and counterclaim were untruthful.

SANCTION: The Court adopted the Board's findings of fact and misconduct, but agreed with the panel in imposing a one-year suspension with six months stayed on condition that Respondent maintain compliance with his OLAP contract and engage in no further misconduct.

Sanction	Disbarment
Court Modified Sanction	No
Rules Violated	1.7(a)(1), 1.7(a)(2), 1.7(b), 1.7(c)(2), 1.8(a), 1.13(a), 1.13(e), 5.5(a), 7.1, 8.4(c), 8.1(b)
Aggravation/Mitigation	A- (1) (prior discipline), (3) (pattern of misconduct), (4) (multiple offenses),(5) (lack of cooperation), (7) (refusal to acknowledge wrongdoing); M- none
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Cicirella (2012); Fletcher (2013); Shabazz (1995)
Cited By	

litigation, Respondent appeared as legal counsel for the two corporations, himself, and another entity. The litigation was settled, but disputes arose regarding the enforcement of the agreement. Prior to the settlement, Respondent was authorized to serve as one of the corporation’s chief operating officers and permitted to use funds to perform necessary repairs and maintenance on the law building. At the same time, the Okuley Smith law firm was behind on rent payments. Respondent then prepared, executed, and recorded a \$354,000 mortgage on behalf of the corporations while he represented both in the underlying litigation with Mueller. He later arranged for the corporation to borrow funds to satisfy money owned in the settlement from a company owned by his wife, sister, and sister-in-law. A professor of law testified that Respondent represented multiple clients on opposite sides of the mortgage transaction and when he had an ownership interest in at least party to the transaction. During the Mueller litigation, Respondent recognized that there could be conflicting interests and sent a letter to several addressees to waive conflicts that was never signed.

OVERVIEW: Respondent was permanently disbarred for representing multiple clients with conflicting interests, practicing while under suspension, and failing to cooperate with the disciplinary investigation.

SANCTION: The Supreme Court adopted the Board’s findings of fact and conclusions of law and permanently disbarred Respondent.

PROCEDURE: The Board adopted the panel’s report and recommended a sanction of disbarment.

FINDINGS: Respondent was a member of the law firm Mueller, Smith & Okuley. The firm occupied a building owned by two corporations, one of which was owned by Respondent and his wife. Lawyer Mueller left the firm and later filed a lawsuit against Smith, Respondent, the corporations, and other entities. During the

Sanction	Six-month stayed suspension
Court Modified Sanction	Yes
Rules Violated	8.1(b), 8.2(a), GBR V(8)(A)(1), GBR V(9)(G)
Aggravation/Mitigation	A- None; M-(1) (no prior discipline)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Miller (2017)
Cited By	

OVERVIEW: Respondent received a six-month stayed suspension for making improper statements impugning the integrity of judicial officers, breaching the confidentiality of the disciplinary-grievance process, and other professional misconduct.

PROCEDURE: A panel dismissed one alleged rule violation, but found all remaining charged misconduct, and recommend a one-year suspension, with six months stayed on conditions. The Board adopted the recommendation of the panel, but proposed different conditions.

FINDINGS: A court of appeals determined that Respondent had not timely sought to revive a client's dormant judgment. The court determined that an objection to a bankruptcy filing on behalf of the creditor was not an attempt to execute the underlying judgment. After the court of appeals decision, the defendant filed a civil complaint against Respondent and his client for malicious civil prosecution, third-party legal malpractice, and other torts in their efforts to revive the judgment. In a joint answer, Respondent made several critical statements about the appellate judges. In addition, Respondent filed a disciplinary complaint and referenced the

complaint in a brief in opposition to a motion to disqualify Respondent as serving as his client's lawyer. The disciplinary complaint further criticized the appellate judges and suggested their decision was the result of undue influence and corruption. During the disciplinary investigation of Respondent he refused to answer Relator's inquiries about whether he carried malpractice insurance, claiming that Relator lacked jurisdiction to inquire into that subject. Respondent's refusal to respond to discovery requests about the malpractice insurance resulted in the Supreme Court holding him in contempt.

SANCTION: The Court imposed a fully stayed six-month suspension on condition that Respondent undergo an OLAP evaluation.

CONCURRING IN PART, DISSENTING IN PART: Justices Kennedy, French, and DeWine would not require Respondent to submit to an evaluation by OLAP.

DISSENT: Chief Justice O'Connor and Justice DeGenaro would impose a suspension of one year with six months stayed on conditions.

Sanction	One-year stayed suspension
Court Modified Sanction	Yes
Rules Violated	8.4(c), 8.4(d), 8.4(h)
Aggravation/Mitigation	A- (4) (multiple offenses),(7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim); M-(1) (no prior discipline), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Cochran (2018)
Cited By	

OVERVIEW: Respondent received a one-year stayed suspension, for misconduct related to his efforts to purge a client's contempt for failure to pay court-ordered spousal support and obtain the client's release from jail.

PROCEDURE: A panel recommended Respondent be suspended from the practice of law for six months, which the Board adopted.

FINDINGS: Respondent represented a husband in a divorce proceeding. The husband was ordered to pay \$8,000 a month for 144 months in spousal support. The wife filed a motion alleging the husband was in contempt for court for failure to pay spousal support and had accumulated an arrearage of \$26,378.71. A magistrate later found that the client was \$60,861.47 in arrears. The judge adopted the magistrate's findings and ordered the client's former employer to submit a QDRO allocating \$62,078.69 from the client's retirement plan to his wife. The judge also found the client in contempt for failure to pay spousal support and ordered him to serve 30 days in jail but gave him an opportunity to purge his

contempt by bringing all arrearages current within 30 days. In July, 2016, the client was found in contempt again, and given an opportunity to purge his contempt by paying his \$58,242.93 spousal-support arrearage in full. The client told Respondent that his wife would wire funds into Respondent's trust account. Respondent then went to his bank and drew a counter check from his client trust account for the arrearage and later presented the counter check to the Delaware County CSEA. With the receipt he was able secure his client's release from jail. The client's wife never wired the funds to the client trust account, but did overnight a check payable to Respondent. Respondent issued a stop-payment order on the previous counter check, and took the new check to CSEA. CSEA would not accept the replacement check because it was not payable directly to the agency. The client's ex-wife filed a motion to impose the 30-day jail sentence ordered by the judge for the client's failure to comply with the court's order to pay the arrearage. After a contempt hearing, the court ordered Respondent's client be remanded to jail.

SANCTION: The Court imposed a one-year stayed suspension on conditions that he complete a two-hour CLE course focused on client-trust-account management and serve a one-year period of monitored probation.

DISSENT: Justices Kennedy and French would have imposed a six-month suspension.

Sanction	Two-year suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 1.4(c), 1.5(d)(3), 1.15(a), 1.16(d), 1.16(e), 8.4(c)
Aggravation/Mitigation	A-(2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses),(8) (harm to vulnerable victim); M-(1) (no prior discipline)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent received a two-year suspension for ethical violations involving eight separate clients.

PROCEDURE: The Board accepted the panel’s findings of misconduct, but increased the recommended sanction to a two-year suspension.

FINDINGS: In two counts, Respondent admitted that she did not maintain a client trust account when she represented the grievants and therefore never deposited advanced fees or retainers in a trust account. She also admitted to not obtaining written acknowledgements from two client regarding her lack or lapse of malpractice insurance. In a separate count, Respondent was retained to represent a client in several disputes with his ex-girlfriend. She failed to file a counterclaim or cross-claim in of the client’s matters, claiming she had not received timely notice. The court scheduled and

Respondent moved for a continuance and filed a supplement motion stating that she had “ceased the practice of law.” However, Respondent later admitted that when she filed the continuance, she had continued to represent existing clients. Respondent never informed her client about the continuance, and failed to return the clients file and property. In another count, Respondent obtained a continuance of a divorce case, but failed to inform the client who drove from Texas to Akron only to learn the trial had been continued. In a separate count, Respondent was paid a retainer to represent a client in a divorce case. Respondent filed the complaint, but filed a motion to waive the filing fees based on the client’s income level. The motion was denied, and the complaint was dismissed for failure to timely pay the filing fee. A partial refund of the retainer was allegedly issued by Respondent, but the client testified it was never received. In two other counts, Respondent did not deposit advanced fees or inform clients about the lack of malpractice insurance.

SANCTION: The Court imposed a two-year suspension and ordered Respondent to make restitution in the amount of \$625 to one client. Respondent was also required to complete ten hours of CLE related to client communication and law-office management. Upon reinstatement, Respondent was required to submit to a two-year period of monitored probation.

Justices French and Dewine would have suspended Respondent for one year, but otherwise join the opinion and sanction imposed.

DISSENT: Justice Kennedy would adopt the sanction recommended by the panel.

Sanction	Six-month suspension stayed in its entirety on conditions
Court Modified Sanction	No
Rules Violated	1.1, 1.3
Aggravation/Mitigation	A-(8) (harm to vulnerable victim); M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Nelson (2015); Dawson (2009); Drain (2008)
Cited By	

OVERVIEW: Respondent received a six-month stayed suspension for failing to provide competent representation and failing to act with reasonable diligence.

PROCEDURE: The parties submitted stipulations of fact, misconduct, and jointly recommended a six-month stayed suspension. The panel adopted the stipulations and recommended sanction. The Board adopted the panel's report in its entirety.

FINDINGS: Respondent's conduct arose from neglect of a client's legal matter, which resulted in a default judgment and the assessment of treble damages against the client.

SANCTION: The Court adopted the Board's findings of fact and misconduct, and imposed a six-month stayed suspension on conditions that Respondent make full restitution of \$25,927.56, plus interest, and commit no further misconduct.

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4)
Aggravation/Mitigation	A- none; M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (3) (restitution or rectified consequences),(5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Smith (2015)
Cited By	

OVERVIEW: Respondent received a public reprimand for failing to act with reasonable diligence and keep a client reasonably informed about the status of a matter.

PROCEDURE: The panel and Board recommended the Court's adoption of the parties' consent-to-discipline agreement.

FINDINGS: Respondent was retained by a client to negotiate with a collection agency because the agency had stopped accepting her student-loan payments. Respondent quoted a flat fee of \$300 to research her situation. His research revealed no pending lawsuits against the client in county or municipal court, but he was unaware that four lawsuits were pending in another county due to the fact the client's sister had cosigned the delinquent loans. The client sent emails to Respondent with attachments that were never reviewed, including an email about a notice of default judgment being granted. A subsequent email from the client included an attached document entitled "Notice of Court Proceeding to

Collet Debt." Over the next two months, the client called Respondent's cell phone and work phone and left messages that were not returned. After the client's paycheck was garnished, she emailed Respondent but also received no response. She eventually contacted another lawyer who had initially referred her to Respondent and asked him to reach out to him. Respondent eventually responded by email and acknowledged one of the four cases pending in common pleas court and advised the client of some possible defenses that might be available to have the judgment set aside and that the filing of a Chapter 13 bankruptcy would stop the garnishment.

SANCTION: The Court adopted the consent-to-discipline agreement and publicly reprimanded Respondent.

Sanction	Eighteen-month suspension
Court Modified Sanction	No
Rules Violated	8.4(b)
Aggravation/Mitigation	A-(3) (pattern of misconduct); M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Garfield (2006); Atway (2020); Plesich (2019); Petroff (1999)
Cited By	

OVERVIEW: Respondent was suspended for eighteen months, with credit for time served, for misconduct stemming from 20 felony counts related to the improper use of a doctor's Drug Addiction Treatment Act (DATA) number.

PROCEDURE: The Board accepted the panel's recommendation to accept the consent-to-discipline agreement with an eighteen-month suspension, with credit for time served under an interim felony suspension.

FINDINGS: Respondent was employed as a director of operations at an alcohol and drug rehabilitation facility in Whitehall, Ohio. A doctor at the facility had a DATA number and a waiver that allowed him to prescribe controlled substances to treat narcotic dependence. After the doctor resigned, Respondent failed to notify the DEA that the doctor was no longer the waiver physician for the Whitehall facility and failed to

register another waiver physician. Throughout the spring and summer of 2017, Respondent continued to use the former doctor's DATA number to make 22 purchases of controlled substances in violation of federal law. In 2019, Respondent and five others were indicted on multiple felony charges of health care fraud, distribution of controlled substances, and money laundering. Respondent was specifically charged with one count of conspiracy to commit health care fraud and 22 counts related to improper usage of the DATA number. Respondent entered a guilty plea to the 22 counts related to the use of the DATA number. The conspiracy to commit health care fraud charge was dismissed. Respondent was sentenced to a one-year term of probation for each of the 22 counts, to be served concurrently, and ordered her to pay a special assessment of \$2,200. Respondent completed probation and paid the special assessment. She self-reported her misconduct to Relator on February 26, 2020.

SANCTION: The Court adopted the parties' consent-to-discipline and suspended Respondent for eighteen months with credit for time served under the March 2020 interim felony suspension.

Sanction	One-year stayed suspension
Court Modified Sanction	No
Rules Violated	1.1, 1.3, 1.4(a)(3), 1.4(a)(4), 1.15(a), 1.15(d)
Aggravation/Mitigation	A- (1) (prior discipline),(4) (multiple offenses), (8) (harm to vulnerable victim), (9) (no restitution); M- (2) (no dishonest or selfish motive),(4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Fonda (2014); Simmonds (2016); Yakubek (2015); McNeal (2017); Hanni (2016)
Cited By	

OVERVIEW: Respondent received a one-year stayed suspension for failing to notify a client about received funds and deposit the funds in his client trust account, failing to respond to a client's reasonable requests for information, and failing to keep a client reasonably informed about the status of his legal matter.

PROCEDURE: Based on the parties' stipulations, the Board recommended findings of fact, conclusions of law, and a recommended sanction to the Court.

FINDINGS: Respondent was retained to pursue claims stemming from an automobile accident. After executing a written contingent-fee contract, Respondent spoke with a representative of the other driver's insurance company. No settlement

demand was made. Seven months after retaining Respondent, the client received a letter from the insurance company informing her that her medical insurer had made a subrogation demand and her claim remained unresolved because the company had not received any medical bills or records to support her injury claim. Respondent filed a complaint one day after the statute of limitations expired and the case was dismissed. In another matter, Respondent probated the wills of two decedents, husband and wife, following their respective deaths. The couple's son retained Respondent to collect and distribute funds that were expected to be received on behalf of the estate from the settlement of certain products-liability litigation. Respondent acknowledged in his fee agreement that reopening of the estate may be required to distribute the fees. In May 2016, Respondent received a check payable to the estate, but did not deposit the check into his client trust account or the estate account nor inform his client. The client learned through other means that the case had settled and Respondent promised to negotiate the settlement check and forward the client's share of the proceeds. The check remained in his possession at the time of hearing and he had not contacted the client nor petitioned the court to distribute the proceeds.

SANCTION: The Court adopted the recommended sanction and suspended Respondent for one year, fully stayed on the conditions that he engage in no further misconduct, make restitution of \$7,000 to one client, provide another client a valid check for the share of the products-liability settlement, and submit to evaluations conducted by his primary-care physician to determine the cause of his short-term memory issues and their effect on his physical ability and mental competence to engage in the active practice of law and submit proof of compliance to Relator.

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 1.5(c)(1), 1.5(c)(2), 1.15(a), 1.16(c), 3.1, 8.1(a), 8.1(b), 8.4(c), 8.4(d), GBR V(9)(G)
Aggravation/Mitigation	A- (3) (pattern of misconduct), (4) (multiple offenses), (5) (lack of cooperation), (9) (no restitution); M- (1) (no prior discipline)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Austin (2019); Delay (2019)
Cited By	

OVERVIEW: Respondent was indefinitely suspended for neglecting several client matters failing to communicate with and deceiving clients, misappropriating funds, failing to cooperate with the disciplinary investigation, and concealing her misconduct.

PROCEDURE: The Board adopted the panel's report and recommendation of an indefinite suspension.

FINDINGS: In one count, Respondent represented a client who had been previously represented by a firm that asserted a charging lien on a settlement with an insurer. Upon negotiating the final settlement, Respondent deposited the settlement funds in her empty IOLTA and later withdrew and deposited the entire amount in her personal checking account. In a letter to a client, she erroneously stated the client's share of the settlement and did not include a check. She began

to misappropriate the funds. She cancelled two meetings with the client to arrange for distribution of the proceeds. After a grievance was filed, Respondent wrote checks to the client, but one check was returned for insufficient funds. In a second count, Respondent represented a client to recover the cost of a faulty repair and was paid a flat fee of \$75 to send a demand letter. After receiving a check for a full refund, she falsely stated to her client that the bank would hold the funds for ten days and later misappropriated more than \$2,800 of the refund. In another count, Respondent accepted retainers from separate clients in a divorce and child support matter. She deposited both retainers in her overdrawn personal checking account and misappropriated the funds. She eventually ceased communicating with both clients without performing any significant work and failed to refund the unearned retainers. In a final count, Respondent was retained in a civil matter stemming from an assault. Respondent falsely informed the client that she had filed a complaint on her behalf. Two years later, after Respondent filed a complaint, the complaint was dismissed as time barred. At a later hearing on defendant's motion for attorney fees, Respondent was found to have engaged in frivolous conduct and she and her client were ordered to jointly pay attorney fees.

SANCTION: The Supreme Court indefinitely suspended Respondent from the practice of law and required her to demonstrate as additional conditions on reinstatement that she has committed no further misconduct, made restitution to several parties and clients and/or satisfied a judgment, submitted to an OLAP assessment and complied with all recommendations, and received a prognosis from a qualified healthcare professional or chemical-dependency professional that she is capable of returning to the competent, ethical, and professional practice of law.

Sanction	Two-year suspension, one year stayed.
Court Modified Sanction	No
Rules Violated	1.15(a), 1.15(a)(2), 1.15(a)(3), 1.15(a)(5), 1.15(b), 3.4(c), 8.4(c), 8.4(h)
Aggravation/Mitigation	A- (3)(pattern of misconduct), (4) (multiple offenses); M- (1)(no prior discipline), (4) (cooperative attitude), (5)(good character), (6)(other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Joltin (2016)
Cited By	

OVERVIEW: Respondent received a two-year suspension with one year stayed for conduct stemming from misdemeanors and for misusing his trust account.

PROCEDURE: Respondent stipulated to the charged conduct. The Board recommended the Court adopt the recommended sanction of a two-year suspension with one year stayed. Neither party filed objections to the Board’s report.

FINDINGS: Respondent was arrested and charged with assault and disorderly conduct. A temporary criminal-protection order was issued prohibiting him from having any contact with the female victim. A month later he was questioned about going to the victim’s home, denied it, but later admitted having gone there. He was charged with violating the protection order. He later informed the victim that she did not have to attend

the scheduled criminal trial because the court was closed. The court dismissed the case without prejudice after the victim failed to appear. The charges were refiled and Respondent pleaded no contest and was sentenced to ten days in jail with credit for time served, a fine, and two years of probation. Respondent also had improper contact with the victim while they were both at Berea Municipal Court. Respondent later tested for cocaine while on probation. Based on a prior investigation of Respondent’s IOLTA practices, Relator charged him with several violations related to his failure to maintain individual client ledgers, a general ledger, and failure to reconcile funds on a monthly basis. The 2018 investigation was closed based on Respondent’s assurance he would comply with the IOLTA rule. Despite the prior assurances he continued to engage in misconduct related to his IOLTA including the misappropriation of funds.

SANCTION: The Court adopted the findings of fact, conclusions of law, and recommended sanction of the Board and suspended Respondent for two years, with one year stayed on conditions that he obtain an OLAP assessment within 60 days of the order and engage in no further misconduct. In addition, reinstatement was conditioned on submission of proof that he has complied with any OLAP contract and all treatment and counseling recommendations and submit an opinion of a qualified health-care professional that he is capable of returning to the competent, ethical, and professional practice of law. Justice Fischer would have imposed probation for the stayed year of the suspension.

Sanction	Two-year suspension, with one year stayed on conditions.
Court Modified Sanction	No
Rules Violated	8.4(c), 8.4(h)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses); M- (1) (no prior discipline), (3) (restitution or rectified consequences), (4) (cooperative attitude), (7) (mental illness)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Washington (2006); Markjohn (2003); Grigsby (2011)
Cited By	

Twice a month, Respondent would send her stated hours of work for the time period. A discrepancy was discovered between the number of hours Respondent reported working the number of hours she had been logged on into the secure website. After a comprehensive audit was performed, it was discovered that she had overbilled the law firm by more than \$87,000. Respondent ultimately admitted to the misconduct and reimbursed the firm for \$87,620.

SANCTION: The Court about the Board's recommended sanction of a two-year suspension, with one year stayed on conditions that she continue to participate in mental health counseling and remain in compliance with her OLAP contract and any extension that is recommended.

OVERVIEW: Respondent received a two-year suspension with one year stayed for overbilling a law firm over a four year period for nonattorney document-review services.

PROCEDURE: The panel granted a joint motion to waive the hearing and adopted the joint stipulations of fact, misconduct, aggravating and mitigating factors, and sanction recommendation. The Board agreed with the panel's findings and recommendations.

FINDINGS: Respondent, an inactive attorney, was contracted to perform nonattorney document-review services during a period of four years. Her work was performed from her home computer when logged into a secure website.

Sanction	Six-month suspension
Court Modified Sanction	No
Rules Violated	1.5(c)(1), 1.5(c)(2), 1.15(b), 1.15(d), 8.4(c)
Aggravation/Mitigation	A-(1)(prior discipline), (2) (dishonest or selfish motive), (3) (pattern of misconduct),(4) (multiple offenses);M-(3)(restitution or rectified consequences), (4)(cooperative attitude),(5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Manning (2008); Gerren (2004); Bubna (2007); Johnson (2012)
Cited By	

\$28,000 in instalments of an initial \$10,000 and \$500 each month thereafter. All payments were to be made through Respondent. PWC agreed to pay Respondent 50 percent of any proceeds that he collected. Over time, Respondent collected the funds and placed them in his client trust account, distributing some to his client, but also withdrawing his earned fees without the client signing a closing statement. When his client inquired as to the status of the settlement, he replied that he would setup with the client at a later date. Respondent also misappropriated the remaining client funds by writing multiple checks to himself, his firm, and his wife for personal and business expenses. Eventually, his trust account became overdrawn and relator received notice regarding the overdraft. In another matter, Respondent agreed to collect the judgment for client in exchange for one-third of any proceeds collected. Respondent received garnishment payments from the judgment debtor's employer, but failed to notify his client or disburse any proceeds to him. Respondent placed the garnishment payments into his client trust account, withdrew his earned fee without the client signing a closing statement, and misappropriated the payments by writing multiple checks to himself, his firm, and his wife for personal and business expenses causing the account to become overdrawn.

OVERVIEW: Respondent received a six-month suspension for multiple acts of misconduct for failure to enter into written contingent-fee agreements with two clients, failure to have the clients sign closing statements, failure to disburse funds to the clients, and misappropriation.

PROCEDURE: The panel accepted the parties stipulations and agreed sanction. The Board adopted the recommendation of the panel.

FINDINGS: In 2011 and early 2012, Respondent represented Private Wealth Consultants (PWC) in a civil matter against Derick Gant and Gant Investment Advisors, LLC. In January 2012, Gant agreed to pay PWC

SANCTION: The Court imposed a six-month suspension.

Sanction	Two-year suspension
Court Modified Sanction	No
Rules Violated	1.2(d)(1), 8.4(b), 8.4(c)
Aggravation/Mitigation	A-(3) (pattern of misconduct); M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Jacobs (2014); Lawrence (2016)
Cited By	

OVERVIEW: Respondent received a two-year suspension for conduct stemming from his attempt to evade and defeat the payment of federal taxes.

PROCEDURE: The parties stipulated to the charged misconduct. The Board issued a report finding that Respondent had engaged in the alleged misconduct and recommended that the Court adopt the parties' proposed sanction of a two-year suspension with credit for time served under the felony suspension.

FINDINGS: Respondent was charged with one count of violating 26 USC §7201 and 18 USC §2 for willfully aiding and abetting clients in their attempt to evade the payment of their federal taxes. In 2009, Respondent began representing a couple in a tax dispute with the IRS. In July 2013, the husband gave Respondent \$117,882.42 representing proceeds from the sale of real property which Respondent placed in his IOLTA. In August, 2013, Respondent placed another

check in the amount of \$79,051 that his client had received for an insurance claim on his home. Over the following year, Respondent wrote or caused to be written 29 checks from his IOLTA – ranging in amounts from \$3,000 to \$7,500 made payable to the wife. A jury found Respondent guilty and in June 2018 he was sentenced to three years of probation and ordered to pay \$196,934.21 in restitution to the IRS, a \$10,000 fine, and a \$100 assessment, all of which Respondent paid within three months after his sentencing. Respondent stipulated that he had aided and abetted the couple in tax evasion because he knew they owed past-due taxes, he did not provide any legal services for the funds that they had delivered to him, and he closed his eyes to what was obvious. He admitted his actions were “absolutely 100 percent wrong.”

SANCTION: The Court adopted the recommended sanction of a two-year suspension, with credit for time served. Chief Justice O'Connor and Justices Kennedy and Fischer would not grant credit for time served.

Sanction	One-year, stayed suspension
Court Modified Sanction	No
Rules Violated	1.4(a)(4), 1.15(a), 1.15(a)(2), 1.15(a)(3), 1.15(a)(5), 1.15(c), 1.16(e), 8.4(c)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive); M-(1) (no prior discipline), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Dockry (2012); Gorby (2015); Glitzenstein (2018)
Cited By	

OVERVIEW: Respondent received a fully stayed one-year suspension for failing to withdraw earned fees from her IOLTA, not maintaining IOLTA records for seven years, failing to refund unearned fees, and misappropriating client funds.

PROCEDURE: The Board adopted the parties' consent-to-discipline agreement and recommended adoption by the Court.

FINDINGS: A client retained Respondent to represent her in a legal matter involving the school district that her son attended. The client paid a \$2,700 retainer to Respondent. Respondent invoiced the client for legal fees rendered and deducted the amount from her IOLTA. After deducting the amounts, her invoice showed an incorrect balance. A separate invoice requested payment of a new retainer of \$2,250 of which Respondent deposited only \$2,219.46. A later

invoice also showed an incorrect retainer balance. The client received a letter from Respondent asking whether she wanted to close her file and have the balance of the retainer returned. The client left a voicemail message indicating that Respondent should hold the balance of the retainer. Respondent eventually misappropriated the balance of the client's retainer through 14 separate withdrawals and one bank service charge. Several years later, the client telephoned Respondent to terminate the representation and request a refund of the retainer balance. Respondent said she would research the retainer refund, but never contacted the client and did not return multiple calls. In a subsequent phone call, Respondent told the client that she had already refunded the balance. The client asked another lawyer to assist in securing the refund from the client. Three years after she requested the first refund, the client received a check from Respondent's counsel in an amount less than the actual balance. Respondent eventually paid the additional amount. Respondent failed to maintain records of her client's funds for seven years after termination, failed to maintain required client ledgers, or perform monthly reconciliation of her IOLTA.

SANCTION: The Supreme Court adopted the parties' consent-to-discipline agreement and suspended Respondent for one year, fully stayed.

Sanction	Disbarment
Court Modified Sanction	No
Rules Violated	8.4(b) , 8.4(h)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (4) (cooperative attitude), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Lisner (1981); Sturgeon (2006); Ostheimer (1995)
Cited By	

count of gross sexual imposition and three counts of sexual battery with respect to each of the two victims, was sentenced to 33 years in prison, and was designated a Tier III sex offender. On appeal, he was resentenced to 29 years, 10 months in prison. The underlying conduct occurred before Respondent was admitted to the Ohio bar in 2013. Although he admitted his termination on his bar application, he did not disclose that he had engaged in sexual conduct with his students. Respondent testified at the disciplinary hearing that he had communicated with the victims, in one case several years later, after he was terminated from the school.

SANCTION: The Court adopted the Board’s recommended sanction of permanent disbarment.

DISSENTING: Justices Donnelly, DeWine, and Stewart.

OVERVIEW: Respondent was permanently disbarred for misconduct that occurred prior to becoming a lawyer.

PROCEDURE: The Board adopted the panel’s report and recommendation of permanent disbarment.

FINDINGS: Respondent was employed as a high school history teacher from 2006 to 2010 when he was terminated after someone reported seeing him arrive at the school with a student. He was confronted by the school superintendent and admitted he had met with one student but was not honest about his sexual relationships with his students. He was indicted in 2017 with several counts involving gross sexual imposition and sexual battery. He later pleaded guilty to one

Sanction	One-year, stayed suspension
Court Modified Sanction	No
Rules Violated	1.1, 1.8, 8.4(c)
Aggravation/Mitigation	A- (2) dishonest or selfish motive, (3) (pattern of misconduct), (4) (multiple offenses); M- (1) (no prior discipline), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

that she was performing legal services for the companies or follow the firm’s standard practices for establishing new clients. Before Nutriband’s acquisition of AHB, the CEO asked Respondent to furnish a legal opinion in response to an inquiry from the SEC. Her opinion incorrectly stated that AHB’s transdermal patches did not require approval from or were regulated by the FDA. After the acquisition was complete, the SEC contacted Respondent and issued a subpoena directing her to produce certain documents. Later, a lawyer representing Nutriband issued a litigation hold letter to Respondent in anticipation of a malpractice suit based on Respondent’s legal opinion. The SEC later issued a cease-and-desist order finding that Nutriband had made misleading statements regarding the FDA’s jurisdiction over its products and imposed fines of \$25,000 against Nutriband’s CEO and CFO. Respondent’s law firm entered into a confidential agreement with Respondent to settle all their respective claims arising from the legal work that she had performed for the two companies.

OVERVIEW: Respondent received a one-year suspension, fully stayed for misconduct arising from her representation of two clients in which she acquired an ownership interest.

PROCEDURE: The Board adopted the panel’s report and recommendation of a one-year, fully stayed suspension.

FINDINGS: Respondent was an associate with a law firm and provided legal assistance to a friend in connection with the creation of a company that was developing transdermal patches. Respondent was an officer of the company, Advanced Health Brands (AHB) and had a one percent ownership interest in the company. She then represented a second company, Nutriband, in its acquisition of AHB. She also acquired an ownership interest in Nutriband. Respondent did not inform the firm

SANCTION: The Court adopted the Board’s recommended sanction of a one-year stayed suspension on conditions that she engage in no further misconduct.

DISSENTING: Justice Fischer and Chief Justice O’Connor would have imposed a conditionally stayed eighteen-month suspension.

Sanction	Two-year suspension, one year stayed
Court Modified Sanction	No
Rules Violated	1.8(j), 3.3(a)(1), 8.1(a)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses),(5) (lack of cooperation), (6) (false or deceptive practices during investigation), (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (3)(restitution or rectified consequences)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent received a two-year suspension, with one year stayed for engaging in improper sexual relationships with two clients, making a false statement to a tribunal, and making false statements of material fact during the disciplinary investigation.

PROCEDURE: The Board adopted the panel’s report and recommendation of a two-year suspension, with one year stayed.

FINDINGS: Respondent began to exchange inappropriate and sexually suggestive text

messages with a divorce client. He filed a motion for contempt against the client’s spouse and included an affidavit that he notarized that was purportedly signed by the client. Respondent began a sexual relationship with the client when she flew to Ohio to attend postdecree hearings. The Respondent broke off the relationship and the client informed his law firm of the improper conduct. The firm instructed Respondent to withdraw from the case, reimburse the client, and self-report his violations to Relator. In a second count, Respondent was retained to represent a spouse charged with domestic violence. After a favorable ruling in her case, she invited Respondent to dinner and they later engaged in sex. When Respondent reported his relationship with the first client to his employer, he failed to disclose conduct with another client. After the relationship ended, the client filed a grievance. In response, he falsely and repeatedly stated that the relationship did not begin until his employer removed him from the case. He later admitted his response was a fabrication.

SANCTION: The Court adopted the Board’s findings of fact, conclusions of law, and recommended sanction of a two-year suspension with one year stayed on conditions that he contact OLAP within 60 days of the disciplinary order, comply with Gov.Bar R. V(23)(A) during the suspension, and commit no further misconduct. In addition to the conditions for reinstatement in Gov.Bar R. V(24), the Court ordered Respondent to show compliance with OLAP recommendations, provided an opinion from an qualified healthcare professional that he is able to return to the competent, ethical, and professional practice of law, provide proof that he has completed six hours of CLE addressing ethical boundaries in addition to the requirements of Gov.Bar X, and cooperate with a monitoring attorney for two years after reinstatement who will preapprove all professional relationships with female clients.

Sanction	Six-month stayed suspension
Court Modified Sanction	No
Rules Violated	JCR 1.2, 2.9(A), 2.11(A)
Aggravation/Mitigation	A- none; M- (1)(no prior discipline), (2AggMitC4) (no dishonest or selfish motive), (4) (cooperative attitude), (5)(good character), (6)(other penalties/sanctions)
Criminal Conduct	No
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Elum (2012)
Cited By	

party had proved its case. Respondent also made offhand and unnecessary comments about the parties' religion and ethnic backgrounds. She used inappropriate slang and profanity regarding Fish's testimony. A few months later, Respondent issued her decision granting petitioner Gerino a five-year civil protection order and denied Fish's counterpetition, despite the fact that she had previously told Gerino that neither party had proved their case.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and recommended sanction and suspended Respondent for six-months, all stayed, on conditions that she complete four hours of CLE in the area of judicial ethics, with two of the hours related to actual or implicit bias, in addition to the other requirements of Gov.Bar.R. X, and that she commit no further misconduct.

OVERVIEW: Respondent received a six-month stayed suspension for conduct stemming from her ex parte communications as a magistrate.

PROCEDURE: The hearing panel recommended a conditionally stayed six-month suspension. No objections were filed.

FINDINGS: Respondent presided over a hearing on a petition and counterpetition for a civil stalking protection order. Both petitioners appeared pro se and testified on their own behalf. At the close of evidence, Respondent requested that the parties exit the courthouse separately and that petitioner Fish leave first. After Fish left the courtroom, Respondent engaged in a 23-minute conversation with petitioner Gerino and his witnesses and repeatedly criticized Fish's credibility. She stated that he was "such a liar," "made himself look like a fool," was "clueless," and acted "like he's 10 years old." She also discussed the evidence and indicated how she intended to decide the matter because neither

Sanction	Six-month stayed suspension; public reprimand
Court Modified Sanction	No
Rules Violated	1.4(c), 1.15(a), 1.15(c), 8.4(b)
Aggravation/Mitigation	A- (4)(multiple offenses); M- (1)(no prior discipline), (2)(no dishonest or selfish motive), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5)(good character), (6)(other penalties/sanctions); A-none; M- (1)(no prior discipline),(2) (no dishonest or selfish motive), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5)(good character)
Criminal Conduct	Yes
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	McCord (2016)
Cited By	

recommended sanctions. Neither party objected to the Board’s report and recommendation.

FINDINGS: Respondent Rauzan was convicted of four misdemeanors for attempted unauthorized use of property in violation of R.C. 2913.04(D) for searching OHLEG for purposes unrelated to his duties as police chief. He resigned as a police chief and surrendered his OPTA certificate. In 2018, Relator received a notice that Rauzan’s IOLTA was overdrawn. Relator discovered that Rauzan had been commingling personal funds with client funds and was using his trust account as an operating account. Rauzan and Wagner were later retained by a couple in a potential personal-injury matter and were paid a \$5,000 retainer that Wagner immediately placed in her IOLTA. During the next two weeks she transferred amounts to her operating account and Rauzan’s trust account before sufficient legal work had been completed and the fees were earned.

SANCTION: The Court adopted the findings of fact, conclusions of law, and recommended sanctions of the Board, suspended Respondent Rauzan for six months, all stayed, and issued a public reprimand to Respondent Wagner.

CONCURRING IN PART AND DISSENTING IN PART: Chief Justice O’Connor and Justice Fischer would impose a conditionally stayed 12-month suspension on Respondent-Rauzan.

OVERVIEW: Respondent Rauzan received a six-month stayed suspension stemming from his misdemeanor convictions and IOLTA violations related to his representation in a personal-injury matter. Respondent Wagner received a public reprimand for IOLTA violations related to representation in the same personal-injury matter.

PROCEDURE: The Board adopted the panel’s

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	1.7(a), 1.7(b), 1.7(c)(2), 4.2
Aggravation/Mitigation	A- none; M-(1)(no prior discipline), (2)(no selfish or dishonest motive), (3)(restitution or rectified consequences), (4)(cooperative attitude), (5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Reid (2004); Leiken (2014); Wick (2007); Sartini & Tarighati (2007); Mansour-Ismail (1999)
Cited By	

Collins to Hemmert. Both clients signed an agreement waiving any conflict of interest and Respondent prepared the deed. However, Respondent made no effort to determine whether Hemmert was still represented by other counsel or obtain consent from the attorney before drafting the documents. Later, Collins directed Respondent to settle all claims against him only through a consent entry, which resulted in the court concluding the deed transferring the property to Hemmert was void. Respondent never consulted with nor advised Hemmert about the consent entry.

SANCTION: The Court adopted the parties' consent-to-discipline agreement and imposed a public reprimand.

OVERVIEW: Respondent received a public reprimand for representing two clients with conflicting interests.

PROCEDURE: The panel recommended adoption of the parties' consent-to-discipline agreement.

FINDINGS: Respondent agreed to represent Althea Hemmert and her ex-husband, Anthony Collins in a tax-foreclosure lawsuit. Respondent later discovered that another attorney had already entered an appearance on Hemmert's behalf and advised Hemmert that he could represent only Collins and not her. Regardless, Respondent met both parties on several occasions, counseled them regarding the case, and regularly communicated with Hemmert. Collins directed Respondent to prepare a deed transferring the property from

Sanction	-
Court Modified Sanction	Yes
Rules Violated	-
Aggravation/Mitigation	-
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Simecek (1998), Wiest (2016), Ruffalo ,U.S. (1968)
Cited By	

Justice Fisher, and Justice Donnelly

CONCURRING IN JUDGMENT ONLY:

Justices Kennedy, DeWine and Stewart

OVERVIEW: Respondent was charged with Prof.Cond.R. 1.1, 1.3, and 1.4(a) while representing a client in a civil defamation action.

PROCEDURE: The Board adopted the panel's recommended sanction of a public reprimand. At hearing the panel unanimously dismissed violations of Prof.Cond.R. 1.1 and 1.3, leaving the 1.4(a)(3) violation remaining. During closing arguments, the Realtor suggested that the panel was not limited to a finding of one violation of Prof.Cond.R. 1.4, but could find based on the evidence a violation of any division of Prof.Cond.R. 1.4. After the hearing, Respondent moved to dismiss the case and argued that the additional finding of a rule violation would infringe on his due process rights. Based on the briefing, the hearing panel dismissed the remaining Prof.Cond.R. 1.4(a)(3) violation, but granted the motion to amend the complaint and found Respondent violated Prof.Cond.R. 1.4(a)(1) and 1.4(b). Respondent objected to the recommendation. The Court sustained Respondent's first objection because he did not have fair notice of the uncharged violations.

SANCTION: The Court dismissed the case.

CONCURRING: Chief Justice O'Connor,

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Sanction	One-year suspension
Court Modified Sanction	No
Rules Violated	Jud.Cond.R. 1.2 , 2.2 , 2.8(B) , Prof.Cond.R. 8.4(d)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (4) (multiple offenses), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent received a one-year suspension for engaging in undignified, improper, and discourteous demeanor, ordering a courtroom observer to submit to a drug test, and finding the observer in contempt for refusing the drug test.

PROCEDURE: The panel recommended a one-year suspension with six months stayed. The Board adopted the panel's findings of fact and - conclusions of law, but recommended a one year suspension and immediate suspension from judicial office without pay.

FINDINGS: A woman, A.O., entered Respondent's courtroom to observe the hearing of her daughters' father, T.D. He had been arrested the day before for violating his probation and failing to appear in a county drug-court program. The judge noticed A.O. in the courtroom and after a defendant said he did not believe in using drugs, the judge stated

"That's good. I wish all of us could say that. Right, A.O.?" Before Respondent called the next case, he stated that he felt A.O. was under the influence and wanted her tested. A bailiff directed her to follow him to the probation department to have a drug test administered. She asked for a lawyer, but was denied because she was not under arrest. A.O. declined the drug test and Respondent held her in contempt for ten days. At jail she was forced to take a pregnancy test and undergo two-full-body scans with male officers present. Respondent sentenced T.D. to a 180-day jail term, and a 30-day jail term in two cases. A 150-day jail term was ordered for T.D.s probation violations to be served consecutively with the 180-day term. A.O.'s retained defense counsel filed a motion to stay her sentence pending appeal. The prosecutor filed a motion to vacate Respondent's contempt finding on the grounds that it was not supported by law and violated the Ohio and United States Constitutions. After the hearing, A.O. was released from jail. The appeals court reversed Respondent, finding the record to be "devoid of any specific observations or findings by [Respondent] of [A.O.'s] conduct in the courtroom ****" and that his actions were an invalid exercise of contempt power.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and recommended sanction of a one-year suspension.

Sanction	Six-month stayed suspension
Court Modified Sanction	No
Rules Violated	1.4(a)(1), 1.4(a)(2), 1.4(a)(3)
Aggravation/Mitigation	A- (7)(refusal to acknowledge wrongdoing); M- (1) (no prior discipline), (4)(cooperative attitude), (5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent received a six-month, stayed suspension for misconduct related to her failure to communicate with an incarcerated client regarding his criminal appeal.

PROCEDURE: The Board adopted the panel’s findings and recommended sanction. Neither party filed objections.

FINDINGS: Respondent was appointed as appellate counsel for Andrew Kouts who had pleaded guilty to multiple felonies and had been sentenced to 16 ½ years in prison. Respondent did not contact Kouts nor communicate with trial counsel to determine why the appeal had been filed. Kouts later filed a motion to have Respondent removed as counsel and proceed pro se, and alleged that Respondent had failed to communicate with him. The Sixth District struck the motion. On the day the appellate brief was due, Respondent moved to withdraw as counsel and notified Kouts a week later that she had moved to withdraw, but she incorrectly addressed the letter. The letter was Respondent’s first attempt at communicating with Kouts. Kouts

then filed a motion for reconsideration in the court of appeals seeking to represent himself pro se because he had “no clue” as to the status of his appeal. The court later denied both the motion to withdraw and the motion for reconsideration and ordered Respondent to file the appellate brief within 21 days. Kouts subsequently filed a pro se brief. Respondent was aware of Kouts’s brief, but made no attempt to discuss it with him. Respondent filed her appellate brief, but never consulted with, or sought Kouts’s consent for the arguments raised in the brief. The Sixth District later vacated Kouts’s plea and reversed the trial court’s judgment. On remand, Kouts was appointed new counsel. At the disciplinary hearing, Respondent admitted that she had never attempted to contact Kouts by telephone and never met him with him in person.

SANCTION: The Court adopted the Board’s findings of fact, conclusions of law, and recommended sanction of the Board, and suspended Respondent for six months, all stayed on the conditions that he complete a minimum of 12 hours of continuing legal education in law-office management and client communications within six months of the disciplinary order in addition to the other requirements of Gov.Bar.R. X, and refrain from any further misconduct.

Sanction	Two-year suspension, one year stayed.
Court Modified Sanction	Yes
Rules Violated	1.4(c), 1.5(a), 1.5(b), 1.15(a), 1.15(a)(2), 1.15(c), 8.1(b)
Aggravation/Mitigation	A-(1) (prior discipline), (3) (pattern of misconduct), (4) (multiple offenses), (5) (lack of cooperation);M-(1) (no prior discipline), (3)(restitution), (5) (good character), (7) (mental illness)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	DeLoach (2015)
Cited By	

for attorney fees, but did not execute a written fee agreement or discuss the rate, basis or total amount Respondent's fee. Respondent did not keep contemporaneous time records, nor send the client billing statements. He also failed to inform his client that he did not maintain malpractice insurance. Even though Respondent did not request additional fees, the client sent him a total of eight checks for a total compensation of \$107,998.79. Respondent deposited \$50,000 in his IOLTA, \$23,000 into his business account, and endorsed two checks totaling \$25,000 to a local art gallery. Respondent's client pleaded guilty to one misdemeanor count of workers'-compensation fraud, and the remaining charges were dismissed.

SANCTION: The Court adopted the Board's findings of fact and misconduct, but imposed a two-year suspension, with one year stayed on conditions that Respondent pay \$50,000 in restitution within 30 days and engage in no further misconduct.

OVERVIEW: Respondent received a two-year suspension, with one year stayed for charging an excessive fee, failing to hold client property in an IOLTA, and failing to respond to a request for information from disciplinary counsel.

PROCEDURE: The parties submitted stipulations and jointly recommended that Respondent be suspended from the practice of law for two years with one year of the suspension stayed on conditions. The panel recommended Respondent be indefinitely suspended. The board adopted the panel's report.

FINDINGS: Respondent was retained by a psychiatrist who had been indicted on felony counts of workers'-compensation fraud, theft, and tampering with records. Respondent and the client agreed upon an initial payment of \$30,000

Sanction	Six-months stayed suspension
Court Modified Sanction	No
Rules Violated	8.4(b)
Aggravation/Mitigation	A- none; M- (1) (no prior discipline), (2) (no dishonest or selfish motive) (3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Glaser (2016); Grubb (2015)
Cited By	

OVERVIEW: Respondent received a six-month stayed suspension for misconduct arising from her misdemeanor conviction for promoting contraband at a detention center.

PROCEDURE: The parties entered into stipulations. The Board recommended a six-month suspension stayed in its entirety.

FINDINGS: Respondent was in a romantic relationship with an inmate incarcerated at a Campbell County, Kentucky jail for a parole violation. Respondent visited the inmate twice a week. Respondent made her first professional visit to the inmate while he was housed in the restricted-custody section of the jail. She had never been to the restricted-custody section and was not aware of the facility's rules, including that money could only be given to a prisoner through a guard. During the visit, the inmate asked Respondent whether she could give him

some cash to purchase some items from the facility's vending machines. The inmate asked that she pass the money to him under the table because it would take several days before he received it. Video surveillance showed Respondent passing something to the inmate under the table. After a search of the prisoner, the guards found smokeless tobacco, but not the cash that Respondent alleged she had given to him. Respondent was later detained at the jail several days later and was charged with a violation of Ky.Rev.Stat.Ann. §520.00(1)(a), which provides that "[a] person is guilty of promoting contraband in the second degree when he knowingly introduces contraband into a detention facility or a penitentiary." Respondent pleaded guilty to the charged offense and was sentenced to 180 days in jail, which was discharged for two years on conditions that she commit no other offense, have no further contact with the county jail, and pay costs and fees. She self-reported her conviction to the relator and the Kentucky disciplinary authority.

SANCTION: The Court adopted Board's findings of fact, conclusions of law, and recommended a sanction of a six-month suspension, all stayed on the condition that she engage in no further misconduct.

Sanction	Two-year suspension, one year stayed
Court Modified Sanction	No
Rules Violated	1.5(a), 3.3(a)(1), 4.1(a), 8.4(b), 8.4(c), 8.4(d)
Aggravation/Mitigation	A- (2) dishonest or selfish motive, (3) (pattern of misconduct), (4) (multiple offenses); M- (1) (no prior discipline), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Stahlbush (2010); Swift (2014)
Cited By	

three years of community control and ordered to make restitution of \$29,319 to Lorain County within one year and abstain from seeking court-appointed work for two years. Respondent admitted that she made false statements to nonjudicial personnel and the exhibits established her false billing statements were received and certified by the county auditor.

SANCTION: The Court adopted the Board’s recommended sanction of a two-year suspension with one year stayed with no credit for time served under the interim felony suspension. She was ordered to comply with all orders of the underlying criminal case, pay \$50,000 in restitution to Lorain County in addition to the \$29,319 ordered in the criminal case, and engage in no further misconduct. She was additionally ordered for one year following her reinstatement to furnish Relator with copies of all her court appointed work.

OVERVIEW: Respondent was suspended for two years, with one year stayed for misconduct related to an underlying theft conviction that involved overbilling for work she performed as a court-appointed lawyer.

PROCEDURE: The Board adopted the panel’s report and recommendation of a two-year suspension with one year stayed. No objections were filed.

FINDINGS: Respondent pleaded guilty to a fifth-degree felony count of theft that arose from her overbilling the Ohio Public Defender’s Office and Lorain County for court-appointed work performed from 2016-2018. She was sentenced to

Sanction	Two-year suspension
Court Modified Sanction	No
Rules Violated	1.1, 1.2(a), 1.3, 1.4(a)(1), 1.4(a)(2), 1.4(a)(3), 1.4(a)(4), 1.16(b)(1), 8.1(b)
Aggravation/Mitigation	A- (1) (prior discipline), (4) (multiple offenses), (8) (harm to vulnerable victim); M- none
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	
Cited By	

OVERVIEW: Respondent was suspended for two years for failing to provide competent representation to a client, failing to abide by the client's decision to settle a matter, failing to keep the client reasonably informed about the status of a matter, and neglect.

PROCEDURE: The Board accepted the parties' stipulations of fact and misconduct, but recommended a more severe sanction of a two-year suspension.

FINDINGS: Respondent represented a husband and wife in a personal-injury action and filed a complaint against the tortfeasor and the provider of their uninsured coverage. Respondent was served with discovery requests from both defendants but failed to respond to the requests or to subsequent inquiries. After orders to compel were obtained by defendants, Respondent dismissed the couple's complaint without their knowledge or consent. One year later, he refiled the complaint but never submitted settlement materials to either defendant. He did not seek to

obtain service on the alleged tortfeasor. After an order to compel discovery was issued, Respondent did not respond to the discovery by the court-ordered deadline. Later, the carrier offered to settle the case, but Respondent did not respond to the offer for some time. He later made a counter-offer without the knowledge or consent of his clients and without obtaining an expert opinion as to which of their medical conditions were directly related to the accident. The clients learned the case had been settled through their chiropractor billing office. Although Respondent knew the insurance carrier would not pay settlement monies until he resolved all medical-insurance-lien claims, he never completed the work. As of the date of the filing of agreed stipulations, the clients' matter remained unresolved. Respondent did not respond to letters of inquiry from Relator, refused to meet with relator unless he was subpoenaed, and did not produce any files related to his clients because he guessed they were destroyed in an office flood or a bonfire when he destroyed many of his closed case files.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law and recommended sanction of two years to be served concurrently with his previous suspension imposed in 2016. The sanction included the condition that he submit proof that he had completed six hours of CLE in law office management in addition to the requirements set forth in Gov.Bar R. X, and that he had complied with all conditions imposed in his 2016 case. Upon reinstatement, a monitoring attorney will be appointed by Relator for a period of two years.

Sanction	One-year stayed suspension.
Court Modified Sanction	No
Rules Violated	1.3, 1.15(a), 1.15(a)(2), 1.15(a)(5)
Aggravation/Mitigation	A-(1) (prior discipline), (4) (multiple offenses); M-(2) (no dishonest or selfish motive) (3)(restitution), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Crosser (2016); Yakubek (2015); Brown (2010)
Cited By	

OVERVIEW: Respondent received a one-year stayed suspension for neglecting five separate client matters by failing to maintain required trust-account records and failing to adequately protect client funds.

PROCEDURE: The parties submitted stipulations and after a hearing the panel unanimously dismissed several other rule violations and recommended a one-year suspension, fully stayed. The board adopted the panel's report and recommendation in its entirety. No objections were filed.

FINDINGS: In one count Respondent refiled a complaint to collect unpaid commissions against a client's former employer. A mediation failed, and neither Respondent nor her client appeared at a scheduled arbitration hearing. The arbitrator ruled in the employer's favor and denied Respondent's motion for reconsideration. Respondent's client denied receiving any correspondence concerning the adverse decision.

Respondent also stipulated that during her representation that she failed to maintain a client ledger, perform monthly reconciliations. Respondent's client demanded a refund of fees, but had to obtain a judgment against Respondent in order to collect. In three counts, Respondent neglected the legal matters of two clients. In a foreclosure action filed against a client, she failed to file a timely answer, failed to appear at a default-judgment hearing, and failed to timely appeal the default judgment. She also failed to attend a scheduled mediation session and file a timely answer for another foreclosure client. Respondent also reported that she missed two filing deadlines in other client matters. In a final count, Respondent represented a client in an eviction matter and allowed the client to direct a payday-loan deposit to her client trust account because she did not have a checking account. After allowing the practice to continue, the client trust account became overdrawn.

SANCTION: The Court adopted the Board's findings of fact and conclusions of law, and imposed a one-year suspension, stayed in its entirety on conditions that Respondent complete six hours of CLE on law-office management, serve a one-year period of monitored probation, and engage in no further misconduct.

Sanction	Two-year suspension, eighteen months stayed
Court Modified Sanction	No
Rules Violated	8.4(c), 8.4(h)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3)(pattern of misconduct), and (4)(multiple offenses); M-(1) (no prior discipline), (3) (restitution), (4) (full and free disclosure and cooperative attitude), and (5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Pickrel (2017); Mahin (2016); Kraemer (2010)
Cited By	

OVERVIEW: Respondent received a two-year suspension, with eighteen months stayed for purposely underpaying a former colleague pursuant to their fee-sharing arrangement.

PROCEDURE: The Board accepted Respondent’s stipulated misconduct and recommended that he be suspended for two years with eighteen months stayed on conditions.

FINDINGS: In 2013, after working as an independent contractor for a firm for approximately three years, Respondent informed the firm he intended to leave to create a new law firm. Respondent and the firm thereafter discussed how to divide their pending caseload. They agreed Respondent would take more than 100 pending client matters and that in exchange he would pay his prior firm a certain percentage

of the fee he received in each of those cases. The percentage varied depending on whether the prior firm had initiated the representation and how much work seemed to remain on each case. In 13 of the client matters transferred to Respondent he purposely underpaid the prior firm the amount to which it was entitled. Additionally, Respondent failed to inform the prior firm about eight settlements altogether. To conceal his actions, Respondent created false settlement-disbursement sheets and forged client signatures on the falsified sheets. This misconduct went on for approximately two years. After Respondent was confronted by the prior firm, he acknowledged he had been underpaying the firm and hired an accounting firm to audit the cases subject to the fee-sharing arrangement. Respondent then paid restitution to his prior firm and, in conjunction with his new firm, an additional \$100,000 to settle any civil claims.

SANCTION: The Court adopted the Board’s recommended sanction of a two-year suspension, with eighteen months stayed on the conditions that Respondent remain compliant with his three-year OLAP contract, remain in counseling with his treating psychologist and follow all recommendations of the psychologist, and refrain from any further misconduct.

CONCURS IN PART AND DISSENTS IN PART: Chief Justice O’Connor would impose a two-year suspension with twelve months stayed on conditions.

NOT PARTICIPATING: Justice Donnelly

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	Jud.Cond.R. 1.2, 2.11(A), Prof.Cond.R. 1.16(d)
Aggravation/ Mitigation	A- (4) (multiple offenses); M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Oldfield (2014), Medley (2001), Masek (2016)
Cited By	

OVERVIEW: Respondent received a public reprimand for failing to recuse from cases in which a judge's impartiality could reasonably be questioned.

PROCEDURE: The panel and Board recommended a public reprimand.

FINDINGS: Respondent was appointed to the Mahoning County Probate Court in July 2014 and elected to a full term in November 2014. The complaint alleged that Respondent presided over numerous cases in which he had previously served as attorney of record and failed to timely notify multiple clients that he was terminating his representation following his appointment. In 2012, Respondent represented a client in her capacity as the executor of her aunt's probate estate. After inventory and distribution, a remainder beneficiary was to receive two timeshares and a cash distribution. Later, the client informed Respondent that she had used the

estate funds for her own benefit. Respondent sent a letter to her client to reimburse the estate funds, which she did not do. In July 2014, Respondent informed the client that he could no longer act as counsel to due to his appointment to the bench. In February 2016, a deputy clerk issued citations to the client to appear and show cause why he had failed to timely file a status report in the case. A magistrate recommended that the court order the client's new attorney to file an application for delayed distribution with a proposed promissory note and mortgage on the client's property. On April 5, 2016, Respondent adopted the magistrate's decision in its entirety. At the disciplinary hearing, Respondent admitted that when the case came before him that he was aware that he had previously represented the client in the matter. Relator and Respondent identified approximately 170 additional cases in which Respondent served as counsel of record and took some action after becoming judge. Three of the cases involved Respondent's approval of a magistrate's decision. While Respondent notified a number of active clients that he was terminating his representation, he remained attorney of record in a large number of open, but dormant estates and guardianships. He did not timely notify those clients of his termination of representation. He also failed to provide written notice of the sale of his interest in his law firm to the firm's clients.

SANCTION: The Court adopted the Board's recommended sanction of a public reprimand.

NOT PARTICIPATING: Justice DeWine

Sanction	Disbarment
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 1.5(a), 1.16(e), 8.1(b), 8.4(c), 8.4(d), GBR V(9)(G), GBR VI(4)(B)
Aggravation/Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses),(8) (harm to vulnerable victim), (9) (no restitution); M-None
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	Henry (2010)
Cited By	

OVERVIEW: Respondent was permanently disbarred for collecting retainers from several clients, failing to perform contracted legal services for those clients, and failing to return any portion of the retainers.

PROCEDURE: The Board considered a new complaint filed by the Relator following an indefinite suspension imposed by the Court for failing to answer a previous complaint. The Respondent failed to answer the complaint and another interim default suspension was imposed by the Court, and the matter was remanded to the Board. The Realtor submitted a motion for default disbarment and the matter was referred to a master appointed by the Board. The Board adopted the master's findings of fact and conclusions of law and agreed that Respondent should be permanently disbarred.

FINDINGS: In three separate counts Respondent was retained to file complaints for divorce by clients. He accepted retainers for attorney fees and costs, but did not perform any of the contracted work. He falsely advised one client that he had filed a complaint for divorce on her behalf. He had little or no communication with the clients. In another count, Respondent was hired to represent a client in a pending criminal and immigration matter. The father of the client advanced \$4,500 in attorney fees. After numerous failed attempts to communicate with Respondent, the father retained another lawyer to represent his son only in the immigration case. Respondent never provided most of the client files to the new lawyer. After the client was found guilty of several offenses in the criminal case, Respondent filed a motion for leave to file a delayed appeal. The motion was granted, but a mailed copy was returned as "attempted-not known" and "unable to forward." The appeal was dismissed for failure to prosecute after Respondent took no further action on behalf of his client and did not refund any portion of the retainer. A final count detailed Respondent's failure to cooperate with Relator. Respondent failed to contact Relator after receiving responses by email. He also failed to provide the Office of Attorney Services with a valid residential or office address.

SANCTION: The Court adopted the Board's recommendation of a permanent disbarment.

NOT PARTICIPATING: Justice DeGenaro

Sanction	Six-month, stayed suspension
Court Modified Sanction	No
Rules Violated	DR 9-102(E)(1), DR 9-102(B)(3), 1.15(a), 1.15(a)(2), 1.15(a)(3), 1.15(a)(4), 1.15(a)(5)
Aggravation/Mitigation	A- (4) (multiple offenses); M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Fletcher (2009)
Cited By	

rendered against each client's retainer. Consequently, she was able to refund clients any unused retainers.

SANCTION: The Court adopted the Board's recommended sanction of a six-month stayed suspension on conditions that she complete a one-year term of monitored probation focused on law-office management and compliance with client-trust-account regulations, complete three hours of CLE on law-office management and compliance with client-trust-account regulations in addition to the other requirements of Gov.Bar R. X, and refrain from any further misconduct.

NOT PARTICIPATING: Justice Brunner

OVERVIEW: Respondent was suspended for six months, stayed for failing to follow conduct rules related to her IOLTA.

PROCEDURE: The Board adopted the panel's report and recommendation of a six-month stayed suspension. No objections were filed.

FINDINGS: Between 1983 and 2019, Respondent failed to comply with conduct rules regulating the safekeeping of her client funds and client trust accounts. She routinely deposited and held client retainers in her operating account and paid personal expenses from the account, sometimes before fees were earned. Despite her failing to properly deposit funds in her IOLTA, she did maintain an accounting of her operating account with running balances and services

Sanction	One-year stayed suspension
Court Modified Sanction	No
Rules Violated	Jud.Cond.R. 1.2, 2.2, 2.9(A)
Aggravation/Mitigation	A- (1) (prior discipline),(4) (multiple offenses); M- (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Elum (2016)
Cited By	

OVERVIEW: Respondent received a one-year stayed suspension for failing to act in a manner that promotes public confidence in the judiciary, failing to uphold and apply the law, failing to perform all duties of judicial office fairly and impartially, and engaging in ex parte communication.

PROCEDURE: The Board adopted the panel's recommended sanction with the added requirement that she complete a minimum of six hours of CLE in judicial ethics.

FINDINGS: Respondent presided over a criminal matter with two co-defendants. The prosecutor set the bond for one defendant at \$75,000. Later that day, the second co-defendant's bond was set for \$350,000. The second co-defendant retained a private lawyer after arraignment who contacted Respondent's bailiff and asked if the bond for his client could be set at the same amount as his client's co-defendant. The bailiff forwarded the text communication to Respondent who lowered the amount of the bail based on the ex parte

communication. Respondent never informed the prosecutor about the communication or that she had reduced the bond. Respondent testified at her disciplinary hearing that she did not consider the text messages improper because they came through her bailiff. In another count, Respondent presided over a case with a pro se defendant charged with making an improper turn. The defendant also had an outstanding warrant for a separate traffic case. The prosecutor offered to dismiss the prior traffic case if the defendant agreed to plead guilty in the improper-turn case. The offer was rejected and Respondent found the defendant guilty of making an improper turn. During sentencing, Respondent asked the prosecutor to drop the charges on the prior traffic case. When the prosecutor refused, Respondent changed her ruling to not guilty in the improper turn case. Respondent explained that she was frustrated with the prosecutor when he refused her proposed resolution.

SANCTION: The Court adopted the Board's recommended sanction on the condition that Respondent complete a minimum of six hours of CLE focused on judicial ethics that includes training related to proper judicial demeanor, civility, and professionalism, in addition to the CLE requirements of Gov.Bar R. X and Gov.Jud.R. IV and engage in no further misconduct.

NOT PARTICIPATING: Justice DeWine

Sanction	Disbarment
Court Modified Sanction	No
Rules Violated	1.4(a)(1), 1.16(d), 3.4(c), 5.5(a), 8.1(a), 8.4(c), 8.4(d)
Aggravation/Mitigation	A- (1)(prior discipline), (2) (dishonest or selfish motive), (4)(multiple offenses), (7)(refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim); M- none
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	
Cited By	

OVERVIEW: Respondent was disbarred for filing a false affidavit of compliance with the Supreme Court, practicing under suspension, and committing other misconduct during his suspension and the ensuing disciplinary investigation.

PROCEDURE: The Board issued a report finding that Respondent omitted all the charged misconduct and recommended that he be permanently disbarred.

FINDINGS: Respondent was retained to pursue a wrongful-death claim and Ohio Victims of Crime Compensation claim on behalf of the decedent's mother. For the first five months he only communicated with his client by telephone or through an intermediary. Respondent subsequently settled the wrongful-death claim with the insurer for \$50,000. During the investigation and disciplinary proceeding, Respondent falsely claimed that he only filed an application for authority to administer the estate,

and not other required documents, because he was told by a magistrate that an early distribution of the estate funds would streamline the probate process. The magistrate did not recall having spoken with Respondent. After a suspension was imposed against Respondent by the Supreme Court in 2018, Respondent continued to represent his client, now the estate's appointed fiduciary. In December, 2018, Respondent filed a false affidavit of compliance stating that he had complied with the suspension order including notifying clients and courts about his suspension. After receiving the settlement check from the insurer, Respondent signed his client's name to it and deposited it into his IOLTA. He immediately began to distribute the settlement proceeds and pay personal financial obligations without probate court approval. Testimony from the decedent's mother at the hearing revealed that he had signed the settlement release and check without her permission. Later, a representative of the Ohio Victims of Crime Compensation fund contacted Respondent's client to inform her that Respondent could no longer represent her because his law license had been suspended. When confronted, Respondent did not advise his client to consult with other counsel nor return her file.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and recommended sanction of permanent disbarment and ordered restitution of \$50,000 to Allstate Insurance Company or the estate of the decedent.

CONCURRING IN JUDGMENT ONLY:
Justice Kennedy.

Sanction	Two-year suspension, eighteen months stayed
Court Modified Sanction	Yes
Rules Violated	1.8(j), 8.4(b), 8.4(c), 8.4(d)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (4) (multiple offenses); M-(1)(no prior discipline), (4)(cooperative attitude), (5)(good character),(6)(other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Krieger (2006); Booher (1996); Freeman (2005); Williams (2004)
Cited By	

OVERVIEW: Respondent was suspended for two years with eighteen months stayed for engaging in sexual activity with a client.

PROCEDURE: The Court remanded the matter for additional proceedings after the Board recommended acceptance of a consent-to-discipline agreement. After a hearing, the Board recommended that Respondent be suspended from the practice of law for two years, with the entire suspension stayed on multiple conditions.

FINDINGS: Respondent was contacted by a client to about possible felony charges being brought against her. Respondent met the client a Columbus restaurant, discussed her case, and then had sex with the client in Respondent’s vehicle in the parking lot. The client was charged with theft and a warrant was issued for her arrest.

Respondent subsequently instructed her to turn her GPS off on her phone so law enforcement could not track her. The judge in the case appointed Respondent to represent the client. The Respondent and client continued to engage in sexual activity at least seven times over the next four months and trespassed on Respondent’s neighbor’s property to use a hot tub. Rumors about Respondent’s relationship began to spread, but he denied the rumors to the judge presiding over his client’s criminal case on two occasions. The sheriff’s office began investigating Respondent and promised his client that she would receive a reduced sentence if she disclosed the true nature of her relationship with Respondent. She stated to investigators that Respondent insinuated that he would help with “warrants and cases for sexual favors.” Respondent was charged with sexual battery for coercing another to engage in sexual conduct, but the charges were dismissed as part of an agreement under which Respondent pleaded guilty to three misdemeanor counts of criminal trespassing and one misdemeanor count of obstructing official business. Respondent also was required to withdraw his candidacy for county prosecuting attorney.

SANCTION: The Court suspended Respondent for two years, with 18 months stayed on conditions that he comply with his OLAP contract, take the MPRE exam and receive a passing score, complete 12 hours of CLE focused on professional ethics or attorney-client relationships, serve a two-year period of monitored probation, and engage in no further misconduct.

CONCURRING IN PART AND DISSENTING IN PART: Justices Fischer, O’Connor, and DeGenaro.

Sanction	Six-month suspension, fully stayed on condition.
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 8.4(d), DR 6-101(A)(3)
Aggravation/Mitigation	A- (3) (pattern of misconduct), (4) (multiple offenses),(8) (harm to vulnerable victim);; M- (1) (no prior discipline), (2) (no dishonest or selfish motive) (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Sebree (2002); Harp (2001)
Cited By	

of the defendant's sentencing hearing, and advised the client that he saw no basis or an appeal and did no additional work. In the 20007 case, Respondent sent the client two letters, advised the client that he had reviewed the file, but failed to do anything more. In the 2012 case, he failed to respond to the client's letters, and performed no work on the client's behalf. Each of the appeals was dismissed for want of prosecution. Respondent never withdrew from any of the representations and never submitted applications for fees. One client successfully moved the court to reopen the appeal and filed a brief *pro se*. Respondent sent the client a letter regarding a strategy for the appeal and suggested a case on which the client might rely. The letter indicated Respondent would perform research and additional thoughts to assist the client, which he never did.

SANCTION: The Court about the Board's recommended sanction of a six-month suspension, fully stayed, on the condition that he engage in no further misconduct.

OVERVIEW: Respondent received a six-month fully stayed suspension by failing to file briefs in criminal cases in which he was appointed to serve as counsel.

PROCEDURE: The panel granted a motion to waive hearing and adopted the parties' stipulations. The Board adopted the recommended sanction of a public reprimand, but the Court remanded the matter for further proceedings for consideration of a more severe sanction.

FINDINGS: Respondent was appointed to represent three defendants in appeals from their criminal convictions in May 2005, May 2007, and June 2012. In the 2005 case, he filed a notice of appeal, requested and reviewed the transcripts

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 1.16(d), 1.16(e), 8.1(b), GBR V(9)(G)
Aggravation/Mitigation	A- none; M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent received a public reprimand for failing to keep a client reasonably informed about the status of a matter, failing to promptly deliver client papers and a refund of an unearned fee, failing to act with reasonable diligence, and failing to cooperate in a disciplinary investigation.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of a public reprimand.

FINDINGS: Respondent was retained to represent a client in matters related to a fraud perpetrated against the client and in a pending lawsuit in common pleas court. The client paid a fee deposit of \$2,500 and later made an additional payment of \$1,000. The matter was dismissed with prejudice. The client was also being pursued by a bank for unpaid credit-card debt the client said he did not owe. Respondent promised, but

failed, to send a response to the bank. The client left numerous messages for the Respondent at his place of employment on his cellphone, and through social media, but received no response. Respondent billed his client for only \$820 but did not refund the remaining \$2,680 of the client's fee or return his file until a grievance was filed. During Relator's investigation, Respondent did not respond to three letters of inquiry. After contacted by Relator's investigator, Respondent stated he would write a response by a date certain but failed to do so.

SANCTION: The Court adopted the Board's findings of fact and conclusions of law and issued a public reprimand.

CONCURRING IN PART, DISSENTING IN PART: Chief Justice O'Connor and Justices Fischer and Stewart concurred in the finding of a violation but dissented as to sanction and would have imposed a six-month, all stayed suspension with monitoring for one year.

Sanction	One-year suspension with six months stayed on conditions
Court Modified Sanction	No
Rules Violated	1.5(a), 3.3(a)(1), 8.4(d), 8.4(h)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive),(4) (multiple offenses),(8) (harm to vulnerable victim); M-(1) (no prior discipline), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Miller (2012); Rohrer (2009); DeMarco (2015); Vardiman (2016)
Cited By	

ordered each parent to pay one half of the bill. Two years later, only one parent had paid anything toward the share of the fees. As a result, Respondent filed an action to collect his fees in municipal court. He sought joint and several liability against the parties for an amount based on a rate of \$150 per hour. His complaint did not mention that he had been approved at a rate of \$80, that the parties had already paid \$700 toward an original bill of \$3,416, and that the juvenile court had ordered the parents to split the cost. When a grievance was filed against Respondent, he admitted to seeking fees in an amount and at a rate higher than had been approved by the juvenile court. He also acknowledged that he had omitted material facts in the complaint, filed a misleading affidavit, had used the judicial system to collect an illegal or excessive fee, and despite having had multiple opportunities to notify the court of the true nature of the juvenile court's order, had continued to perpetrate a fraud on the court.

SANCTION: The Court adopted the Board's recommended sanction including conditions that he take actions to have the judgment against the parents set aside and the case dismissed, and complete two CLE course on law-office management.

OVERVIEW: Respondent was suspended for one year, with six months stayed for collecting a clearly excessive fee and knowingly making a false statement to a tribunal in order to collect the fee.

PROCEDURE: Respondent stipulated to the charged misconduct, and the Board issued a report and recommendation. The Respondent objected to the report.

FINDINGS: Respondent was appointed as a guardian ad litem in juvenile court. After completion of his services, Respondent submitted an itemized bill in the amount of \$3,416 based on 42.7 hours of work at \$80 an hour. The court

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	8.4(b), 8.4(h)
Aggravation/Mitigation	A- (2)(dishonest or selfish motive), (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim); M- (1)(no prior discipline), (4) (cooperative attitude), (5)(good character), (6)(other penalties/sanctions), (8)(other rehabilitation)
Criminal Conduct	Yes
Public Official	No Public Official
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Goldblatt (2008)
Cited By	

with the law-enforcement officer and also had arranged to meet the person at a restaurant. Respondent was designated a Tier 1 sex offender and sentenced to three years of community control with one year under supervised probation. He was also ordered to undergo a mental-health and sexual-offender evaluation.

SANCTION: The Court adopted the findings of fact, conclusions of law, and recommended sanctions of the Board, and imposed an indefinite suspension with no credit for time served. The Court also conditioned his reinstatement on a demonstration that he has complied with the terms of the probation in his criminal case and his OLAP contract.

OVERVIEW: Respondent received an indefinite suspension with no credit for time served for misconduct related to his felony conviction for importuning.

PROCEDURE: Respondent stipulated to the charged misconduct and the parties jointly recommended an indefinite suspension with no credit for time served under Respondent's interim felony suspension.

FINDINGS: Respondent was convicted of importuning in violation of R.C. 2907.07, a fifth-degree felony. The conviction was based on Respondent's attempted unlawful sexual conduct with a minor. Respondent solicited an undercover law-enforcement officer who was posing as a 15-year-old male. During his disciplinary hearing, Respondent admitted that he had exchanged sexually charged text messages

Sanction	Indefinite suspension with no credit for time served
Court Modified Sanction	No
Rules Violated	8.4(b), 8.4(c)
Aggravation/Mitigation	A- (1) (prior discipline),(4) (multiple offenses); M-(2) (no dishonest or selfish motive), (4)(cooperative attitude), (5)(good character),(6)(other penalties/sanctions)
Criminal Conduct	Yes
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Wagner (2013); Helbley (2014)
Cited By	

OVERVIEW: Respondent received an indefinite suspension for misconduct related to his felony and misdemeanor convictions related to having an unlawful interest in a public contract.

PROCEDURE: The Board adopted the panel's recommendation to impose an indefinite suspension with credit for time served under Respondent's interim felony suspension.

FINDINGS: Respondent was the Mahoning County Auditor and actively opposed the county's efforts to purchase a former hospital, known as Oakhill Renaissance Center. After the purchase was ratified by the county commissioners, Respondent delayed the issuance of a warrant to pay for Oakhill and requested additional information about the purchase and related expenditures. After a mandamus action was filed, Respondent in his capacity as auditor issued a warrant for payment. In October 2007, the county prosecutor filed a complaint with the

Ohio Ethics Commission alleging that Respondent and other county officials had spoken with principals of another real estate property (Ohio Valley) and its owner, and accepted legal advice from the owner regarding the Oakhill matter. An original 73-count indictment in Cuyahoga County charged Respondent and other county officials with felony counts of conspiracy, bribery, tampering with records, perjury, money laundering, soliciting or accepting improper compensation, and unlawful influence of a public official. The indictment alleged that Respondent accepted money or services from the Ohio Valley owner in performing his duties as county auditor, filed false ethics reports, and made false statements under oath. Respondent pleaded guilty to some counts, and the remaining counts were nolle by the prosecution. He was sentenced to one year of community control. Respondent was also indicted by the Mahoning County Grand Jury on 25 felony charges including unauthorized use of government property and four counts of theft of in office. He pleaded guilty to several counts and was sentenced to two years of community control.

SANCTION: Respondent was indefinitely suspended from the practice of law with no credit for time served. The Court imposed conditions that he complete all terms of his probation/community-control, attend AA meetings, and be evaluated by and enter into any contract deemed appropriate by OLAP. Justice French joined the majority but would not require Respondent to submit to an OLAP evaluation and would give credit for time served.

CONCURRING IN PART AND DISSENTING IN PART: Justice Kennedy.

Sanction	One-year stayed suspension
Court Modified Sanction	Yes
Rules Violated	8.4(b), 8.4(c)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Nass (1992)
Cited By	

obstructing official business. He pleaded guilty to a third-degree misdemeanor count of criminal mischief. He received a suspended ten-day jail sentence and was ordered to pay a fine of \$185.00.

SANCTION: The Court imposed a one-year suspension, all stayed on condition that he not engage in further misconduct.

OVERVIEW: Respondent received a one-year stayed suspension for engaging in dishonesty, fraud, deceit, or misrepresentation as well as illegal acts that adversely reflected on his honesty and trustworthiness.

PROCEDURE: The parties entered into stipulations of fact, misconduct, and aggravating and mitigating factors. The Board recommended Respondent be suspended from the practice of law for six months, all stayed on conditions.

FINDINGS: Respondent stole multiple items from a Walmart store by duplicating UPC labels for low-cost items and affixing them to more expensive items that he purchased through self-checkout. He paid a total of \$27.35 for items that had an actual value of \$367.21. After he was approached by a store asset-protection associate he was tasered by a police officer outside of the store. After a search it was discovered that he had 100 additional UPC labels. Respondent was charged with misdemeanor counts of theft by deception, possession of criminal tools, and

Sanction	One-year stayed suspension
Court Modified Sanction	No
Rules Violated	1.3, 8.1(b), GBR V(9)(G)
Aggravation/Mitigation	A- (4) (multiple offenses); M- (1) (no prior discipline), (2) (no dishonest or selfish motive),(4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Farah (2010)
Cited By	

OVERVIEW: Respondent received a one-year stayed suspension for misconduct arising from her neglect of a legal matter and her failure to reasonably communicate with her clients in that matter.

PROCEDURE: The Board accepted the parties' consent-to-discipline agreement.

FINDINGS: A couple retained Respondent to ensure that their son could remain in their home in the event that they needed to be placed in a nursing home. Respondent suggested that she prepare a quitclaim deed to grant a life estate to their son and indicated that this would allow him to remain in the home for his lifetime. Respondent drafted a quitclaim deed but it incorrectly identified the son as the homeowner and the clients as the recipients of the life estate. Respondent corrected the errors and the deed was signed. The clients paid Respondent \$178 to prepare and record the deed but the deed was never recorded. After the grievance was filed Relator sent letters of inquiry and a subpoena for

Respondent to appear for a deposition. In her response to the grievance, Respondent stated that the clients had paid her just \$150, that she was willing to refund the fee, and offered to record the quitclaim deed or return it to the clients. The clients conveyed that they wished to have the deed recorded. A subsequent letter to Respondent from the Relator about the legal basis for drafting a quitclaim deed went unanswered. Respondent sent an e-mail to Relator that she would record the deed. However, she never recorded the deed as promised and failed to respond to any of relator's additional communications until sometime after the Board certified the complaint.

SANCTION: The Court accepted the parties' consent-to-discipline agreement on conditions that she participate in a one-year mentoring program, submit to an evaluation by OLAP, comply with any recommendations resulting from that evaluation, and refrain from further misconduct.

DISSENT: Justice Kennedy would remand the cause to the Board.

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	1.2(a), 1.3, 1.4(a)(3), 1.4(a)(4), 1.4(c), 1.15(a), 1.15(a)(2), 1.15(a)(3), 1.15(a)(5), 1.15(b), 1.15(c), 1.16(d), 1.16(e), 8.4(c)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Gruttadaurio (2013); Petracci (2021)
Cited By	

OVERVIEW: Respondent received an indefinite suspension for misconduct arising from six client matters including the mishandling of her IOLTA, neglect, failure to communicate, making false statements about the status of matters, failing to return property and unearned fees, and failing to notify clients that she did not carry professional-liability insurance.

PROCEDURE: The Board adopted the panel’s findings of fact, conclusions of law, and recommended sanction of an indefinite suspension. No objections were filed.

FINDINGS: Respondent represented a client seeking to terminate the spousal-support obligation in his divorce decree. After paying a

retainer, Respondent did not respond to multiple inquiries, blamed missing a scheduled telephone call on unforeseen medical issues, and did not attend a final hearing because she was double-booked. Respondent dismissed the motion, and never refiled. After termination of her services by the client, Respondent did not promptly return the file or retainer. In another matter, Respondent negotiated a plea agreement and later applied for expungement but withdrew the application without notifying her client and never responded to the client’s inquiries about the status of the matter. When representing a client in a divorce, she gave false assurances that documents concerning an agreement between the client and her husband would be forthcoming. The client later terminated the representation, but Respondent did not file a notice of withdrawal or return the client file. In the representation of two clients seeking a step-parent adoption, she cancelled scheduled meetings, failed to send documents for client review, and stopped responding to all communications from the clients. One client later discovered after several months that the adoption petitions were never filed. In another divorce matter, Respondent’s inaction resulted in the complaint being dismissed. She did not refile the complaint or inform her client of the same. After receiving overdraw notices from the bank, Relator’s investigation determined irregularities with Respondent’s IOLTA, including the commingling of personal client funds and improperly paying personal and business expenses from her IOLTA. She also failed to maintain separate client ledgers, maintain a general ledger, and reconcile the account on a monthly basis.

SANCTION: The Court adopted the Board’s findings of fact and conclusions of law and imposed an indefinite suspension and ordered restitution to one client. As a condition of reinstatement, the Court ordered her to submit proof of compliance with 2021 OLAP contract.

Sanction	Indefinite suspension
Court Modified Sanction	Yes
Rules Violated	1.5(a), 1.9(c)(1), 1.9(c)(2), 8.4(h)
Aggravation/Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive), (4) (multiple offenses), (7) (refusal to acknowledge wrongdoing); M- none
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	
Cited By	

OVERVIEW: Respondent was indefinitely suspended for charging an excessive fee, threatening to disclose confidential information to compel payment of the fee, and disclosing the information to the potential detriment of the former client.

PROCEDURE: A panel of the Board recommended a two-year suspension with the second year stayed. The Board recommended a two-year suspension.

FINDINGS: Respondent represented a client in an examination under oath (“EUO”) after he filed an insurance claim due to a fire at a residence. Respondent conducted an intake interview at no charge to the client. He quoted a fee of \$385.00 an hour and anticipated a bill in the range of \$2,300. After the EUO, Respondent sent a bill for \$4,350 with terms indicating a 1.5% interest rate for late payment. The client in response stated that he would pay only \$3,300 in \$500 monthly installments. Respondent rejected the proposed terms and threatened to place a lien on his client’s

property. In January 2016, Respondent filed suit for the remainder of his fees. In his letter to opposing counsel, Respondent threatened to disclose confidential information that was conveyed to him during the underlying representation, specifically that the client indicated that the residence was used primarily for his business. In one of the briefs filed in his lawsuit, Respondent stated that the client conducted a significant amount of business out of the premises, but during the EUO claimed that he conducted no business from the location. The court found Respondent’s fee reasonable, but found it unreasonable to charge the client for the initial interview and for preparing an email to the client regarding his fee agreement.

SANCTION: The Court adopted the Board’s findings of fact and misconduct, but increased the sanction to an indefinite suspension.

DISSENT: Justices French and Wise (sitting for Justice Donnelly) dissented from the majority on sanction and would have imposed a two-year suspension.

Sanction	Two-year stayed suspension
Court Modified Sanction	No
Rules Violated	1.15(a), 1.15(a)(2), 8.1(b), GBR V(9)(G)
Aggravation/Mitigation	A- (1) (prior discipline); M- (2) (no dishonest or selfish motive),(4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Turner (2014)
Cited By	

OVERVIEW: Respondent received a two-year suspension, stayed on conditions for misusing his client trust account and failing to cooperate in the ensuing disciplinary investigation.

PROCEDURE: The Board recommended a two-year suspension stayed in its entirety on several conditions. No objections were filed.

FINDINGS: Respondent used his client trust account as a personal and law-firm operating account and commingled personal, business, and client funds in the account. He made payments for personal and business expenses, such as office rent, and an automobile loan, cellphone service and frequently withdrew cash from the account. In November 2016, Respondent's bank notified Relator that he overdraw his client trust account. In December 2016, he overdraw the account again. The Relator sent a letter requesting that he explain the initial overdraft and provide individual client ledgers for clients with funds in the account. In February 2017, Respondent submitted a response, but failed to submit any client ledgers. Over the next several months, Relator made repeated requests for the ledgers to

Respondent and his counsel that were ignored. Another overdraft of the trust account occurred in November, 2017.

SANCTION: The Court adopted the Board's recommended sanction of a two-year suspension all stayed on the conditions that Respondent (1) complete a minimum of three hours of CLE focused on client-trust-account management and a minimum of three hours of CLE focused on law-office management, in addition to the CLE requirements in Gov.Bar R. X, serve a one-year term of monitored probation during the first year of his stayed suspicion, refrain from further misconduct, and pay the costs of the proceedings.

DISSENTING IN PART AND CONCURRING IN PART: Justice Kennedy and Justice DeWine.

Sanction	One-year suspension, six months stayed.
Court Modified Sanction	Yes
Rules Violated	8.4(h)
Aggravation/Mitigation	A -(3) (pattern of misconduct), (8) (harm to vulnerable victim); M-(1) (no prior discipline), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Baker (1995); Mismas (2014); Miller (2011)
Cited By	

OVERVIEW: Respondent was suspended for one year, with six months stayed for engaging in conduct that adversely reflects on a lawyer's fitness to practice law by verbally harassing his paralegal for more than two years.

PROCEDURE: The Board found that Respondent had engaged in the alleged misconduct based on the parties' stipulations and Respondent's hearing testimony. The Court adopted the Board's findings of fact and misconduct, but modified the recommended sanction of a fully stayed six-month suspension.

FINDINGS: Respondent began criticizing and verbally harassing his paralegal immediately after she was hired in August 2011. She called her stupid, dumb, fat, "whorey," and a bitch. The paralegal began looking for a new job, but was unsuccessful. During the next two-and-a-half years, she began to record her interactions with Respondent as he continued his verbal insults and harassment. He humiliated her in a meeting in

front of attorneys by criticizing her level of education, sexually harassed her, and remarked that she and another employee should perform a sexual act on him. He also falsely told an African- American client that the paralegal did not like black people, causing her to defend herself in front of the client. The paralegal began to suffer from anxiety, sleep disturbances, depression, and poor body image. She was diagnosed with posttraumatic stress disorder after she left the firm to take a new job in January 2014.

SANCTION: The Court ordered a one-year suspension, with the final six months stayed on condition that he engage in no further misconduct.

DISSENT: Justice French

NOT PARTICIPATING: Justice DeGenaro

Sanction	Six-month, stayed suspension
Court Modified Sanction	No
Rules Violated	1.6(a), 8.4(h)
Aggravation/Mitigation	A- (3) (pattern of misconduct), (4) (multiple offenses); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Holmes & Kerr (2018)
Cited By	

and domain information. She was also able to access files located on the law firm's server. A review of e-mails between Respondent and his wife revealed they discussed confidential client information. The wife also used her access to perform substantive work on Respondent's legal matters, including completing a dissolution form, editing client correspondence, and reviewing other work product. In one instance, a client was billed for work performed by Respondent's wife. Respondent's wife kept law firm documents on her work and personal computers, including information concerning law firm salaries, income, bonuses, and performance evaluations. Respondent acknowledged in an e-mail to his wife the impropriety of providing his wife access to the law firm e-mail and server accounts. Respondent continued to provide his wife access to his e-mail and calendar at his new law firm.

OVERVIEW: Respondent was suspended for six months, stayed for disclosing client confidential information to his nonlawyer spouse.

PROCEDURE: The Board adopted the parties' consent-to-discipline agreement and recommended adoption by the Court.

FINDINGS: Respondent was employed by one law firm before he resigned and accepted a new position at a different law firm. After he left the firm, a former client contacted the firm to obtain a copy of his case file. A partner accessed Respondent's e-mail account to locate client communications between and among the client, Respondent, and opposing counsel. The partner found several e-mail communications between Respondent and his wife who is not a lawyer and was never employed by the firm. The partner determined that Respondent shared his e-mail account and calendar with his wife. The wife accessed the e-mail account to review messages, client correspondence, and the calendar and had possession of the account username, password,

SANCTION: The Court adopted the parties' consent-to-discipline agreement and suspended Respondent for six months, stayed.

Sanction	Two-year suspension, six months stayed
Court Modified Sanction	No
Rules Violated	1.1, 1.3, 1.4(b), 1.4(c), 3.3(a), 3.4(c), 1.15(c), 1.16(d), 1.16(e), 8.4(c), 8.4(d)
Aggravation/Mitigation	A- (1) (prior discipline), (3) (pattern of misconduct), (4) (multiple offenses), (8) (harm to vulnerable victim), (9) (no restitution); M- (2) (no dishonest or selfish motive), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Large (2012); Marshall (2007)
Cited By	

OVERVIEW: Respondent received a two-year suspension with six months stayed for fifteen ethical violations arising from four separate client matters.

PROCEDURE: The Board adopted the panel’s findings of fact, conclusions of law, and recommended sanction of two years, with six months stayed.

FINDINGS: In one count, Respondent represented a client in multiple criminal cases. He presented her with a standard plea-in-absentia form to change her pleas in several cases, but she did not sign the document. Respondent later signed his client’s name and notarized it. The client testified that she did not give Respondent

permission to sign the document for her. In another count, Respondent was hired by a fiduciary to file a civil action to recover property that had been misappropriated. He did not file the complaint for 10 months, and before he could file a motion for default, his license was suspended. Respondent transferred the client’s file, but a new lawyer never entered an appearance, and the case was dismissed without prejudice. The client did not pursue her case through another lawyer, and she never recovered the estate’s property. Her client fees were not refunded prior to the disciplinary hearing. In a third count, Respondent was retained in a personal-injury matter and continued the representation until he was suspended, of which he failed to properly notify his client. A fourth count alleged Respondent had filed complaints in three matters for a client, which he filed several years after the statutes of limitation had commenced and more than four years after he was retained. One case against Cleveland State University was not filed in the proper court. Respondent voluntarily dismissed all three complaints. He did not complete his representation in any case and did not refund any portion of the \$4,960 his client had paid to him.

SANCTION: The Supreme Court adopted the Board’s findings of fact and conclusions of law, and suspended Respondent for two years with six months stayed on conditions that he (1) complete three hours of CLE focused on client-trust-account management and at least six hours of CLE focused on law-office management within 90 days of the Court’s order, in addition to the requirements under Gov.Bar R. X, (2) make restitution to the Cuyahoga County Court of Common Pleas for the costs assessed in *Huffman v. Greater Cleveland Regional Transit Authority*, and (3) upon reinstatement work with a monitoring attorney for a period of one year. Chief Justice O’Connor and Justices Fischer and Brunner would impose an additional 12-month suspension.

Sanction	Eighteen-month suspension with twelve months stayed on conditions
Court Modified Sanction	No
Rules Violated	1.3, 1.15(c), 3.3(a), 8.1(a), 8.4(c)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (4) (multiple offenses), (6) (false or deceptive practices during investigation); M-(1) (no prior discipline), (3) (restitution or rectified consequences),(4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Markovich (2008) Miller (2012); Kealy (2010); Broeren (2007)
Cited By	

relief. When the petition was denied, Respondent was approached by the client's mother about appealing the decision. He accepted a flat fee that he deposited into his personal bank account. Despite accepting the fee, Respondent did not file a timely notice of appeal. He later filed a motion for leave to file a delayed appeal that was denied. After a grievance was filed, Respondent included in his response a copy of a draft appellate brief that he had intended to file on his client's behalf, a copy of a draft motion for a new trial, and an itemized billing statement showing that he drafted the documents on dates before the deadline to file the notice of appeal. The underlying metadata for the appellate brief and new trial motion reflected that the documents were created one day prior to his written response to Relator. He later admitted that he had created the documents in order to submit them with his response.

SANCTION: The Court adopted the parties' consent-to-discipline agreement.

OVERVIEW: Respondent was suspended for eighteen months, with twelve months stayed for failing to file an appeal on behalf of a client after accepting a flat fee, then later creating documents to demonstrate work he performed after the fact in response to the grievance.

PROCEDURE: The parties filed a consent-to-discipline agreement that both the panel and the Board recommended for adoption.

FINDINGS: Respondent was initially retained to prepare and file a petition for postconviction

Sanction	Two-year suspension
Court Modified Sanction	Yes
Rules Violated	8.4(c), 8.4(h), 1.5(a), DR 1-102(A)(4), 1-102(A)(6), 2-106(A)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim), (9) (no restitution); M-(1) (no prior discipline), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Washington (2006), Swift (2014), Rogers (2007), Pickrel (2017)
Cited By	

found that clients were overbilled \$350,000 for legal services. Some of the billing entries had used the same terminology, were entered at the wrong point in the litigation, were clearly excessive for the activity, or used ditto marks on multiple files on the same day for the same activities. Respondent focused at hearing on the electronic billing and document-management programs used by one client. He claimed that due to the need to keep generic billing narratives to avoid the potential for punitive damage awards, others at the firm had little or no access to the billing records. The Board found that his billing practices to be “incredible” because in the firm’s internal investigation his responses were brief and unhelpful and he used client-confidentiality as the basis to hide the billing records. Clients testified that the billing practices were at odds with Respondent’s description and explanation.

SANCTION: The Court imposed a two-year suspension and ordered that Respondent pay restitution in the amount of \$20,796.50 to his former firm.

DISSENT: Justices O’Donnell and Fischer, and Chief Justice O’Connor dissented and would have indefinitely suspended the Respondent.

OVERVIEW: Respondent was suspended for two years for engaging in unethical and fraudulent billing practices.

PROCEDURE: The Court remanded the cause to allow for additional discovery after the Board had recommended an indefinite suspension and restitution. The Board reaffirmed its original findings and sanction recommendation.

FINDINGS: Respondent was a managing partner of firm prior to his resignation from the firm in a practice group representing nursing homes. After reviewing billing records, another partner discovered irregularities. In 88 cases, the firm identified suspicious entries in each bill and

Sanction	Six-month suspension
Court Modified Sanction	No
Rules Violated	3.3(a), 8.4(c), 8.4(d)
Aggravation/Mitigation	A- (2)(dishonest or selfish motive); M-(1)(no prior discipline), (4) (cooperative attitude), (5)(good character), (6)(other penalties/sanctions)
Criminal Conduct	No
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	DeMarco (2015); Phillabaum (2015)
Cited By	

OVERVIEW: Respondent was suspended for six months for making false statements to a court and his supervisor while serving as a part-time assistant prosecutor.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of a six-month suspension.

FINDINGS: Respondent met with a deputy sheriff and defense lawyer to review body-camera footage of a defendant's OVI arrest. The defense lawyer indicated his client would plead guilty to a reduced charge of having physical control of a vehicle while under the influence, a first-degree misdemeanor, however the deputy sheriff objected. Respondent later recommended reducing the OVI charge, but the municipal court judge requested that he appear in court and explain the basis for the recommendation. At his appearance he misled the court regarding the city's case against the defendant. Respondent

stated that there was a question as to the observation made by the police of the defendant driving and that the city had some evidentiary concerns whether it could put the defendant in the car. Respondent also falsely stated that the arresting officers, including the deputy sheriff, had consented to the plea agreement. Based on Respondent's representations, the court accepted the defendant's plea. The city's chief prosecutor later reviewed Respondent's case file and his handwritten note that he agreed to the plea agreement because the court was going to dismiss the case. Respondent later admitted the notation was false. Upon further investigation the chief prosecutor listened to the court's audio recording and expressed concern that Respondent had misled the court. Respondent falsely claimed that he had made a mistake at hearing by relying on defense counsel's account of the incident and agreed to recommend reduction without first reviewing the file. The deputy sheriff later told the chief prosecutor that he had objected to the reduction. Respondent was placed on administrative leave, submitted a written apology to the municipal court judge and apologized in person to the deputy sheriff. Respondent reported his misconduct to Relator and was later terminated by the city.

SANCTION: The Court suspended Respondent for six months.

Sanction	Six-month, stayed suspension
Court Modified Sanction	No
Rules Violated	1.8(j)
Aggravation/Mitigation	A- (1) (prior discipline); M- (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	
Cited By	

consent-to-discipline agreement and suspended Respondent for six months, stayed.

OVERVIEW: Respondent was suspended for six months, stayed for engaging in a sexual relationship with a client.

PROCEDURE: The Board adopted the parties' consent-to-discipline agreement and recommended adoption by the Court.

FINDINGS: Respondent was retained by a client in August 2019 to represent her in a personal property dispute involving her former fiancé. After the client-lawyer relationship commenced, Respondent and his client became involved in a social and sexual relationship that continued until December 2019 or January 2020. In January 2020, the client contacted Respondent's co-counsel and advised him that she was involved in a sexual relationship with Respondent and that problems had developed between the two. Respondent withdrew from representation on the advice of his co-counsel. Co-counsel continued the representation which resulted in mediation of the pending lawsuit.

SANCTION: The Court adopted the parties'

Sanction	Six-month suspension stayed on conditions.
Court Modified Sanction	No
Rules Violated	1.3, 1.4(c), 1.5(d)(3)
Aggravation/Mitigation	A- None. M-(1) (no prior discipline), (8) (other rehabilitation)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Freedman (2011), Rucker (2012), Simmonds (2016), Sebree (2002)
Cited By	

failed to timely forward the requests to his client and did not respond to a motion to compel discovery. Only after the motion to compel was granted, did Respondent serve responses on opposing counsel. Respondent filed a motion to withdraw after the grievance was filed against him.

SANCTION: The Court imposed a six-month suspension, fully stayed, on conditions that he complete six hours of CLE on law-office-management topics.

OVERVIEW: Respondent was suspended for accepting a nonrefundable retainer without advising a client in writing of the possibility of a refund, failing to act with reasonable diligence, and failing to notify a client he did not have malpractice insurance.

PROCEDURE: A hearing panel recommended Respondent be suspended from the practice of law for six months after it held a hearing and adopted the parties' stipulations of fact and misconduct. The Board adopted the panel's report. No objections were filed.

FINDINGS: Respondent was retained to represent a client in a negligence action. The client paid a \$3,000 retainer and signed a written fee agreement that described the fee as "nonrefundable." However, the client was not informed that he may be entitled to a refund of all or part of the retainer if the representation was not completed. Respondent filed an intervening complaint stemming from negligent repairs made to the client's home. When Respondent received discovery requests from the opposing party, he

Sanction	One-year, stayed suspension
Court Modified Sanction	No
Rules Violated	8.4(b), 8.4(h)
Aggravation/Mitigation	A- none; M- (1) (no prior discipline), (4) (cooperative attitude), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

driver's license was suspended for two years from the date of the accident. He was placed on 12 months of active probation followed by 24 months of inactive probation. After his term of active probation, he was required to attend two Alcoholics Anonymous meetings per week, wear a continuous remote alcohol-monitoring device, and pay a fine and court costs.

SANCTION: The Court adopted the Board's recommended sanction of a one-year stayed suspension on conditions that he engage in no further misconduct and abide by the terms of the probation imposed by the municipal court.

OVERVIEW: Respondent was suspended for one year, all stayed for misconduct arising from a vehicular accident and subsequent convictions for OVI, resisting arrest, and leaving the scene of an accident.

PROCEDURE: The Board adopted the panel's report and recommendation of a one-year suspension, all stayed.

FINDINGS: Respondent was driving in snowy conditions when he rear-ended a police cruiser parked on the side of the road near the scene of another accident. While the impact caused substantial damage to Respondent's car and the cruiser, he left the scene without stopping, later crashed into a median, abandoned his vehicle and fled on foot. He was arrested, administered field sobriety tests, and had a blood-alcohol content of .148. He pleaded no contest to two counts of operating a vehicle without reasonable control, a single count of resisting arrest, leaving the scene of an accident, unsafe operation of a vehicle in the vicinity of an emergency vehicle, and OVI. He was sentenced to 90 days in jail with 87 days suspended and three days credit for successful completion of a driver-intervention program. His

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 3.3(a)(1), 3.4(c), 8.1(b), 8.4(b), 8.4(c), 8.4(d), GBR V(9)(G)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (4) (cooperative attitude), (6) (other penalties/sanctions), (7) (mental illness)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Land (2014); Peterson (2012)
Cited By	

OVERVIEW: Respondent was indefinitely suspended for committing an illegal act that reflects adversely on the attorney’s honesty or trustworthiness, engaging in conduct that is prejudicial to the administration of justice and making a false statement of fact to a tribunal.

PROCEDURE: The Board adopted the panel’s findings of fact, conclusions of law, and recommended sanction. No objections were filed.

FINDINGS: Counts one through three of the amended complaint relate to the representation of three separate bankruptcy clients. Respondent filed Chapter 13 petitions on behalf of all three and received the \$310 filing fee from each client which he petitioned the court to pay in installments, but later failed to make the

payments. In all three cases, the clients ultimately hired new counsel. On October 6, 2016, the bankruptcy court suspended Respondent from practicing before the court. In two other counts, Respondent accepted filing fees on behalf of two clients, but then failed to file the petitions. In another count, Respondent was paid incrementally through monthly checks issued by the court-appointed trustee and altered the checks to reflect a larger amount. Due to a “positive pay” system between the bank and court, the bank refused to honor the altered checks. Respondent ultimately pled guilty to two fifth-degree felony counts of forgery. Respondent was ordered to make restitution to the checking cashing companies he used. Respondent was also charged with burglary and theft for stealing property valued at between \$1,000 and \$7,5000 from an occupied structure. He entered a guilty plea to a lesser included offense, a third-degree felony. He was ordered to make restitution. Respondent failed to respond to requests from Relator for responsive information.

SANCTION: The Court adopted the Board’s recommended sanction of an indefinite suspension with no credit for time served. He was ordered within 90 days of the disciplinary order to make restitution to the Lawyers’ Fund for Client Protection, restitution to several clients, and to provide proof upon reinstatement that he has remained in compliance with his OLAP contract, continued to participate in substance-abuse counseling, committed no further misconduct, complied with the terms of his criminal probation, and completed 12 hours of CLE in law-office management, in addition to the requirements set forth in Gov.Bar R. X.

Sanction	Two-year suspension, one year stayed
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 1.4(c), 8.1(b), 8.4(c)
Aggravation/Mitigation	A- (2)(dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (5)(lack of cooperation), (9)(no restitution); M- (1) (no prior discipline), (4)(cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Stewart (2013)
Cited By	

OVERVIEW: Respondent received a two-year suspension with one year stayed for multiple professional-conduct violations arising out of his representation of four clients.

PROCEDURE: Respondent admitted to the charged violations. The Board adopted the panel’s findings and recommended sanction. No objections were filed.

FINDINGS: Respondent successfully represented a landlord in an eviction action against a tenant and was further retained to pursue a judgment against the tenant for past due rent. The landlord client provided Respondent with debtor’s employment information in order to initiate a garnishment and paid a filing fee. Over a period of a year, Respondent failed to give the client sufficient information regarding the status

of the matter and falsely told the client the collection paperwork had been filed. In another matter, Respondent represented a client in a divorce decree, but after the divorce the client retained Respondent to seek a modification of the child-support order. Respondent never filed the motion, the client was ordered to show cause why he was not meeting his obligations, and did not attend a scheduled hearing date because he was on vacation. Respondent assured the client that the hearing would be continued, but the client was held in contempt, a warrant issued for his arrest, and he was ordered to pay attorney fees. In a separate matter Respondent represented a client convicted of three felonies, but a grievance alleged he had properly failed to defend the client. The grievance was dismissed, but Respondent did not cooperate with Relator’s investigation. Respondent was also hired to represent a defendant in a criminal matter, but the client filed a grievance alleging that Respondent did nothing to resolve the case, refused to respond to requests for information, and only visited him in jail twice during an eight-month period. Respondent did not file a motion requesting reduction of bond, despite telling the client he had done so.

SANCTION: The Court suspended Respondent for two years, with one year stayed on conditions of restitution, obtaining an OLAP assessment, completing 12 hours of CLE in law-office management in addition to the requirements in Gov.Bar R. X, and required Respondent to complete one year of monitored probation upon reinstatement.

CONCURRING IN A SEPARATE OPINION: Justices Fischer and Donnelly.

CONCURRING IN PART AND DISSENTING IN PART: Justices Kennedy and DeWine.

Sanction	One-year, six months stayed suspension
Court Modified Sanction	No
Rules Violated	1.1, 1.3, 1.4(b), 1.5(c), 1.5(c)(2), 1.15(a), 1.15(a)(2), 1.15(c), 8.1(b), GBR V(9)(G)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (6) (false or deceptive practices during investigation); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Roseman (2016); Maney (2017); Smith (2017); Hadeed (2019); Engel (2018); Pheils (2011)
Cited By	

asked for copies of the discovery requests by Relator, Respondent provided documents that the accompanying metadata showed were created several months after the deadline for completion of discovery. Bogard signed a confidential settlement and release and sent it electronically to Respondent. Prior to signing the document, the only communications between Respondent and the client were through text messages or via one of the other plaintiffs in the case. Upon receipt of the settlement check, Respondent did not provide Bogard with a closing statement nor inform him that his portion of the settlement would be reduced by tax withholding and garnishments.

SANCTION: The Court adopted the parties' consent-to-discipline agreement, suspended Respondent for one year with six months stayed, ordered Respondent to complete six hours of CLE on law office and IOLTA management in addition to the requirements of Gov.Bar R. X, and upon reinstatement work for one year with a monitoring attorney appointed by Relator focusing on law practice management and operation.

OVERVIEW: Respondent was suspended for one year with six months stayed for misconduct arising from his representation of a client in an employment discrimination matter.

PROCEDURE: The Board adopted the panel's recommendation to accept the consent-to-discipline agreement.

FINDINGS: Respondent was retained by four employees to represent them in an employment discrimination matter on a contingency fee basis. Respondent did not place advance fees for the payment of costs and expenses that he received from one client in his IOLTA. During litigation Respondent did not engage in written discovery on behalf of his client, Dennis Bogard. When

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	3.5(a)(3)(i)
Aggravation/Mitigation	A-(7)(refusal to acknowledge wrongdoing); M- (1) (no prior discipline), (2)(no dishonest or selfish motive), (4) (cooperative attitude), (5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Stuard (2009); Sauter (2002)
Cited By	

OVERVIEW: Respondent received a public reprimand for engaging in an ex parte communication with a judge by transmitting a letter to the judge’s law clerk.

PROCEDURE: A majority of the hearing panel recommended dismissal of the complaint. The Board adopted the minority decision and recommended a public reprimand.

FINDINGS: Respondent represented a wife in a divorce case from late 2016 through 2018. During the case, Respondent learned that the husband’s girlfriend planned to adopt a minor child. Respondent had a negative opinion of the girlfriend. After learning of the potential adoption, Respondent researched the court’s records and discovered the girlfriend had moved to intervene in another couple’s dissolution proceeding to obtain custody of their child. The parents of the child agreed to transfer custody to the girlfriend. Respondent had significant concerns about the child living with the girlfriend

and believed that the presiding judge, Judge Glass, needed to be alerted that an investigation should be conducted. Respondent later attended a brown bag luncheon hosted by Judge Glass, and proposed a hypothetical to the audience based on the facts of the adoption case. Based on her hypothetical, attendees agreed it would be inappropriate to directly contact the judge presiding over the case. Respondent testified that Judge Glass then stated that if the matter was before her, she would want a detailed letter sent to her staff attorney. If the staff attorney believed that additional action was necessary, the letter would be shared with the litigants. Respondent further testified that at the end of the luncheon, Judge Glass patted her on the back and stated, “Now you get that letter out.” Judge Glass and her staff attorney disputed at the disciplinary hearing that the judge had invited or suggested sending a letter to her staff attorney in response to Respondent’s hypothetical. Respondent later sent a four-page letter to the judge’s chambers addressed to her staff attorney stating, “I am sending this correspondence to you since it is ex parte communication and I do not wish to expose the Judge to a situation wherein she feels the need to recuse herself in this matter.” Upon receiving the letter, the judge scheduled a hearing in the matter. The matter was referred to family court services for an investigation and inspection of the girlfriend’s home.

SANCTION: The Court publicly reprimanded Respondent.

DISSENTING: Justice Stewart

Sanction	One-year suspension, six months stayed.
Court Modified Sanction	No
Rules Violated	1.3, 1.5(d)(3)
Aggravation/Mitigation	A - (1) (prior discipline); M-(2) (no dishonest or selfish motive), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	Simon (2016); Hanni (2016)
Cited By	

OVERVIEW: Respondent was suspended for one year, fully stayed for neglecting a client matter and denominating a fee as “nonrefundable” without advising the client in writing that he or she may be entitled to a refund of all or part of the fee if the lawyer does not complete the representation.

PROCEDURE: The parties entered into a consent-to-discipline agreement that the panel and Board recommended adoption to the Court.

FINDINGS: Respondent represented a married couple in a foreclosure case and filed a brief in opposition to a summary judgment motion six days past the deadline. He later failed to respond to the court’s order to show cause as to why he filed the brief late. The court granted summary judgment against Respondent’s clients. The clients had paid Respondent a flat fee to represent them on appeal. The fee agreement indicated that “no part [of the fee] shall be returned to the Client,” but failed to simultaneously notify the client who signed the fee agreement that she may be entitled to all or part of the fee if he did not complete the representation. The court of appeals

affirmed the trial court’s summary judgment.

SANCTION: The Court ordered a one-year suspension, fully stayed on conditions that he serve a one-year term of monitored probation, complete at least six hours of continuing legal education relating to law-practice management, maintain compliance with his OLAP contract, and engage in no further misconduct.

CONCURRING: Justice Kennedy

NOT PARTICIPATING: Justice DeGenaro

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.15(a), 1.15(c), 1.16(d), 1.16(e), 8.4(b), 8.4(c), 8.4(d), 8.4(h)
Aggravation/Mitigation	A- (2)(dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (5)(lack of cooperation), (8) (harm to vulnerable victim); M- (1)(no prior discipline), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5)(good character), (6)(other penalties/sanctions), (7)(mental illness)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Deters (2018); Lemieux (2014); Lawson (2008)
Cited By	

OVERVIEW: Respondent received an indefinite suspension for misconduct related to two instances of criminal conduct and his representation of 12 client matters.

PROCEDURE: Respondent initially received an interim default suspension because he did not answer the complaint or respond to the Court’s show-cause order. After Respondent responded to a show-cause order the Court remanded the matter to the Board.

FINDINGS: Between 2015 through 2017, Respondent engaged in a pattern of misconduct including failing to deposit unearned fees into his

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IOLTA, misappropriation, missing client meetings and court appearances and failing to communicate with his clients about the status of their legal matters, refund fees, and return client files. Respondent began to display erratic behavior beginning in May 2017. Respondent offered a client Xanax and asked another client for Percocet or Vicodin pills. At a hearing in a domestic relations court, the magistrate adjourned the hearing shortly after it began and asked the judge to speak with Respondent. After observing Respondent, the judge would not permit him to leave the courthouse until he secured a ride home or submitted to a urine test. Sheriff deputies escorted Respondent to the probation office while he yelled obscenities and created a scene. He was later handcuffed and escorted back to the courtroom. He later posted disparaging and derogatory comments about the court on his personal and law-firm Facebook pages. Respondent was later indicted on a fifth-degree felony count of forgery and two first-degree misdemeanor counts of petty theft for accepting a \$10,500 personal-injury settlement check on behalf of his employer. He pleaded guilty to forgery and one count of petty theft. The court granted his motion for intervention in lieu of conviction and held the charges pending his completion of a substance-abuse treatment program.

SANCTION: The Court indefinitely suspended Respondent with no credit for time served. He was required to submit proof to the relator that he made restitution to one client in the amount of \$1,000. In addition to the conditions for reinstatement in Gov.Bar R. V(25), Respondent was required to submit proof that he maintained his sobriety throughout the suspension, complied with his OLAP contract, and obtained an opinion from a qualified healthcare professional or chemical-dependency counselor that he is capable of returning to the competent, ethical, and professional practice of law.

Sanction	Six-months stayed suspension
Court Modified Sanction	No
Rules Violated	1.15(a), 1.15(a)(2), 1.15(a)(3), 1.15(a)(4), 1.15(a)(5), 1.15(b).
Aggravation/Mitigation	A- (3) (pattern of misconduct), (4) (multiple offenses) M-(1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Fletcher (2009)
Cited By	

OVERVIEW: Respondent received a six-month stayed suspension for various client trust account violations.

PROCEDURE: The Board adopted the findings of fact and conclusions of law and recommended sanction of the panel.

FINDINGS: In one count, Relator investigated and ultimately dismissed a grievance filed against Respondent by a former client. However, during the investigation Relator discovered that Respondent had used funds from his client trust account to pay for his malpractice insurance. A subsequent investigation revealed that the client trust account had been used for personal and business purposes. Between January 2013 and September 2015, Respondent wrote almost 200 checks from his client trust account to pay for office rent, utilities for his home, personal-income and real-estate taxes, insurance, attorney-registration fees, judicial-campaign

contributions, and loan payments. On at least 80 occasions he electronically withdrew funds from the account to cover personal expenses. Respondent admitted during the investigation that he had used his client trust account as a “personal bank account and his law office operating account.” At the end of 2014, his client trust account had a balance of \$26,315.68, but only \$14,250 constituted client funds. He also admitted that he had failed to maintain records to document the identity of the funds in the account. In a second count, Respondent accepted a settlement check from a friend and deposited it in his client trust account. He then withdrew \$10,000 in cash from the account and gave the money to the friend along with \$7,000 in personal funds. He later admitted that he should not have deposited the check into his client trust account and that he had not maintained the required records for the money that he had deposited in the account.

SANCTION: The Court adopted the Board’s recommendation and suspended Respondent for six months, fully stayed on conditions that he complete a six-month period of monitored probation, complete six hours of CLE in law-office management and two hours of trust-account management, and commit no further misconduct.

Sanction	Two-year suspension, six months stayed
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 1.8(j), 1.15(a), 1.15(a)(2), 1.15(a)(3), 1.15(a)(4), 1.15(a)(5), 1.15(b), 1.15(c), 1.16(e), 8.4(c), 8.4(h)
Aggravation/Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive), (4) (multiple offenses), (8) (harm to vulnerable victim), (9) (no restitution); M -(4)(cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	Kodish (2006); Paris (2016)
Cited By	

OVERVIEW: Respondent received a two-year suspension with six months stayed for neglecting two client matters, engaging in a sexual relationship with a client, and misusing his trust account.

PROCEDURE: The Board adopted the findings of fact and conclusions of law and recommended sanction of the panel.

FINDINGS: In one count, Respondent was paid a flat fee of \$1,000 by Jane Doe to file a motion for judicial release for Lamont Howard. He filed a motion using the exact same documents that were used by a previous attorney which the court had already denied. Jane Doe asked Respondent to separately represent her in a pending civil

matter in small-claims court. After the first appearance, Respondent invited Doe to his home and they had consensual sex. After the court entered a decision in the civil matter, Respondent failed to advise Doe of the ruling. When Respondent was confronted about the fact that he had submitted the same judicial release motion that had been filed before, he offered a refund of \$500 that he never paid. Respondent also stipulated that he failed to deposit Doe’s \$1,000 fee into his client trust account and that he used his trust account as a personal account, resulting in the commingling of client and personal funds.

SANCTION: The Court adopted the Board’s recommendation and suspended Respondent for two years with six months stayed on the condition that he commit no further misconduct. The Court ordered that prior to reinstatement, Respondent must demonstrate that he has attended 90 consecutive days of AA meetings, entered into an OLAP contract and complied with all contract terms and treatment recommendations, completed 12 hours of CLE related to law-office management, made restitution in the amount of \$1,000 to Jane Doe. It further ordered Respondent upon reinstatement to submit to a two-year period of monitored probation.

CONCURRING: Justice Kennedy concurred in judgment only.

Sanction	One-year stayed suspension
Court Modified Sanction	No
Rules Violated	1.15(a), 1.15(c), 1.15(d)
Aggravation/Mitigation	A- (4)(multiple offenses); M- (1)(no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

deposited her client funds into her operating account rather than her client trust account. She also admitted that she did not regularly use her client trust account during the time period.

SANCTION: The Court suspended Respondent for one year with the suspension stayed on the conditions that she complete six hours of CLE in law-office management within 90 days of the Court's disciplinary order, in addition to the other requirements in Gov.Bar R. X, complete a one-year term of monitored probation focused on law-office management and maintenance of her client trust account, and refrain from further misconduct.

OVERVIEW: Respondent received a one-year, stayed suspension for failing to deposit client funds into a trust account.

PROCEDURE: The Board adopted the panel's findings of misconduct and recommended sanction. Neither party objected to the board's report.

FINDINGS: In two client matters, Respondent failed to deposit retainers in her client trust account for nearly two years. In one matter, Respondent was paid \$2,500 as a retainer, but she failed to deposit the retainer in her trust account. Another client's sister paid a \$5,000 retainer and a \$375 filing fee. Again, Respondent failed to deposit the funds in her client trust account and the following month the client terminated Respondent. Respondent failed to return the \$375 until after her March 2020 disciplinary hearing. Between February 2017 and November 2019, Respondent was counsel of record in 19 domestic-relations cases and admitted she

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	1.5(d)(3), 1.4(c), 1.15(a), 1.15(c)
Aggravation/Mitigation	A- (4) (multiple offenses); M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (3) (restitution or rectified consequences), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Ernst (2018); Smith (2016); Harsey (2015); Rucker (2012)
Cited By	

her operating account. Respondent also did not inform the client that her liability-insurance had lapsed during the representation. She communicated with the client and performed some work on the estate. While she prepared rough drafts of the probate forms, she never filed the documents with the court. Respondent claimed that she wrote the client to inform her that she was waiting for a waiver from the client's sister and would terminate the representation if the document was not received by a date certain. At hearing, the client testified that she never received the letter.

SANCTION: The Supreme Court adopted the findings of fact, conclusions of law, and recommended sanction of the Board and publicly reprimanded Respondent.

OVERVIEW: Respondent received a public reprimand for failing to advise a client that the client may be entitled to a refund, failing to disclose the lawyer's failure to carry professional-liability insurance, failing to hold client's property in an IOLTA, and hold legal fees paid in advance in an IOLTA.

PROCEDURE: The Board adopted the panel's findings, conclusions, and recommended sanction of a public reprimand.

FINDINGS: Respondent was retained to probate a client's late father's estate and accepted an initial payment of \$500 on a proposed flat fee of \$2,500. The engagement letter did not inform the client that the fee was earned upon receipt and that the client may be entitled to a full or partial refund if she did not complete the work. Respondent never negotiated the check for the initial payment but deposited later payments in

Sanction	Six-month, stayed suspension
Court Modified Sanction	No
Rules Violated	1.1, 1.3, 8.4(d)
Aggravation/Mitigation	A- (3) (pattern of misconduct),(4) (multiple offenses); M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character), (6) (other penalties)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Schnittke (2017); LaFayette (2017)
Cited By	

OVERVIEW: Respondent was suspended for six months, stayed for failing to competently and diligently represent three clients in matters in which she had been appointed to serve as counsel.

PROCEDURE: The Board adopted the panel’s report and recommendation of a six-month, stayed suspension. Neither party filed objections.

FINDINGS: In one client matter Respondent was appointed as appellate counsel. She was granted three extensions to file an appellate brief but failed to timely do so. A show cause order was issued by the court and Respondent eventually filed the brief. She did not file a reply to the state’s merit brief. At oral argument she informed the panel that the parties intended to waive oral argument and stand on their briefs. One judge expressed concerns that her brief was “52 pages of the most difficult reading I’ve ever probably done in 12 years.” The oral argument was

rescheduled, and Respondent was given two weeks to file a reply brief. She sought an extension of time but failed to submit the brief by the deadline. The court of appeals removed her as counsel and noted that her merit brief was “inadequate, incoherent and unintelligible” and that she was unprepared for oral argument. In a second matter, Respondent failed to file a timely notice of appeal, instead filed a motion for a delayed appeal, and was *sua sponte* removed as appellate counsel. In a third client matter, a hearing was scheduled for the same day as a deposition by the Relator investigating an unrelated grievance. She failed to appear at the hearing and failed to notify her client or the court that she had a conflict. A new lawyer was appointed.

SANCTION: The Supreme Court adopted the Board’s findings of fact, conclusions of law, and recommended sanction of a six-month, stayed suspension. The Court ordered Respondent to complete six hours of continuing legal education in law-office management, including calendar-management and law-office-technology training, six hours of training in criminal appellate law prior to accepting any new appointments in appellate matters, and refrain from further misconduct.

Sanction	One-year stayed suspension
Court Modified Sanction	No
Rules Violated	8.4(c)
Aggravation/Mitigation	A- (3)(pattern of misconduct); M- (1) (no prior discipline), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Grigsby (2011); Markijohn (2003)
Cited By	

balance. Respondent failed to reimburse the law firm for the purchases resulting in his conversion of \$28,184.81 from the firm. After Respondent was confronted, he admitted to the misconduct and fully reimbursed the law firm the next day. The parties stipulated that none of the firm's clients were harmed by Respondent's actions and he remained a partner in the firm.

SANCTION: The Court adopted the parties' consent-to-discipline agreement and accepted the Board's recommended sanction. Respondent was suspended from the practice of law for one year, with the entire suspension stayed on the conditions that he engage in no further misconduct and pay the cost of the Board's proceedings.

DISSENT: Justice Kennedy would have remanded the case to the Board.

OVERVIEW: Respondent was suspended for one year, all stayed for engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation by converting funds from his law firm.

PROCEDURE: The Board recommended adoption of the parties' consent-to-discipline agreement.

FINDINGS: In 2012, some lawyers at the Respondent's law firm began representing a client who sold firearms and related products. By June 2014, the client owed the law firm more than \$27,000 for legal services. Respondent knew of the delinquency status since he was the law firm's managing partner. Because Respondent had an interest in firearms, he asked a law firm partner and the originating lawyer on the account to coordinate a purchase for him by credit against the client's outstanding balance. Over a two-year period, Respondent purchased products from the client by applying 13 credits against the client's

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(2), 1.4(a)(3), 1.4(a)(4), 1.15(c), 1.16(d), 1.16(e), 3.4(c), 3.4(d), 8.1(b), 8.4(c), 8.4(d)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses),(5) (lack of cooperation),(8) (harm to vulnerable victim), (9) (no restitution); M- (1) (no prior discipline)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent received an indefinite suspension for failing to refund unearned fees, failing to respond to a demand for information by a disciplinary authority, failing to act with reasonable diligence in six client matters, and engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation.

PROCEDURE: The Board adopted the panel’s findings of fact, conclusions of law, and recommended sanction of an indefinite suspension. Respondent did not attend the scheduled hearing.

FINDINGS: In several counts, Respondent represented clients, accepted retainers that he did not deposit in his IOLTA, and performed little or no work. He communicated periodically, but not

consistently with clients. He ceased all communications with some clients and failed to respond to requests that he refund unearned retainers. In a separate matter, Respondent represented a client in a civil matter regarding vehicle repairs. Respondent failed to attend a scheduled case management conference and the case was dismissed without prejudice. When the case was refiled, Respondent did not respond to discovery requests or attend a noticed deposition with his client. After defense counsel filed a second motion to dismiss, Respondent filed a notice of voluntary dismissal without his client’s knowledge or consent. The client later filed a legal-malpractice complaint against Respondent and obtained a default judgment for \$42,790.82.

SANCTION: The Supreme Court adopted the Board’s findings of fact and conclusions of law, and indefinitely suspended Respondent. Respondent was ordered to make restitution within 90 days to five clients and complete 12 hours of additional CLE with an emphasis on law-office management and client-trust-account management. Upon reinstatement, Respondent was ordered to work with a monitoring attorney to ensure compliance with rules related to maintaining communication with clients, completing tasks for clients in a diligent and competent manner, and proper handling of client funds.

Sanction	Six-month stayed suspension
Court Modified Sanction	No
Rules Violated	1.1, 1.3, 1.4(a)(1), 1.4(a)(2), 1.4(a)(3), 1.4(a)(4)
Aggravation/Mitigation	A- (1) prior discipline; M-(3)(restitution or rectified consequences),(4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	Kluesener (2017); Mickens (2018)
Cited By	

several years when he met to discuss the case with his client. In October, 2016 Respondent filed a new Chapter 7 bankruptcy petition with virtually identical debts to those scheduled for discharge in the prior Chapter 7 case. A motion to dismiss filed by the trustee was granted by the court.

SANCTION: The Court adopted the parties' consent-to-discipline agreement and imposed a six-month stayed suspension on conditions that he complete six hours of CLE in law-office management, in addition to the requirements of Gov.Bar R. X, and engage in no further misconduct. The Court also imposed one year of monitored probation.

DISSENT: Justice Kennedy dissented and would have remanded the case to the Board.

OVERVIEW: Respondent received a six-month suspension for failing to provide competent representation and keep a client reasonably informed about the status of a matter.

PROCEDURE: The panel and Board adopted the parties' consent-to-discipline agreement.

FINDINGS: Respondent was retained to represent a client in a bankruptcy proceeding. At a meeting of creditors, Respondent disclosed that his client had received a large signing bonus for an oil and gas lease and had gifted various amounts to her family members. The trustee requested more information about the transfers, and ordered Respondent to appear and show cause, but Respondent never provided more information. An adversary complaint was filed against the client, which Respondent did not answer, and a motion for default judgment was eventually granted. The disposition of the case caused the listed debts to become nondischargeable. Respondent did not communicate these developments over the next

Sanction	Two-year suspension with 18 months stayed
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 3.3(a)(1), 8.4(d), 8.1(b), GBR V(9)(G)
Aggravation/Mitigation	A- (1) (prior discipline),(3) (pattern of misconduct),(4) (multiple offenses),(5) (lack of cooperation); M- (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character), (7) (mental illness)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Bansci (2014); Engel (2018); Karp (2018)
Cited By	

cases, motions to compel were filed because Respondent failed to respond to discovery requests. In another case, he failed to respond to a defendant’s motion, failed to comply with the court’s order compelling discovery, and failed to respond to a motion to dismiss the complaint. The case was dismissed without prejudice. At status conferences, Respondent indicated that he had recently located his client, provided incomplete discovery responses, and falsely told the court that his client had not been forthcoming with information. After a new discovery deadline was set, Respondent failed to take any further action on his client’s behalf. The court dismissed the case without prejudice. In the dental-malpractice case, Respondent failed to file an affidavit of merit and the court dismissed the case without prejudice.

SANCTION: The Court suspended Respondent from the practice of law for two years, with 18 months stayed on the condition that he commit no further misconduct. Upon reinstatement Respondent was required to demonstrate that he has completed an OLAP evaluation and complied with all resulting treatment recommendations.

OVERVIEW: Respondent received a two-year suspension with eighteen months stayed for neglecting three client matters, failing to reasonably communicate with the affected clients, making a false statement to the tribunal in one matter, and failing to cooperate in the ensuing disciplinary investigations.

PROCEDURE: The Board adopted most of the parties’ stipulations. No objections were filed.

FINDINGS: Respondent represented two clients in personal-injury claims and another client in a dental-malpractice claim. After he filed complaints on behalf of all three clients, he failed to respond to their calls and emails. In two of the

Sanction	One-year suspension, stayed
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(2), 1.4(a)(3), 1.5(c)(2), 1.15(a)(2), 1.15(a)(5), 1.15(d)
Aggravation/Mitigation	A- (3) (pattern of misconduct), (4) (multiple offenses); M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Yakubek (2015); Peters (2019)
Cited By	

OVERVIEW: Respondent received a one-year, stayed suspension for neglecting and failing to reasonably communicate with clients, failing to prepare closing statements, failing to pay clients' medical bills from settlement proceeds, and failing to maintain the requisite client-trust-account records.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of one-year, stayed suspension.

FINDINGS: In two counts, Respondent settled a personal injury matter for one client and signed a letter of protection with a medical provider.

When the matter was settled, Respondent failed to prepare a closing statement detailing the distribution of the proceeds and did not timely satisfy the medical provider's lien. He stipulated that he failed to satisfy a similar lien for another client. In other counts, Respondent agreed to represent four clients in personal-injury matters. He admitted that he failed to act with reasonable diligence on behalf of the clients and failed to reasonably communicate with them. For one client he failed to file a complaint before the statute of limitations. Two other client's cases were dismissed after he failed to perfect service. On behalf of another client, he rejected a settlement offer, but never filed a lawsuit. Respondent informed the client that the statute of limitations had elapsed and paid her \$5,000. In a separate count, Respondent admitted that he failed to maintain proper client-trust-account records for each client and perform monthly reconciliations.

SANCTION: The Supreme Court adopted the Board's findings of fact and conclusions of law, and suspended Respondent for one year, all stayed on conditions that he complete six hours of CLE focused on law-office and client-trust - account management, in addition to the requirements of Gov.Bar R. X, serve a one-year term of monitored probation focused on law-office and client -trust-account management, and commit no further misconduct.

NOT PARTICIPATING: Justice Donnelly

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(4)
Aggravation/Mitigation	A- none; M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Perry (2019); Goldberger (2019)
Cited By	

currency. Respondent did not notify his client that he had failed to answer the complaint, that the currency had been forfeited, and that the case had been closed. Upon discovering the case was closed, the client sent Respondent an email and text regarding the matter. Respondent responded by email and blamed the client for failing to notify his office of the forfeiture complaint and denied receiving the complaint. Respondent continued to blame his client after the grievance was filed. Respondent refunded the client's fee. The client was pursuing a malpractice action against Respondent.

SANCTION: The Court adopted the parties' consent-to-discipline agreement and issued a public reprimand.

OVERVIEW: Respondent received a public reprimand for neglecting a client's matter and failing to comply with reasonable requests for information from the client.

PROCEDURE: The Board adopted the panel's recommendation to accept the consent-to-discipline agreement.

FINDINGS: Respondent was retained by a client to file a claim regarding currency that was seized by the U.S. Government at an airport. Respondent filed the claim with the U.S. Customs and Border Patrol. The U.S. Attorney later filed a forfeiture complaint in U.S. District Court and a copy of the complaint was sent to Respondent via certified mail and signed for by an employee of his office. Respondent failed to file a verified claim to the currency, answer the forfeiture complaint, or respond to a forfeiture motion filed by the U.S. Attorney. The motion was granted and the case was closed. Respondent's client is now barred from asserting any claim to the

Sanction	One-year, stayed suspension
Court Modified Sanction	No
Rules Violated	1.15(a), 1.15(a)(5), 1.15(b), 1.15(d), 8.4(c)
Aggravation/Mitigation	A- (3) (pattern of misconduct),(4) (multiple offenses); M- (1) (no prior discipline), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Adelstein (2020); Gorby (2015)
Cited By	

OVERVIEW: Respondent was suspended for one year, stayed for failing to hold funds in a client trust account and engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation.

PROCEDURE: The Board adopted the panel’s report and recommendation of a one-year, stayed suspension. No objections were filed.

FINDINGS: Respondent represented three individuals in personal-injury cases. He received medical-payments-coverage checks payable to each client which he placed in an IOLTA. None of the clients were aware the checks had been issued. Two checks were signed with client signatures by either Respondent or his employee. When Respondent left his firm, his clients remained, but he did not transfer his client’s med-

pay payments to the firm’s client trust account. One month after opening his IOLTA, Respondent deposited \$35,000 of his personal funds into the account to act as a buffer so that he could promptly issue settlement checks to his clients. On one occasion he failed to withdraw earned fees after distributing settlement proceeds and failed to conduct monthly reconciliations for two years. Respondent also delayed distribution of settlement proceeds to his client. In one matter client funds were not distributed until three years after the settlement funds were initially received. In another matter, a check to a client was returned when Respondent’s IOLTA balance contained insufficient funds. At one point, Respondent’s account balance was \$286.01 when it should have held over \$20,000.

SANCTION: The Supreme Court adopted the Board’s findings of fact, conclusions of law, and recommended sanction of a one-year, stayed suspension. The Court ordered Respondent to complete six hours of continuing legal education focused on client-trust-account and client-fund-management, to not engage in further misconduct, and to pay the costs of the proceedings.

Sanction	Two-year suspension with second year stayed on conditions.
Court Modified Sanction	No
Rules Violated	5.5(a), 1.15(a), 1.15(c), 1.4(c), GBR VI(4)(B), GBR VII(2)(A)(3)(d), GBR VII(2)(A)(4), GBR VI(4)(D)
Aggravation/Mitigation	A- (1) (prior discipline), (4) (multiple offenses), (5) (lack of cooperation); M-(2) (no dishonest or selfish motive)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Eisler (2015); Seabrook (2012)
Cited By	

that the trust account had remained open with a running balance. In addition, he also failed to report the existence of the trust account on his registration during the 2015-17 biennium. Despite having an open trust account, the Respondent admitted that he had received flat fees from clients that he represented during his suspension but the records showed that he did not deposit the funds in the trust account.

SANCTION: The Court adopted the recommendation of the Board and imposed a two-year suspension with the second year stayed on conditions that he provide proof to Relator that he properly distributed the remaining funds in the trust account, and that he committed no further misconduct.

DISSENT: Justice O'Donnell dissented and would have imposed a two-year suspension.

OVERVIEW: Respondent received a two-year suspension with one year stayed for practicing law during a CLE suspension and other professional misconduct.

PROCEDURE: Respondent initially participated in the disciplinary process by appearing for a deposition and answering the Complaint, but failed to appear for the disciplinary hearing.

FINDINGS: Respondent was suspended in December, 2015 for failing to complete his required number of CLE hours. During the disciplinary proceedings, Respondent admitted to representing multiple clients in Hamilton County courts during his suspension. Respondent testified during his deposition that he had closed his client trust account, but the evidence showed

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a),1.4(a)(3), 1.4(a)(4), 1.4(a)(5), 1.4(b), 1.4(c), 1.16(d), 8.1(b), GBR V(9)(G)
Aggravation/Mitigation	A- (1)(prior discipline), (3) (pattern of misconduct), (4) (multiple offenses), (5)(lack of cooperation); M- (2)(no dishonest or selfish motive), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	Delay (2019); Mathewson (2017)
Cited By	

OVERVIEW: Respondent received an indefinite suspension for neglecting four client matters and failing to cooperate in the ensuing disciplinary investigations.

PROCEDURE: Respondent initially received an interim default suspension because he did not answer the complaint or respond to the Court’s show-cause order. After Respondent responded to a show-cause order the Court remanded the matter to the Board. The Board recommended an indefinite suspension. Neither party objected to the Board’s recommendation.

FINDINGS: Respondent was retained by a client to file her grandmother’s estate and prepare an agreement transferring her grandmother’s home to a cousin. The client made repeated attempts to contact the Respondent for an update, but never received a reply. Respondent emailed two questions to the client relating to the estate

and admitted that he had sufficient information to file the estate. After another round of unsuccessful attempts to reach Respondent, the client requested that unless he filed an estate within 30 days, that he return her documents and the initial \$500 payment, and also communicated that she would file a grievance. Thirty-one days later Respondent informed the client that his license was suspended and offered to refund half of the payment to resolve the matter. The client later discovered that Respondent had been suspended several months earlier and had not informed her of that fact. Respondent failed to return her file because he could not locate the documents or the original will. He never filed the estate or refunded any portion of the fee. Respondent later failed to submit a formal response to the Relator’s letter of inquiry. Respondent committed similar misconduct in three other client matters including failing to attend a citation hearing in an estate case and failing to communicate with the client in advance of the hearing; failing to file an important document in a client’s bankruptcy case and failing to respond to the client’s attempts to reach him; and failing to reasonably communicate with his clients in a civil case, failing to explain discovery filings and the consequences of a voluntary dismissal, and failing to return the clients’ file.

SANCTION: The Court indefinitely suspended Respondent with no credit for time served. He was required to submit proof to Relator that he made restitution to two clients, proof of compliance with his OLAP contract, proof that he followed any treatment or counseling recommendations made by a qualified healthcare professional, and an opinion from a qualified health care professional that he is capable of returning to the competent, ethical, and professional practice of law.

Sanction	One-year suspension, six months stayed.
Court Modified Sanction	No
Rules Violated	1.1, 1.3, 1.4(a)(3), 1.4(a)(4), 1.4(c), 1.15(d), 1.16(d), 8.1(b), GBR V(9)(G)
Aggravation/Mitigation	A- (1) prior discipline, (4) (multiple offenses); M- (2) (no dishonest or selfish motive)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Fonda (2014); Schnittke (2017)
Cited By	

OVERVIEW: Respondent received a one-year suspension with six months stayed for failing to – act with reasonable diligence in representing a client, to keep a client reasonably informed about the status of a matter, cooperate with a disciplinary investigation, and providing competent representation.

PROCEDURE: The Board considered two complaints against Respondent filed by separate Relators. Respondent received an interim suspension while this matter was pending because he had failed to answer a complaint.

FINDINGS: Respondent was retained to assist a client in terminating a land-installment contract. Respondent negotiated a settlement that cancelled the contract and required the sellers to return a portion of his client’s deposit, minus the seller’s costs for repairing any damages to the property. The seller’s counsel sent Respondent a check for \$4,983, but Respondent’s client believed she was entitled to more money and the check was never negotiated. Respondent was

later instructed by his client to accept the money, but believing the check had become stale, Respondent returned the check to seller’s counsel and requested that a new one be issued. A new check was issued, the client sent an email requesting the he forward the check, but Respondent misplaced the check. After several inquiries about the status, Respondent notified his client that he could not locate the check. After the certified grievance committee began to investigate the grievance, Respondent located the check, but the bank refused to honor it. The client never received the money, and Respondent admitted that he had not attempted to pay the client restitution for her financial loss. In the second complaint, Respondent filed a legal-malpractice action against a client’s former attorney, but the complaint was time-barred under the statute of limitations. A notice of appeal filed by Respondent was dismissed as untimely. Respondent admitted that he was unfamiliar with the case law applicable to the statute of limitations for legal-malpractice actions and he had miscalculated the dates for filing a timely appeal.

SANCTION: The Court adopted the Board’s recommended sanction of a one-year suspension with six months stayed on conditions that he provide proof of restitution, complete a CLE course on law-office management in addition to the requirements in Gov.Bar R. X(13), submit to an OLAP assessment and, if necessary, comply with all treatment recommendations, and commit no further misconduct.

CONCURRING IN PART AND DISSENTING IN PART: Justice French

Sanction	Two-year suspension
Court Modified Sanction	No
Rules Violated	8.4(h)
Aggravation/Mitigation	A- none; M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions), (7) (mental illness)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Hoover (2022)
Cited By	

OVERVIEW: Respondent received a two-year suspension with credit for time served for misconduct arising from her felony convictions for possession of drugs and a misdemeanor OVI conviction.

PROCEDURE: The Board adopted the parties' consent-to-discipline agreement and recommended adoption by the Court.

FINDINGS: Respondent was arrested for a traffic stop and charged with an OVI. A search incident to the arrest uncovered a bag of pills determined to be an assortment of amphetamines and oxycodone. She was indicted on four counts of aggravated possession of drugs, fifth-degree felonies, and one count of OVI, a first-degree misdemeanor. She pled guilty to the OVI charge and the court granted her motion for intervention in lieu of conviction and ordered the felony charges held open pending a successful period of rehabilitation. One of the terms set by the court was compliance with a chemical dependency contract which Respondent had entered into with

OLAP. During a seven-month period after beginning the period of rehabilitation, Respondent failed to comply with the terms of her supervision, produced one positive drug test during random screening, failed to appear at scheduled violation hearings, and failed to submit to random drug tests. The court conducted an evidentiary hearing and found Respondent had violated the terms of her supervision, revoked her intervention in lieu of conviction, and accepted her guilty pleas to the four felony counts of aggravated possession of drugs. Her sentence consisted of three years of community control, 60 hours of community service, and additional sanctions.

SANCTION: The Supreme Court adopted the parties' consent-to-discipline agreement and suspended Respondent for two years with credit for time served under an interim felony suspension. As an additional condition of reinstatement, the Respondent was required to provide proof of compliance with or completion of the five-year OLAP contract entered into in August 2021.

Sanction	One-year suspension, six months stayed
Court Modified Sanction	No
Rules Violated	1.2(e), 3.1, 8.4(a), 8.4(d)
Aggravation/ Mitigation	A- (3) (pattern of misconduct), (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Wise (2006)
Cited By	

OVERVIEW: Respondent received a one-year suspension, with six months stayed for misconduct related to his filing of a motion in a civil case requesting the court refer his opposing counsel to OLAP.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of a one-year suspension, with six months stayed.

FINDINGS: Respondent was retained by a client to challenge the validity of a second durable power of attorney signed by Respondent's friend and former colleague naming other family members as agents and co-trustees. A lawsuit was eventually filed and lawyer Roger Synenberg entered an appearance on behalf of the defendants. A settlement was entered into and the court awaited the filing of a dismissal entry. Synenberg later began to

question whether Respondent's client was competent to sign the agreement and the court directed Respondent to obtain a medical professional's opinion of the client's competency. Synenberg later indicated that his clients did not intend to drop the issue. Respondent then filed a motion alleging that Synenberg's performance and fitness as a lawyer were impaired by a mental or emotional condition as demonstrated by certain acts allegedly undertaken by Synenberg. Some of the statements were false and defamatory statements or clear misrepresentations. The motion recommended that the court refer Synenberg to OLAP. During the hearing, Respondent insisted that if the defendants signed a stipulated dismissal order without further examination of his client's competency, then the presiding judge would not have to act on his motion. He stated that if the dismissal order was not signed, then he desired to present his motion regarding Synenberg.

SANCTION: The Court adopted the Board's findings of fact and conclusions of law, and suspended Respondent for one year with six months stayed on conditions that he engage in no further misconduct and pay the costs of the proceedings.

Sanction	Six-months stayed suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.16(d), 8.1(b), and 8.4(a).
Aggravation/Mitigation	A- (failed to notify client he did not maintain professional-malpractice insurance); M-(1) (no prior discipline), (2) (no dishonest or selfish motive), (3)(restitution), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Shuler (2011); Hooks (2014); Kluesener (2017)
Cited By	

once the client paid half of the retainer and full filing fee, which the client failed to pay in full. Respondent filed suit four days after the deadline. The complaint was dismissed by the court as time-barred. Respondent failed to inform the client regarding the status of the case until after it was dismissed. The client retained new counsel and filed a suit in state court, but Respondent failed to provide the client's file. Respondent did not respond to the investigator's repeated request for a meeting and the production of the client's file. Respondent voluntarily appeared before the Relator's grievance committee and admitted that he had failed to properly handle his client's legal matter. Respondent later agreed to partially refund the client's \$500 payment.

SANCTION: The Court adopted the parties' consent-to-discipline agreement and suspended Respondent for six months, all stayed on the condition he engage in no further misconduct.

NOT PARTICIPATING: Justice DeGenaro

OVERVIEW: Respondent received a six-month stayed suspension for neglect of a single matter, failure to communicate with a client, failure to deliver a client's file, and failure to cooperate during the investigation.

PROCEDURE: An interim default suspension was imposed after Respondent failed to answer the complaint. The Court granted Respondent's motion for leave to answer and vacate the suspension. Respondent's license to practice law was reinstated without terminating the pending disciplinary proceeding. On remand, the panel and Board adopted the parties' consent-to-discipline agreement.

FINDINGS: Respondent agreed to file a federal employment-discrimination lawsuit on his client's behalf. Respondent agreed to begin work

Sanction	Two-year suspension, eighteen months stayed
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 8.4(c), 8.4(d)
Aggravation/Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive), (7) (refusal to acknowledge wrongdoing); M-(3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Bancsi (2014); Engel (2018); Karp (2018)
Cited By	

OVERVIEW: Respondent was suspended for two years, with 18 months stayed for neglecting a client matter, failing to reasonably communicate with the client, failing to return the client's file, and failing to cooperate in the disciplinary investigation.

PROCEDURE: The Board adopted the panel's report and recommendation of a two-year suspension, 18 months stayed. No objections were filed.

FINDINGS: Respondent was retained by the parents of a client in his appeal of his criminal conviction. They agreed to pay a flat fee of \$5,000, \$3,300 of which they paid up front. Respondent filed a notice of appeal but did not timely file a brief or move for an extension of the

deadline. The court issued a show-cause order requiring the filing of the brief or to show cause why the case should not be dismissed. Respondent did not inform his client or his client's parents of the court's order, took no action, and the court dismissed the appeal. Respondent did not inform the client or parents about the dismissal, nor reply to the mother's initial attempts to contact him. He informed her that he had experienced some medical difficulties and admitted that he had not filed a timely brief. He agreed to file a motion to reopen the appeal and complete the representation. While he prepared an undated motion and appellate brief, he never filed the documents. When asked about the status of the appeal, he falsely stated that the motion was sent by a runner to the court. Days later he wrote in response to an email inquiry that he was awaiting acceptance by the clerk of courts. Respondent did not respond to additional inquiries from the client. After the mother hired new counsel, she learned that Respondent had never filed a motion to reopen her son's appeal or an appellate brief. Respondent refunded the parents the total amount that they had paid him.

SANCTION: The Supreme Court adopted the Board's findings of fact, conclusions of law, and recommended sanction of a two-year suspension, with 18 months stayed on conditions that he commit no further misconduct. The Court further ordered that Respondent submit proof that he is in compliance with his OLAP contract, and serve a one-year period of monitored probation on reinstatement focused on his law-office management and client communications.

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	Jud.Cond.R. 1.3
Aggravation/Mitigation	A- None; M-(1) (no prior discipline), attitude), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	No
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Reid (1999); Resnick (2005)
Cited By	

She pled no contest to a third degree misdemeanor of reckless operation, to which she was found guilty and sentenced to 30 days in jail with 27 days suspended, placed on two years of community control sanctions, and incurred fines and costs. Respondent also lost her appointment as probate/juvenile magistrate, served a two-week suspension without pay from her position as general-division magistrate, placed on indefinite probation, and had her

SANCTION: The Court issued a public reprimand.

OVERVIEW: Respondent received a public reprimand for abusing the prestige of office to advance her personal interest.

PROCEDURE: The parties entered into various stipulations regarding facts and rules violations. The Board adopted the panel's findings and recommended sanction.

FINDINGS: Respondent was a magistrate in commons pleas court, probate and juvenile division. She was observed by the highway patrol drifting her left toe on the solid white fog line. When asked, she stated that she had two beers. When the trooper began to administer the horizontal gaze nystagmus test, she stated that she was a magistrate. During the field sobriety test, she indicated that she was a judge and that her son was a Secret Service office. When she was informed by the trooper that she had failed the sobriety test, she reiterated that she was a judge, and that she would lose her job. At no time did the trooper solicit information about Respondent's judicial status or ask her information that would disclose her legal status.

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	7.1, 7.3(c)(1), 7.3(d)
Aggravation/Mitigation	A- None. M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Bradley (1998); Grieselhuber (1997); Snyder (2013)
Cited By	

recommended sanction of a public reprimand

OVERVIEW: Respondent received a public reprimand for not abiding by the Rules of Professional Conduct concerning lawyer solicitation and advertising.

PROCEDURE: Respondent stipulated to the charged misconduct. Neither party filed objections to the Board's report.

FINDINGS: Respondent, sent a letter to a prospective client informing him that a notice of *lis pendens* had been filed, that a default judgment could be entered resulting in a foreclosure sale. Even though the letter contained the recital "advertising material: the potential client became concerned that he may lose his home. He shared the letter with his attorney and learned that a complaint in foreclosure, not a *lis pendens* action, had been filed against him. Respondent stipulated that the advertisement included material misrepresentations of fact and law in an attempt to market her services, and that she had failed to verify that the information in the letter was correct.

SANCTION: The Court the Board's

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 1.5(b), 1.15(a), 1.15(c), 1.15(d), 1.16(d), 3.3(a)(1), 3.4(c), 8.4(b), 8.4(c), 8.4(d)
Aggravation/Mitigation	A- (1)(prior discipline), (2) (dishonest or selfish motive), (3)(pattern of misconduct), (4) (multiple offenses), (8)(harm to vulnerable victim); M- (3)(restitution or rectified consequences), (4) (cooperative attitude), (5)(good character), (6)(other penalties/sanctions), (8)(other rehabilitation)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Cohen (2015); Young (2004)
Cited By	

OVERVIEW: Respondent received an indefinite suspension for misconduct stemming from his felony conviction for telecommunications fraud and his handling of six separate client matters.

PROCEDURE: The Board adopted the panel’s recommended sanction with an exception concerning probation.

FINDINGS: In count one, Respondent represented a defendant in a felony domestic violence case and offered to make arrangements for the victim who served as his secretary, to leave town. Respondent told his client that he

would coordinate her disappearance for a price. He later met with the client and during a recorded conversation requested \$2,000 to make the arrangements. After the meeting, the police arrested Respondent. He plead guilty to telecommunications fraud and was sentenced to one year of community control. In a second count, Respondent was retained to clear a lien on real property. He did not deposit a retainer in his IOLTA, never explained the basis for his fees, and did not attend a mediation conference. In a third count, Respondent was retained to seek custody of children for a couple. While he filed a complaint on the husband’s behalf, he did not respond to inquiries about the status. Another custody case was dismissed because it was filed in the wrong county. In a third custody case, a settlement was reached, but Respondent never memorialized the agreement in a court ordered entry. In a representation involving a divorce, Respondent deposited a check representing the 2015 joint marital income-tax refund in his IOLTA. Pursuant to the divorce decree, the refund was to be distributed between the former spouses, but Respondent did not do so before he closed his law practice. He later misappropriated the funds. In a final count, Respondent was hired to represent a husband in a divorce. Both parties agreed to the appointment of a GAL and a deposit was to be filed with the clerk of court. The client paid Respondent the remainder of his fee, and the deposit for the GAL. The funds were not placed in Respondent’s IOLTA. He falsely stated to the court that the deposit had already been paid.

SANCTION: The Court indefinitely suspended Respondent with credit for time served. He was ordered to submit proof of restitution to one client, and proof that he had complied with his OLAP contract and treatment recommendations from a qualified mental-health professional. Judgment on probation is reserved until reinstatement. Chief Justice O’Connor and Justices Fischer and Stewart would not grant credit for time served.

Sanction	Indefinite suspension
Court Modified Sanction	Yes
Rules Violated	1.3, 1.4(a)(3), 1.5(b), 1.5(c)(1), 1.15(a)(2), 1.15(a)(5)
Aggravation/Mitigation	A- (1) (prior discipline), (3) (pattern of misconduct), (4) (multiple offenses), (7) (refusal to acknowledge wrongdoing);M- none
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	DiMartino (2016)
Cited By	

OVERVIEW: Respondent was indefinitely suspended for committing professional misconduct in three client matters and for failing to properly manage his client trust account.

PROCEDURE: The Board recommended the dismissal of a majority of the charges for lack of evidence and recommended a two-year suspension with eighteen months stayed.

FINDINGS: Respondent was retained to assist a client in recovering money for his medical bills after he suffered an injury at a motel. Respondent advised the client that he would send a demand letter to the motel’s insurer and file a complaint if necessary. Respondent later failed to respond to his client’s inquires, failed to respond to letters from the medical-billing entity seeking information about his client’s claim, and failed to contact the individual identified as the tortfeasor. In a second count, Respondent was retained to assist a client in recovering money from contractors who had failed to complete work on

his home. Respondent agreed to represent the client on a one-third contingency fee. Respondent later sent a letter asking for the payment of a flat fee. Respondent never filed a complaint for the client. In response to the letter of inquiry, Respondent stated that the client had paid him on a modified contingency basis and that during the representation the contingency fee agreement became a “modified contingency-fee agreement.” At the hearing, Respondent testified that he agreed to represent the client on an hourly basis. In another count, Respondent agreed to represent a client in a pending child-custody case. The client partially paid Respondent a “flat fee.” The investigation revealed that Respondent requested an additional \$1,000 in attorney fees because he felt compelled to quote an additional retainer. Respondent testified that he had initially requested a minimum retainer and that he had charged the client \$200 an hour from the very beginning. In a final count, Respondent acknowledged that he did not maintain separate client ledgers for each client and did not perform monthly reconciliations.

SANCTION: The Court indefinitely suspended Respondent and ordered him to make restitution to one client in the amount of \$278. He was also ordered upon reinstatement to submit proof of a passing score on the MPRE and serve a two-year period of monitored probation.

DISSENT: Justice Kennedy and Justice Fischer writing in two separate dissenting opinions and would have disbarred Respondent. Chief Justice O’Connor concurred with Justice Fischer’s dissent.

Sanction	Six-month, stayed suspension
Court Modified Sanction	No
Rules Violated	JCR 1.2, 2.2, 2.9(A), 2.9(B), 2.11(A)
Aggravation/Mitigation	A- (3) (pattern of misconduct),(4) (multiple offenses); M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent, a common pleas judge, was given a stayed, six-month suspension for engaging in *ex parte* communications with an individual regarding multiple cases before him.

PROCEDURE: The Board adopted the panel’s report and recommendation of a six-month, stayed suspension. No objections were filed.

FINDINGS: Respondent issued a civil stalking protection order that required Keith Blumensaadt to stay away from his brother and nephew. Blumensaadt was indicted on 12 felony counts. Respondent had previously served as Blumensaadt’s probation officer and both the prosecutor and defense counsel waived any disqualification. A plea agreement was approved and Blumensaadt was released from custody. Within 30 days of his release, Blumensaadt and the judge became Facebook friends and began to regularly communicate via Facebook Messenger in which they discussed both personal and

professional matters including multiple cases over which Respondent presided. In one case, Blumensaadt recommended that Respondent give a defendant a “bond he can [not] make” because the defendant had sold his daughter heroin. In Blumensaadt’s divorce case from his wife he sent the judge a Facebook message concerning a transfer of custody of their son. In relation to a motion to change parenting time, more questions were asked, with Respondent occasionally replying. Blumensaadt continued to send Respondent messages about his wife and the divorce. Respondent made a change without a hearing to the CSPO to allow him to attend his mother’s funeral after he and Blumensaadt spoke for 30 minutes through Facebook Messenger about potential modifications to the CSPO. After a personal injury accident, Blumensaadt exchanged messages with Respondent about the defendant, the recommendation being made by the prosecutor for the defendant to attend a pretrial diversion program, and his injuries. At no time during any exchange with Blumensaadt did Respondent reveal the *ex parte* communications to parties or disqualify himself.

SANCTION: The Supreme Court adopted the Board’s findings of fact, conclusions of law, and recommended sanction of a six-month, stayed suspension on conditions that he complete a minimum of three hours of continuing judicial education on the subject of *ex parte* communication or appropriate use of social media by judicial officers in addition to the requirements of Gov.Jud.R. IV, refrain from future misconduct, and pay the costs of the proceedings.

Sanction	One-year stayed suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(4), 1.4(c), and 1.5(b)
Aggravation/Mitigation	A- (1) (prior discipline);M- (2) (no dishonest or selfish motive),(acknowledgment of wrongful nature of conduct), (willingness to work with a mentor), (willingness to partially refund the fee)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	McNeal (2017); Freeman (2011)
Cited By	

filing the application for a historic-preservation tax credit.

SANCTION: The Court adopted the parties' consent-to-discipline agreement and suspended Respondent for one year, all stayed on the conditions that she make restitution within 90 days, complete six hours of CLE in law-practice management, serve a one-year period of monitored probation, engage in no further misconduct.

CONCURRING: Justice O'Donnell

OVERVIEW: Respondent received a one-year stayed suspension for misconduct arising from her neglect and failure to reasonably communicate with a single client.

PROCEDURE: The panel and Board recommend adoption of the parties' consent-to-discipline agreement.

FINDINGS: Respondent was hired by a client to investigate the possibility of her obtaining a historic-preservation tax credit for a building she had purchased. Respondent did not enter into an engagement agreement regarding the nature and scope of the representation or establish the basis or rate of her fee and expenses. Respondent also failed to inform her client that she did not carry professional-liability insurance. Respondent met with the client, but did not complete the work and stopped responding to her client's communications. Eventually, the client contacted another lawyer for assistance with

Sanction	Six-month stayed suspension
Court Modified Sanction	No
Rules Violated	Jud.Cond.R. 1.2, 8.4(c)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct); M-(1) (no prior discipline), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	No
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Elum (2012); Kraemer (2016)
Cited By	

for 51.98 hours that he did not work. Respondent’s time discrepancies ranged from a few minutes to over four hours and inflated his work time by an average of .53 hours per day. He was terminated after a disciplinary hearing found that he violated seven workplace rules including falsification of documents, dishonesty and misrepresentation, theft of county property, conduct unbecoming a court employee, job abandonment, leaving the work area without permission, and other acts of malfeasance, misfeasance, or nonfeasance.

SANCTION: The Court adopted the Board’s findings of fact and misconduct, and recommended sanction of a stayed six-month term suspension.

CONCURRING: Justice Kennedy concurred in judgment only.

OVERVIEW: Respondent received a six-month suspension, all stayed for failing to accurately report his work hours and leave on his timecard while serving as a magistrate.

PROCEDURE: The panel adopted the parties’ stipulations of fact and misconduct and the recommended sanction of six-months stayed. The Board adopted the panel’s report and recommendation in its entirety.

FINDINGS: Respondent’s employer, a juvenile court, audited all timecards submitted by the court’s magistrates after receiving a complaint alleging that Respondent had excessive absences from work. The court’s investigation showed that Respondent falsely entered his start or end times into his timecard on 99 of 122 work days over a six-month period. He received \$2,155.61 in pay

Sanction	Two-year suspension, six months stayed
Court Modified Sanction	No
Rules Violated	1.4(a)(3), 1.4(a)(4), 1.4(c), 1.15(a), 8.4(b)
Aggravation/Mitigation	A- (4)(multiple offenses); M-(3)(restitution or rectified consequences), (4) (cooperative attitude), (5)(good character), (6)(other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	McCord (2016); Ames (2016)
Cited By	

OVERVIEW: Respondent was suspended for two years, six-months stayed and credit for time served based on his multiple felony convictions and the mishandling of a client matter.

PROCEDURE: Respondent was reinstated from an interim felony suspension after his convictions were vacated on appeal. A hearing was held on a second amended complaint and Respondent admitted to five violations. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction. No objections were filed.

FINDINGS: Respondent was a candidate for Mahoning County prosecutor and received a check for \$15,000 from a contributor that he placed in his business account. He later paid a polling consultant the same amount of money. He later misrepresented the source of the \$15,000 on his campaign-finance report as his in-kind

contribution to the campaign. He later failed to report the contribution as income on his federal tax return. He was fined by the Ohio Elections Commission for violating campaign-finance law. In a separate matter Respondent was retained to pursue a personal-injury claim on behalf of a client and his minor son. The client agreed to accept \$10,000 for his son but was unsatisfied with the offer for his own injuries. Respondent filed a complaint against the driver and his insurer. When the check for the minor son was issued, Respondent placed it in his IOLTA, but he never applied to probate court for approval of a minor settlement. Respondent later transferred the client's file to another lawyer. After Respondent's IOLTA was closed by the bank, a check for \$4,553.70 was issued, less than the amount he was supposed to hold in trust for the client's son. Respondent later sent his client two cashiers' checks in the amount of \$10,931.28.

SANCTION: The Court suspended Respondent for two years, with a credit of 18 months for time served under the 2016 interim suspension, the final six months stayed on conditions: assessment by OLAP for chemical-dependency within 90 days of the Court's order, completion of a one-year period of monitored probation focused on law-office practices, including management of his client trust account and Prof.Cond.R. 1.4(c), compliance with any recommendation from an OLAP evaluation, completion of six hours of CLE related to client-trust-account and law-office management in addition to the requirements of Gov.Bar R. X, and engage in no further misconduct.

Sanction	Two-year suspension, six months stayed
Court Modified Sanction	Yes
Rules Violated	1.2(e), 3.1, 3.3(a)(1), 3.5(a)(6), 4.1(a), 4.4(a), 8.4(c), 8.4(d)
Aggravation/Mitigation	A- (3)pattern of misconduct, (4) (multiple offenses), (7)(refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim); M- (1)(no prior discipline), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent was suspended for two years with six months stayed for multiple rule violations based on false statements he made regarding a magistrate and sending threatening letters to two witnesses whom he intended to call at his disciplinary proceeding.

PROCEDURE: The panel report dismissed many of the alleged rule violations, dismissed others, and recommended a two-year suspension with one year stayed. The board adopted the panel’s findings of fact, conclusions of law, and recommended sanction.

FINDINGS: Respondent represented maternal grandparents in an effort to obtain custody of minor grandchildren. A family member, Dowe, sought to intervene and was awarded temporary custody. During the litigation, Respondent made false and threatening statements in his written communications. He accused Dowe of

kidnapping the children by lying to his clients. Respondent later told Dowe, a nurse, that he contemplated reporting her alleged misconduct to the Ohio Board of Nursing. He later wrote both the Michigan and Ohio nursing boards and urged them to investigate Dowe’s mental condition and fitness to be a nurse. Respondent later objected to the magistrate’s order regarding GAL fees and filed an affidavit of prejudice and bias against him. He declared a ruling by the magistrate “...was the most insane decision [he had] ever encountered in almost 40 years” and was not what “a normal, competent magistrate would have done.” In addition, Respondent accused the magistrate of lying about communications with a caseworker and the GAL and described the magistrate’s “incredible arrogance,” “taunt, threats and lectures,” and “vendetta” against him. In a second count, Respondent represented a seller of a home concerning a mortgage discovered after the execution of a land contract. Upon receiving a letter from an attorney on behalf the buyers that referenced a future lawsuit, Respondent replied in writing “I don’t know who you think you are, but do not ever threaten me or doubt when I tell you something.” When plaintiff’s counsel withdrew, Respondent sent a note to the buyers stating that their counsel had lied to them and in a letter to new counsel stated that the plaintiff’s wife was a “very ignorant troubled woman,” “a liar,” and “an idiot” and opined that the former counsel was a “mentally ill attorney advising an idiot.” In a third count, Respondent sent threatening letters to potential witnesses scheduled to testify in the disciplinary hearing reminding them that they would be testifying under oath and to contact an attorney.

SANCTION: The Court suspended Respondent for two years, with six months stayed and required proof that he has submitted to an evaluation by OLAP and that he complied with any recommendations arising from that evaluation.

Sanction	Six-month stayed suspension
Court Modified Sanction	No
Rules Violated	1.5(a), 1.15(a), 1.15(a)(2)
Aggravation/Mitigation	A- (8) (harm to vulnerable victim); M-(1) (no prior discipline), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Carr (2012); Cook (2009); Parisi (2012); Johnson (2009)
Cited By	

OVERVIEW: Respondent received a six-month suspension, all stayed for charging an excessive fee and failing to properly account for the funds held for a client.

PROCEDURE: The panel adopted the recommended sanction of the parties but also recommended Respondent pay restitution. The Board adopted the panel's report in its entirety. No objections were filed.

FINDINGS: Respondent was hired by his uncle to serve as his agent and update his will. His client named Respondent as his attorney-in-fact and requested Respondent's assistance in handling his affairs. Respondent and the client agreed to a \$250 an hour attorney fee. It was understood that Respondent would perform legal and nonlegal services, but a separate hourly rate for nonlegal tasks was not discussed. The client gave Respondent cash that was held in a safe deposit box, but failed to inventory the money or deposit it in his client trust account. Respondent paid his attorney fees from the funds held in the safe account but failed to keep records of the case

received or the amounts disbursed. Respondent received \$16,249 between June 2015 and March 2016 on behalf of his uncle. He never differentiated between legal and nonlegal tasks in his billings to his client. He billed the same rate for law-related tasks such as reviewing contracts for the sale of his client's home, and for nonlegal work like supervising his healthcare, taking the client shopping, and running errands. After the client died, Respondent delivered to the client's two children the property he had in his possession, including \$22,000 in case.

SANCTION: The Court adopted the Board's findings of fact and misconduct, and recommended sanction of a stayed six-month term suspension on conditions that Respondent make restitution in the amount of \$6,249 within 90 days, submit to a six-month period of monitored probation to ensure compliance with the rules regulating client trust accounts, and refrain from any further misconduct.

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Aggravating & Mitigating Factors
(Gov. Bar R. V, Section 13(B)(C)
Effective January 1, 2015)

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(1) (prior discipline)

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Arkow (9/15/2022)
Baham (4/14/2022)
Barbera (7/12/2021)
Bellew (12/28/2017)
Bennett (10/2/2018)
Blauvelt (6/23/2022)
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Kluesener (1/23/2020) Corner
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Family (11/17/2021)
Fernandez (9/25/2018)
Ford (10/20/2021)
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Rosett (9/26/2018)
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Smith (3/23/2022)
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Thomas (8/16/2018)
Turner (10/18/2018)
Vivo (5/21/2019)
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Weber (12/28/2017)
Weir (6/17/2020)
Weir (6/5/2019)
Wilcoxson (11/10/2021)
Wilson (5/27/2020)
Winkfield (11/6/2019)
Wintner (11/28/2018)

(2) (dishonest or selfish motive)

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Amaddio & Wargo (1/22/2020)
Arkow (9/15/2022)
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 Wilcoxson (11/10/2021)
 Wilson (5/27/2020)
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(3) (pattern of misconduct)

Alo (6/15/2017)
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 Austin (8/21/2019)
 Bahan (4/14/2022)
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(4) (multiple offenses)

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[Cheselka \(12/24/2019\)](#)
[Chodosh \(3/7/2019\)](#)
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[Corley \(6/16/2020\)](#)
[Cox \(3/22/2022\)](#)
[Cramer \(8/27/2020\)](#)
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[Davis \(4/20/2022\)](#)
[Delay \(7/23/2019\)](#)
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[Vagotis \(3/18/2021\)](#)
[Valenti \(4/21/2021\)](#)
[Vick \(7/27/2022\)](#)
[Walden \(12/24/2019\)](#)
[Watson \(6/30/2022\)](#)
[Weber \(11/4/2021\)](#)
[Weber \(12/28/2017\)](#)
[Weir \(6/17/2020\)](#)
[Weir \(6/5/2019\)](#)
[Wilson \(5/27/2020\)](#)
[Winkfield \(11/6/2019\)](#)
[Winters \(8/17/2021\)](#)
[Yavorcik \(1/21/2020\)](#)
[Yoder \(10/6/2020\)](#)

(5) (lack of cooperation)

[Alo \(6/15/2017\)](#)
[Austin \(8/21/2019\)](#)
[Barbera \(3/15/2017\)](#)
[Barbera \(7/12/2021\)](#)
[Bednarski \(2/16/2017\)](#)
[Benbow \(7/12/2018\)](#)
[Bishop \(12/24/2019\)](#)
[Brenner \(1/22/2020\)](#)
[Brooks \(10/20/2022\)](#)
[Bulson \(5/21/2020\)](#)
[Burgess \(6/30/2021\)](#)
[Chambers \(2/16/2021\)](#)
[Cheselka \(12/24/2019\)](#)

[Cox \(3/22/2022\)](#)
[Cramer \(8/27/2020\)](#)
[Davis \(4/20/2022\)](#)
[Delay \(7/23/2019\)](#)
[DeMasi \(1/3/2018\)](#)
[Dougherty \(4/14/2021\)](#)
[Driftmyer \(12/20/2018\)](#)
[Engel \(7/31/2018\)](#)
[Fernandez \(9/25/2018\)](#)
[Ford \(10/20/2021\)](#)
[Ford \(3/19/2020\)](#)
[Goebel \(1/2/2018\)](#)
[Harter \(9/27/2018\)](#)
[Harvey \(5/31/2017\)](#)
[Heben \(7/27/2017\)](#)
[Hoskins \(5/23/2017\)](#)
[Johnson \(7/20/2017\)](#)
[Lindner \(6/21/2017\)](#)
[Lindon \(3/18/2021\)](#)
[Magee \(8/16/2018\)](#)
[Maney \(12/6/2017\)](#)
[Mariotti \(12/18/2019\)](#)
[Morton \(11/23/2021\)](#)
[Nelson \(12/7/2017\)](#)
[Nelson \(4/21/2022\)](#)
[Nyce \(1/3/2018\)](#)
[Okuley \(9/21/2021\)](#)
[Petracci \(2/3/2021\)](#)
[Porter \(12/15/2021\)](#)
[Rieser \(11/28/2018\)](#)
[Sullivan \(1/21/2020\)](#)
[Tinch \(5/20/2020\)](#)
[Vick \(7/27/2022\)](#)
[Walden \(12/24/2019\)](#)
[Weber \(12/28/2017\)](#)
[Weir \(6/17/2020\)](#)

(6) (false or deceptive practices during investigation)

[Arkow \(9/15/2022\)](#)
[Benbow \(7/12/2018\)](#)
[Bishop \(12/24/2019\)](#)
[Blauvelt \(6/17/2020\)](#)
[Brooks \(10/20/2022\)](#)
[Buzzelli \(7/20/2022\)](#)
[Cheselka \(12/24/2019\)](#)
[Cox \(3/22/2022\)](#)
[Cramer \(8/27/2020\)](#)
[Darling \(3/24/2022\)](#)
[Delay \(7/23/2019\)](#)
[Donchatz \(5/16/2017\)](#)
[Dougherty & Cicero \(10/30/19\)](#)
[Fuhry \(12/6/2017\)](#)
[Hadeed \(11/7/19\)](#)
[Harter \(9/27/2018\)](#)
[Heben \(7/27/2017\)](#)

Horton (10/10/2019)
 Hoskins (5/23/2017)
 Jones (11/18/2021)
 Karp (12/20/2018)
 Lindon (3/18/2021)
 Maney (12/6/2017)
 Nyce (1/3/2018)
 Okuley (9/26/2018)
 Porter (12/15/2021)
 Smith (12/6/2017)
 Talley (11/23/2021)

(7) (refusal to acknowledge wrongdoing)

Bachman (12/18/2020)
 Bahan (2/12/2020)
 Bahan (4/14/2022)
 Bailey & Bailey (7/16/2020)
 Begovic (11/06/19)
 Berling (5/12/2020)
 Bishop (12/24/2019)
 Brown (7/6/2017)
 Buzzelli (7/20/2022)
 Callahan (12/5/2017)
 Cheselka (12/24/2019)
 Corley (6/16/2020)
 Corner (3/18/2020)
 Cox (3/22/2022)
 Cramer (8/27/2020)
 Delay (7/23/2019)
 DeMasi (1/3/2018)
 Dougherty & Cicero (10/30/19)
 Doumbas (2/21/2017)
 Goulding (9/29/2020)
 Halligan (9/19/2019)
 Harmon (10/15/2019)
 Harter (9/27/2018)
 Heben (7/27/2017)
 Horton (10/10/2019)
 Hoskins (5/23/2017)
 Hurley (1/16/2018)
 Jacob (5/10/2017)
 Large (10/11/2018)
 Lindon (3/18/2021)
 Manore (9/25/2019)
 Mason (4/9/2019)
 Moody (10/11/2018)
 Morton (11/23/2021)
 Nelson (4/21/2022)
 Nyce (1/3/2018)
 Okuley (9/21/2021)
 Owens (12/19/2018)
 Polizzi (4/7/2021)
 Porter (12/15/2021)
 Riddle (10/22/2020)
 Sarver (12/2/2020)

Schwarz (4/22/2020)
 Shimko (7/31/2019)
 Smith (12/19/2017)
 Thomas (12/9/2020)
 Whipple (2/24/2022)
 Wilcoxson (11/10/2021)
 Winkfield (11/6/2019)
 Yoder (10/6/2020)

(8) (harm to vulnerable victim)

Alo (6/15/2017)
 Amaddio & Wargo (1/22/2020)
 Austin (8/21/2019)
 Bachman (12/18/2020)
 Barbera (7/12/2021)
 Bednarski (2/16/2017)
 Begovic (11/06/19)
 Bellew (12/28/2017)
 Benbow (7/12/2018)
 Bennett (10/2/2018)
 Bereday (5/22/2019)
 Berling (5/12/2020)
 Berta (4/15/2021)
 Bruner (11/17/2021)
 Bucio (11/29/17)
 Bulson (5/21/2020)
 Burchinal (3/17/2021)
 Burge (8/13/2019)
 Burgess (6/30/2021)
 Buttars (4/21/2020)
 Buzzelli (7/20/2022)
 Carr (10/18/2022)
 Cheselka (12/24/2019)
 Connors (6/18/2020)
 Corley (6/16/2020)
 Cosgrove (6/30/2021)
 Cox (3/22/2022)
 Delay (7/23/2019)
 Denslow (4/20/2017)
 Deters (12/18/2018)
 Devanney (4/13/2021)
 Donchatz (5/16/2017)
 Dougherty & Cicero (10/30/19)
 Doumbas (2/21/2017)
 Dull (12/5/2017)
 Farris (11/26/2019)
 Ferfolia (11/30/2022)
 Fernandez (9/25/2018)
 George (5/13/2020)
 Harter (9/27/2018)
 Harvey (5/31/2017)
 Haynes (4/23/2020)
 Heller (7/1/2021)
 Hillman (2/17/2022)
 Holben (12/20/2018)

[Horton](#) (10/10/2019)
[Hoskins](#) (5/23/2017)
[Hurley](#) (1/16/2018)
[Jancura](#) (9/14/2022)
[Jarvis](#) (11/8/2022)
[Johnson](#) (12/20/2017)
[Karp](#) (12/20/2018)
[Large](#) (10/11/2018)
[Leon](#) (12/20/2018)
[Lindner](#) (6/21/2017)
[Little](#) (7/20/2017)
[Long](#) (11/10/2021)
[Ludwig](#) (11/10/2021)
[Magee](#) (8/16/2018)
[Mager](#) (3/29/2022)
[Mason](#) (4/9/2019)
[Moore](#) (5/30/2019)
[O'Diam](#) (4/28/2022)
[Owens](#) (12/19/2018)
[Parkin](#) (12/20/2018)
[Peck](#) (5/30/2017)
[Peters](#) (12/19/2019)
[Polizzi](#) (4/7/2021)
[Porter](#) (12/15/2021)
[Repp](#) (11/9/2021)
[Roseman](#) (5/16/2019)
[Rutherford](#) (7/11/2018)
[Sarver](#) (12/2/2020)
[Schuman](#) (12/6/2017)
[Schwarz](#) (4/22/2020)
[Selby](#) (5/22/2019)
[Sharp](#) (10/19/2022)
[Skolnick](#) (8/1/2018)
[Smith](#) (3/23/2022)
[Striff](#) (12/24/2019)
[Tinch](#) (5/20/2020)
[Turner](#) (10/18/2018)
[Vick](#) (7/27/2022)
[Whipple](#) (2/24/2022)
[Wilson](#) (5/27/2020)
[Yoder](#) (10/6/2020)
[Zelvy](#) (12/20/2018)

(9) (no restitution)

[Austin](#) (8/21/2019)
[Bednarski](#) (2/16/2017)
[Bellew](#) (12/28/2017)
[Berling](#) (5/12/2020)
[Bruner](#) (11/17/2021)
[Buttacavoli](#) (12/7/2017)
[Buzzelli](#) (7/20/2022)
[Chambers](#) (2/16/2021)
[Cheselka](#) (12/24/2019)
[Corley](#) (6/16/2020)
[Darling](#) (3/24/2022)

[Delay](#) (7/23/2019)
[DeMasi](#) (1/3/2018)
[Devanney](#) (4/13/2021)
[Dougherty & Cicero](#) (10/30/19)
[Ford](#) (10/20/2021)
[Halligan](#) (9/19/2019)
[Harmon](#) (10/15/2019)
[Harter](#) (9/27/2018)
[Harvey](#) (5/31/2017)
[Johnson](#) (12/20/2017)
[Little](#) (7/20/2017)
[Magee](#) (8/16/2018)
[McCray](#) (5/21/2019)
[Peters](#) (12/19/2019)
[Petracci](#) (2/3/2021)
[Rutherford](#) (7/11/2018)
[Smith](#) (3/23/2022)
[Sullivan](#) (1/21/2020)
[Turner](#) (10/18/2018)
[Vick](#) (7/27/2022)

**Mitigation (Gov. Bar R. V, Section 13(C))
(1) (no prior discipline)**

[Alexander](#) (2/16/2021)
[Amaddio & Wargo](#) (1/22/2020)
[Atway](#) (1/3/2018)
[Atway](#) (5/7/2020)
[Austin](#) (8/21/2019)
[Bachman](#) (12/18/2020)
[Bahan](#) (2/12/2020)
[Bahan](#) (4/14/2022)
[Bailey & Bailey](#) (7/16/2020)
[Baker](#) (6/8/2021)
[Barbera](#) (3/15/2017)
[Barns](#) (12/20/2018)
[Bednarski](#) (2/16/2017)
[Begovic](#) (11/06/19)
[Bell](#) (12/19/2017)
[Benbow](#) (7/12/2018)
[Bereday](#) (5/22/2019)
[Berling](#) (5/12/2020)
[Berry](#) (11/3/2021)
[Berta](#) (4/15/2021)
[Bishop](#) (12/24/2019)
[Blauvelt](#) (6/17/2020)
[Brand](#) (6/29/2021)
[Brenner](#) (1/22/2020)
[Bruce](#) (1/16/2020)
[Bucio](#) (11/29/2017)
[Burge](#) (8/13/2019)
[Burgess](#) (2/16/2021)
[Burgess](#) (6/30/2021)
[Buttars](#) (4/21/2020)
[Callahan](#) (7/6/2017)

Chambers (2/16/2021)
 Cheselka (12/24/2019)
 Chodosh (3/7/2019)
 Christensen & Kluesener (1/23/2020)
 Clark (11/8/2018)
 Cochran (1/2/2018)
 Connors (6/18/2020)
 Corley (6/16/2020)
 Cosgrove (6/30/2021)
 Cramer (8/27/2020)
 Davis (4/10/2019)
 Delay (7/23/2019)
 DeMasi (1/3/2018)
 Denslow (4/20/2017)
 Devanney (4/13/2021)
 Doherty (4/14/2020)
 Donchatz (5/16/2017)
 Dougherty & Cicero (10/30/19)
 Doumbas (2/21/2017)
 Doute (11/24/2020)
 Driftmyer (12/20/2018)
 Dull (12/5/2017)
 Dunn (10/24/2018)
 Elter (2/16/2021)
 Ernst (9/27/2018)
 Family (11/26/2019)
 Farris (11/26/2019)
 Field & Weiss (11/27/2019)
 Flessa (5/9/2019)
 Gibbons & Jenkins (5/26/2020)
 Glitzenstein (9/26/2018)
 Goebel (1/2/2018)
 Gold (8/14/2018)
 Goldberger (11/27/19)
 Gonzalez (6/11/2020)
 Goulding (9/29/2020)
 Grendel (6/8/2021)
 Hackerd (4/11/2019)
 Hadeed (11/7/19)
 Halligan (9/19/2019)
 Harmon (10/15/2019)
 Hawkins (8/12/2020)
 Heben (7/27/2017)
 Heller (7/1/2021)
 Hillman (2/17/2022)
 Holben (12/20/2018)
 Holmes & Kerr (10/25/2018)
 Horton (10/10/2019)
 Jackson (10/16/2019)
 Jacob (5/10/2017)
 Jones (11/18/2021)
 Karp (12/20/2018)
 Keating (11/28/2018)
 Kelley (6/16/2021)
 Kluesener (6/22/2017)
 LaFayette (12/28/2017)
 Lemons (10/13/2022)
 Leon (12/20/2018)
 Lindner (6/21/2017)
 Little (7/20/2017)
 Long (11/10/2021)
 Magee (8/16/2018)
 Mahin (8/19/2020)
 Maney (12/6/2017)
 Manore (9/25/2019)
 Marsh (8/4/2020)
 Marshall (10/16/2018)
 Martyniuk (6/26/2017)
 Mason (12/28/2017)
 Mason (4/9/2019)
 McNally (9/18/2018)
 Midian (9/27/2018)
 Miller (5/17/2017)
 Mitchell (12/19/2019)
 Moody (10/11/2018)
 Moore (3/15/2017)
 Morton (11/23/2021)
 Mostov (8/4/2020)
 Nelson (4/21/2022)
 Nyce (1/3/2018)
 Okuley (9/26/2018)
 Oviatt (12/20/2018)
 Owens (12/19/2018)
 Parkin (12/20/2018)
 Peck (5/30/2017)
 Perry (3/7/2019)
 Pertee (8/3/2021)
 Petracci (2/3/2021)
 Piazza (2/25/2020)
 Pickrel (7/20/2017)
 Plesich (11/27/2019)
 Polizzi (4/7/2021)
 Polly-Murphy (9/22/2021)
 Porter (12/15/2021)
 Porzio (4/23/2020)
 Rauzan & Wagner (2/6/2020)
 Rehkopf (9/27/2018)
 Repp (11/9/2021)
 Riddle (10/22/2020)
 Rieser (9/26/2018)
 Riggs-Horton (11/20/2019)
 Robinson (6/29/2021)
 Rumizen (6/27/2019)
 Rusu (4/3/2019)
 Sabol (6/22/2021)
 Sarver (11/30/2018)
 Schriver (2/23/2022)
 Schuman (12/6/2017)
 Schwarz (4/22/2020)
 Scott (12/18/2019)
 Selby (5/22/2019)
 Simpson (4/9/2021)
 Skolnick (8/1/2018)
 Smith (12/19/2017)

[Smith](#) (12/6/2017)
[Smith](#) (3/23/2022)
[Spinazze](#) (3/11/2020)
[Strahorn](#) (12/28/2017)
[Strauss](#) (4/15/2021)
[Striff](#) (12/24/2019)
[Sullivan](#) (1/21/2020)
[Talley](#) (11/23/2021)
[Thomas](#) (12/9/2020)
[Tinch](#) (5/20/2020)
[Tucker](#) (7/10/2018)
[Turner](#) (8/13/2020)
[Vagotis](#) (3/18/2021)
[Valenti](#) (4/21/2021)
[Vanderburg](#) (10/17/2019)
[Watson](#) (6/30/2022)
[Weatherly](#) (11/23/2021)
[Weber](#) (11/4/2021)
[Wells](#) (5/24/2022)
[Wilcoxson](#) (7/12/2018)
[Williams](#) (12/19/2017)
[Winters](#) (8/17/2021)
[Wochna](#) (11/8/2018)
[Yoder](#) (10/6/2020)
[Zelvy](#) (12/20/2018)

(2) (no dishonest or selfish motive)

[Alexander](#) (2/16/2021)
[Atway](#) (1/3/2018)
[Austin](#) (8/21/2019)
[Bachman](#) (12/18/2020)
[Bahan](#) (4/14/2022)
[Bailey & Bailey](#) (7/16/2020)
[Baker](#) (6/8/2021)
[Barbera](#) (3/15/2017)
[Barbera](#) (7/12/2021)
[Barns](#) (12/20/2018)
[Bednarski](#) (2/16/2017)
[Begovic](#) (11/06/19)
[Bell](#) (12/19/2017)
[Berta](#) (4/15/2021)
[Brand](#) (6/29/2021)
[Brenner](#) (1/22/2020)
[Bulson](#) (5/21/2020)
[Burgess](#) (2/16/2021)
[Burgess](#) (6/30/2021)
[Callahan](#) (7/6/2017)
[Chodosh](#) (3/7/2019)
[Christenen](#) (8/12/2020)
[Cochran](#) (1/2/2018)
[Corner](#) (3/18/2020)
[Davis](#) (4/10/2019)
[Denslow](#) (4/20/2017)
[Doherty](#) (4/14/2020)
[Domis](#) (3/21/2019)
[Dougherty](#) (4/14/2021)

[Driftmyer](#) (12/20/2018)
[Elter](#) (2/16/2021)
[Engel](#) (7/31/2018)
[Ernst](#) (9/27/2018)
[Falconer](#) (3/31/2020)
[Field & Weiss](#) (11/27/2019)
[Flessa](#) (5/9/2019)
[Fortado](#) (2/18/2020)
[Gay](#) (6/7/2018)
[Gibbons & Jenkins](#) (5/26/2020)
[Goebel](#) (1/2/2018)
[Goldberger](#) (11/27/19)
[Grendel](#) (6/8/2021)
[Hackerd](#) (4/11/2019)
[Halligan](#) (9/19/2019)
[Haynes](#) (4/23/2020)
[Hillman](#) (2/17/2022)
[Holben](#) (12/20/2018)
[Karp](#) (12/20/2018)
[Kathman](#) (6/30/2021)
[Keating](#) (11/28/2018)
[Kelley](#) (6/16/2021)
[Kluesener](#) (6/22/2017)
[LaFayette](#) (12/28/2017)
[Lemons](#) (10/13/2022)
[Lewis](#) (3/18/2021)
[Maciak](#) (1/24/2018)
[Marsh](#) (8/4/2020)
[McCray](#) (5/21/2019)
[McNally](#) (9/18/2018)
[McNeal](#) (12/5/2017)
[Midian](#) (9/27/2018)
[Moore](#) (3/15/2017)
[Morton](#) (11/23/2021)
[Mostov](#) (8/4/2020)
[Nelson](#) (12/7/2017)
[Nelson](#) (4/21/2022)
[Peck](#) (5/30/2017)
[Perry](#) (3/7/2019)
[Pertee](#) (8/3/2021)
[Peters](#) (12/19/2019)
[Plesich](#) (11/27/2019)
[Porzio](#) (4/23/2020)
[Rauzan & Wagner](#) (2/6/2020)
[Rehkopf](#) (9/27/2018)
[Riggs-Horton](#) (11/20/2019)
[Rosett](#) (9/26/2018)
[Rusu](#) (4/3/2019)
[Sabol](#) (6/22/2021)
[Schriver](#) (2/23/2022)
[Sciortino](#) (12/13/2018)
[Selby](#) (5/22/2019)
[Simmons](#) (9/24/2019)
[Smith](#) (3/23/2022)
[Spoljaric](#) (2/16/2021)
[Thomas](#) (12/9/2020)
[Thomas](#) (8/16/2018)

Tucker (7/10/2018)
 Turner (8/13/2020)
 Vagotis (3/18/2021)
 Valenti (4/21/2021)
 Walden (12/24/2019)
 Watson (6/30/2022)
 Weatherly (11/23/2021)
 Weber (12/28/2017)
 Weir (6/17/2020)
 Weir (6/5/2019)
 Wells (5/24/2022)
 Wilcoxson (7/12/2018)
 Winters (8/17/2021)
 Wintner (11/28/2018)

(3) (restitution or rectified consequences)

Amaddio & Wargo (1/22/2020)
 Arkow (9/15/2022)
 Atway (5/7/2020)
 Bailey & Bailey (7/16/2020)
 Bell (12/19/2017)
 Bennett (10/2/2018)
 Bereday (5/22/2019)
 Berry (11/3/2021)
 Brueggeman (4/23/2020)
 Callahan (7/6/2017)
 Cheselka (12/24/2019)
 Christenen (8/12/2020)
 Darling (3/24/2022)
 Davis (4/10/2019)
 Doherty (4/14/2020)
 Doute (11/24/2020)
 Dull (12/5/2017)
 Dunn (10/24/2018)
 Elter (2/16/2021)
 Ernst (9/27/2018)
 Falconer (3/31/2020)
 Family (11/17/2021)
 Fitz (9/8/2022)
 Flessa (5/9/2019)
 Gay (6/7/2018)
 Gold (8/14/2018)
 Goldberger (11/27/19)
 Haynes (4/23/2020)
 Heller (7/1/2021)
 Hoague (3/11/2020)
 Hurley (1/16/2018)
 Jackson (10/16/2019)
 Jacob (5/10/2017)
 Jancura (5/24/2022)
 Jancura (9/14/2022)
 Jones (11/18/2021)
 Karp (12/20/2018)
 Kathman (6/30/2021)
 Keating (11/28/2018)
 Lewis (3/18/2021)

Ludwig (11/10/2021)
 Marshall (10/16/2018)
 McCray (5/21/2019)
 Midian (9/27/2018)
 Miller (5/17/2017)
 Nelson (4/21/2022)
 Perry (3/7/2019)
 Pickrel (7/20/2017)
 Pigott (12/20/2018)
 Polly-Murphy (9/22/2021)
 Porter (12/15/2021)
 Rauzan & Wagner (2/6/2020)
 Rehkopf (9/27/2018)
 Rieser (9/26/2018)
 Riggs-Horton (11/20/2019)
 Robinson (6/29/2021)
 Rosett (9/26/2018)
 Rumizen (6/27/2019)
 Rusu (4/3/2019)
 Sabol (6/22/2021)
 Schriver (2/23/2022)
 Smith (12/6/2017)
 Tinch (5/20/2020)
 Vagotis (3/18/2021)
 Valenti (4/21/2021)
 Vanderburg (10/17/2019)
 Vivo (5/21/2019)
 Watson (6/30/2022)
 Weatherly (11/23/2021)
 Weber (11/4/2021)
 Wilcoxson (11/10/2021)
 Wilcoxson (7/12/2018)
 Wilson (5/27/2020)
 Wochna (11/8/2018)
 Yavorcik (1/21/2020)

(4) (full and free disclosure)

Adelstein (5/21/2020)
 Alexander (2/16/2021)
 Amaddio & Wargo (1/22/2020)
 Arkow (9/15/2022)
 Atway (1/3/2018)
 Atway (5/7/2020)
 Austin (8/21/2019)
 Bachman (12/18/2020)
 Bahan (2/12/2020)
 Bahan (4/14/2022)
 Bailey & Bailey (7/16/2020)
 Baker (6/8/2021)
 Barns (12/20/2018)
 Bennett (10/2/2018)
 Begovic (11/06/19)
 Bell (12/19/2017)
 Bereday (5/22/2019)
 Berling (5/12/2020)
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[Begovic](#) (11/06/19)

Rule 1.8(h) (making an agreement prospectively limiting the lawyer's liability)

Rule 1.8(h)(1) (making agreement prospectively to limit liability for malpractice or requiring arbitration of a claim)

Rule 1.8(h)(2) (settling a potential claim for professional liability without advising client in writing to seek counsel or obtaining client's informed consent)

[Callahan](#) (7/6/2017)

Rule 1.8(j) (soliciting or engaging in sexual activity with a client when no previous consensual sexual relationship existed)

[Benbow](#) (7/12/2018)

[Berling](#) (5/12/2020)

[Cox](#) (3/22/2022)

[Fortado](#) (2/18/2020)

[Leon](#) (12/20/2018)

[Mager](#) (3/29/2022)

[Mason](#) (4/9/2019)

[Noble](#) (6/29/2022)

[Porter](#) (12/15/2021)

[Sarver](#) (11/30/2018)

[Spoljaric](#) (2/16/2021)

[Turner](#) (10/18/2018)

Rule 1.9 (duties to former clients)

Rule 1.9(a) (obtain informed consent of a client before representing another in the same or a substantially related matter adversely affecting the client)

Rule 1.9(c)(1)(revealing information relating to the representation to the disadvantage of the former client)

[Buzzelli](#) (7/20/2022)

[Shimko](#) (7/31/2019)

Rule 1.9(c)(2) (revealing information relating to the representation of a former client)

[Shimko](#) (7/31/2019)

Rule 1.13(a) (a lawyer employed or retained by an organization represents the organization acting through its constituents and owes allegiance to the organization and not to its constituents)

[Okuley](#) (9/21/2021)

Rule 1.13(e) (a lawyer representing an organization may also represent any of its directors, officers, employees, members, shareholders, or other constituents, subject to the consent to any conflict given by an appropriate official of the organization)

[Okuley](#) (9/21/2021)

Rule 1.14(a) (when a client's capacity is diminished, the lawyer shall maintain a normal client-lawyer relationship as far as reasonably possible.)

[Jarvis](#) (11/8/2022)

Rule 1.15 (safekeeping funds and property)

[Alexander](#) (2/16/2021)

[Berling](#) (5/12/2020)

Rule 1.15(a) (property of clients in an interest-bearing client trust account)

[Adelstein](#) (5/21/2020)

[Barbera](#) (3/15/2017)

[Bulson](#) (5/21/2020)

[Chambers](#) (2/16/2021)

[Darling](#) (3/24/2022)

[DeMasi](#) (1/3/2018)

[Dougherty & Cicero](#) (10/30/19)

[Driftmyer](#) (12/20/2018)

[Dull](#) (12/5/2017)

[Falconer](#) (3/31/2020)

[Family](#) (11/17/2021)

[Fernandez](#) (9/25/2018)

[Ford](#) (3/19/2020)

[Gay](#) (6/7/2018)

[Glitzenstein](#) (9/26/2018)

[Gold](#) (8/14/2018)

[Harter](#) (9/27/2018)

[Heller](#) (7/1/2021)

[Jackson](#) (10/16/2019)

[Karp](#) (12/20/2018)

[Kathman](#) (6/30/2021)

[Kelley](#) (6/16/2021)

[Little \(7/20/2017\)](#)
[Ludwig \(11/10/2021\)](#)
[Nelson \(4/21/2022\)](#)
[Nyce \(1/3/2018\)](#)
[Parkin \(12/20/2018\)](#)
[Peters \(12/19/2019\)](#)
[Petracci \(2/3/2021\)](#)
[Piazza \(2/25/2020\)](#)
[Plummer \(11/29/2022\)](#)
[Rauzan & Wagner \(2/6/2020\)](#)
[Rieser \(11/28/2018\)](#)
[Rosett \(9/26/2018\)](#)
[Rutherford \(7/11/2018\)](#)
[Sabol \(6/22/2021\)](#)
[Sharp \(10/19/2022\)](#)
[Simmons \(9/24/2019\)](#)
[Smith \(12/19/17\)](#)
[Talley \(11/23/2021\)](#)
[Tinch \(5/20/2020\)](#)
[Tucker \(7/10/2018\)](#)
[Turner \(10/18/2018\)](#)
[Turner \(8/13/2020\)](#)
[Vagotis \(3/18/2021\)](#)
[Weber \(11/4/2021\)](#)
[Weber \(12/28/17\)](#)
[Wilson \(5/27/2020\)](#)
[Yavorcik \(1/21/2020\)](#)
[Zelvy \(12/20/2018\)](#)

Rule 1.15(a)(1) (holding property of clients or third persons separate from lawyer's own property; safekeeping funds in separate interest bearing trust account)

[Driftmyer \(12/20/2018\)](#)
[Johnson \(12/7/2017\)](#)
[Nelson \(12/72017\)](#)
[Nyce \(1/3/2018\)](#)

Rule 1.15(a)(2) (maintaining a record for each client)

[Barbera \(3/15/2017\)](#)
[Bruner \(11/17/2021\)](#)
[Bulson \(5/21/2020\)](#)
[Dull \(12/5/2017\)](#)
[Gay \(6/7/2018\)](#)
[Glitzenstein \(9/26/2018\)](#)
[Gold \(8/14/2018\)](#)
[Harter \(9/27/2018\)](#)
[Heller \(7/1/2021\)](#)
[Horton \(6/26/2018\)](#)
[Johnson \(12/7/2017\)](#)
[Little \(7/20/2017\)](#)
[Nelson \(12/72017\)](#)
[Nyce \(1/3/2018\)](#)
[Piazza \(2/25/2020\)](#)
[Plummer \(11/29/2022\)](#)

[Rieser \(11/28/2018\)](#)
[Rosett \(9/26/2018\)](#)
[Sabol \(6/22/2021\)](#)
[Sharp \(10/19/2022\)](#)
[Simmons \(9/24/2019\)](#)
[Talley \(11/23/2021\)](#)
[Tucker \(7/10/2018\)](#)
[Turner \(10/18/2018\)](#)
[Watson \(6/30/2022\)](#)
[Winkfield \(11/6/2019\)](#)
[Zelvy \(12/20/2018\)](#)

Rule 1.15(a)(3) (maintaining a record for each bank account)

[Adelstein \(5/21/2020\)](#)
[Barbera \(3/15/2017\)](#)
[Bulson \(5/21/2020\)](#)
[Glitzenstein \(9/26/2018\)](#)
[Gold \(8/14/2018\)](#)
[Horton \(6/26/2018\)](#)
[Johnson \(12/7/2017\)](#)
[Kathman \(6/30/2021\)](#)
[Keating \(11/28/2018\)](#)
[Nelson \(12/72017\)](#)
[Nyce \(1/3/2018\)](#)
[Piazza \(2/25/2020\)](#)
[Plummer \(11/29/2022\)](#)
[Sabol \(6/22/2021\)](#)
[Sharp \(10/19/2022\)](#)
[Tucker \(7/10/2018\)](#)
[Turner \(10/18/2018\)](#)

Rule 1.15(a)(4) (maintaining bank statements, deposit slips, and cancelled checks)

[Barbera \(3/15/2017\)](#)
[Gold \(8/14/2018\)](#)
[Horton \(6/26/2018\)](#)
[Johnson \(12/7/2017\)](#)
[Kathman \(6/30/2021\)](#)
[Nelson \(12/72017\)](#)
[Nyce \(1/3/2018\)](#)
[Sabol \(6/22/2021\)](#)
[Tucker \(7/10/2018\)](#)
[Turner \(10/18/2018\)](#)

Rule 1.15(a)(5) (performing and maintaining a monthly reconciliation)

[Adelstein \(5/21/2020\)](#)
[Barbera \(3/15/2017\)](#)
[Bulson \(5/21/2020\)](#)
[Davis \(4/10/2019\)](#)
[Gay \(6/7/2018\)](#)
[Gold \(8/14/2018\)](#)

Horton (6/26/2018)
 Johnson (12/7/2017)
 Kathman (6/30/2021)
 Keating (11/28/2018)
 Nelson (12/7/2017)
 Nyce (1/3/2018)
 Piazza (2/25/2020)
 Plummer (11/29/2022)
 Rosett (9/26/2018)
 Sabol (6/22/2021)
 Sharp (10/19/2022)
 Tucker (7/10/2018)
 Turner (10/18/2018)
 Watson (6/30/2022)
 Weber (11/4/2021)
 Winkfield (11/6/2019)

Rule 1.15(b) (depositing own funds in client trust account for bank service charges)

Kathman (6/30/2021)
 Weber (11/4/2021)
 Adelstein (5/21/2020)
 Piazza (2/25/2020)
 Karp (12/20/2018)
 Nyce (1/3/2018)
 Pigott (12/20/2018)
 Tucker (7/10/2018)
 Turner (10/18/2018)

Rule 1.15(c) (depositing unearned/ advanced fees into a trust account)

Adelstein (5/21/2020)
 Bednarski (2/16/2017)
 Berling (5/12/2020)
 Burchinal (3/17/2021)
 Cheselka (12/24/2019)
 Delay (7/23/2019)
 Deters (12/18/2018)
 Dougherty & Cicero (10/30/19)
 Elter (2/16/2021)
 Ernst (9/27/2018)
 Family (11/26/2019)
 Ford (10/20/2021)
 Ford (3/19/2020)
 Glitzenstein (9/26/2018)
 Harvey (5/31/2017)
 Jackson (10/16/2019)
 Johnson (12/6/2017)
 Karp (12/20/2018)
 Leon (12/20/2018)
 Mariotti (12/18/2019)
 Nelson (12/7/2017)
 Nelson (4/21/2022)
 Plummer (11/29/2022)
 Rauzan & Wagner (2/6/2020)

Rieser (11/28/2018)
 Sharp (10/19/2022)
 Smith (12/6/2017)
 Smith (3/23/2022)
 Talley (11/23/2021)
 Tinch (5/20/2020)
 Turner (10/18/2018)
 Turner (8/13/2020)
 Vagotis (3/18/2021)
 Vick (7/27/2022)
 Weber (12/28/2017)
 Wilson (5/27/2020)

Rule 1.15(d) (promptly delivering funds or property to client or third party)

Austin (8/21/2019)
 Bellew (12/28/17)
 Darling (3/24/2022)
 Fernandez (9/25/2018)
 Horton (6/26/2018)
 Jackson (10/16/2019)
 Johnson (7/20/2017)
 Keating (11/28/2018)
 Little (7/20/2017)
 Ludwig (11/10/2021)
 McCray (5/21/2019)
 Nyce (1/3/2018)
 Peters (12/19/2019)
 Pigott (12/20/2018)
 Turner (8/13/2020)
 Watson (6/30/2022)
 Weber (11/4/2021)
 Weir (6/5/2019)
 Wilson (5/27/2020)

Rule 1.15(e) (improperly holding funds in dispute)

Adelstein (5/21/2020)
 Darling (3/24/2022)

Rule 1.16 (declining or terminating representation)

Ludwig (11/10/2021)

Rule 1.16(a) (a lawyer shall not represent a client or where representation has commenced, shall withdraw from the representation of a client)

Rule 1.16(a)(1) (accepting, or failing to withdraw from, representation that will violate the Rules or other law)

Ford (10/20/2021)
 Ludwig (11/10/2021)

Rule 1.16(a)(2) (withdrawing from representation when the lawyer's physical and mental condition materially impairs the lawyer's ability to represent the client)

[Ludwig](#) (11/10/2021)

Rule 1.16(a)(3) (requiring a lawyer not to represent a client after the lawyer has been discharged)

[Harmon](#) (10/15/2019)

Rule 1.16(b)(1) (permitting a lawyer to withdraw from representation if the withdrawal can be accomplished without material adverse effect on the interests of the client)

[Kelley](#) (6/16/2021)
[Roseman](#) (5/16/2019)

Rule 1.16(c) (withdrawing from representation in a proceeding without leave of court if required)

[Dougherty](#) (4/14/2021)
[Kelley](#) (6/16/2021)
[Family](#) (11/26/2019)
[Nyce](#) (1/3/2018)
[Horton](#) (6/26/2018)

Rule 1.16(d) (taking steps to protect a client's interest as part of termination of representation)

[Barbera](#) (7/1/2021)
[Bulson](#) (5/21/2020)
[Burchinal](#) (3/17/2021)
[Burgess](#) (6/30/2021)
[DeMasi](#) (1/3/2018)
[Deters](#) (12/18/2018)
[Domis](#) (3/21/2019)
[Dougherty & Cicero](#) (10/30/19)
[Dougherty](#) (4/14/2021)
[Falconer](#) (3/31/2020)
[Family](#) (11/26/2019)
[Ferfolia](#) (11/30/2022)
[Ford](#) (10/20/2021)
[Ford](#) (3/19/2020)
[Gibbons & Jenkins](#) (5/26/2020)
[Glitzenstein](#) (9/26/2018)
[Hoskins](#) (5/23/2017)
[Jarvis](#) (11/8/2022)
[Johnson](#) (7/20/2017)
[Kluesener](#) (6/22/2017)
[McCray](#) (5/21/2019)
[Parkin](#) (12/20/2018)
[Rusu](#) (4/3/2019)
[Sarver](#) (12/2/2020)
[Schrivier](#) (2/23/2022)

[Sharp](#) (10/19/2022)
[Smith](#) (3/23/2022)
[Tinch](#) (5/20/2020)
[Vick](#) (7/27/2022)
[Weir](#) (6/17/2020)
[Weir](#) (6/5/2019)
[Wilcoxson](#) (7/12/2018)
[Wilson](#) (5/27/2020)

Rule 1.16(d)(3)

[Kelley](#) (6/16/2021)

Rule 1.16(e) (promptly refunding fee paid in advance that is not earned)

[Bellew](#) (12/28/17)
[Bulson](#) (5/21/2020)
[Buzzelli](#) (7/20/2022)
[Delay](#) (7/23/2019)
[Deters](#) (12/18/2018)
[Devanney](#) (4/13/2021)
[Dougherty & Cicero](#) (10/30/19)
[Engel](#) (7/31/2018)
[Falconer](#) (3/31/2020)
[Ford](#) (10/20/2021)
[Glitzenstein](#) (9/26/2018)
[Halligan](#) (9/19/2019)
[Harvey](#) (5/31/2017)
[Hoskins](#) (5/23/2017)
[Johnson](#) (7/20/2017)
[Leon](#) (12/20/2018)
[McCray](#) (5/21/2019)
[Nelson](#) (12/7/2017)
[Parkin](#) (12/20/2018)
[Petracci](#) (2/3/2021)
[Plummer](#) (11/29/2022)
[Rutherford](#) (7/11/2018)
[Schrivier](#) (2/23/2022)
[Sharp](#) (10/19/2022)
[Smith](#) (3/23/2022)
[Tinch](#) (5/20/2020)
[Turner](#) (10/18/2018)
[Vick](#) (7/27/2022)

Rule 1.18 (using or revealing information learned during discussions with a prospective client)

Rule 1.18(c) (prohibiting a lawyer from representing a client with interests materially adverse to those of a prospective client in the same matter if the lawyer had received information from the prospective client that could be significantly harmful to that person, unless the lawyer obtains informed consent)

Rule 2.1 (in representing a client, a lawyer shall exercise independent professional judgment and render candid advice)

[Fernandez](#) (9/25/2018)

Rule 3.1 (not bringing or defending a proceeding, or asserting or controverting an issue in a proceeding, unless there is a basis in law and fact for doing so that is not frivolous)

[Barbera](#) (7/1/2021)
[Cramer](#) (8/27/2020)
[Donchatz](#) (5/16/2017)
[Harmon](#) (10/15/2019)
[LaFayette](#) (12/28/2017)
[Large](#) (10/11/2018)
[Okuley](#) (9/26/2018)
[Petracci](#) (2/3/2021)
[Whipple](#) (2/24/2022)
[Yoder](#) (10/6/2020)

Rule 3.3(a)(knowingly make a false statement of fact or law to a tribunal)

[Cheselka](#) (12/24/2019)
[Noble](#) (6/29/2022)
[Smith](#) (3/23/2022)
[Spinazze](#) (3/11/2020)

Rule 3.3(a)(1) (knowingly make or fail to correct a false statement of fact to a tribunal)

[Austin](#) (8/21/2019)
[Bryant](#) (2/16/2021)
[Burchinal](#) (3/17/2021)
[Buttacavoli](#) (12/7/2017)
[Buttars](#) (4/21/2020)
[Buzzelli](#) (7/20/2022)
[Cochran](#) (1/2/2018)
[Cramer](#) (8/27/2020)
[Davis](#) (4/20/2022)
[DeMasi](#) (1/3/2018)
[Donchatz](#) (5/16/2017)
[Doute](#) (11/24/2020)
[Harmon](#) (10/15/2019)
[Heller](#) (7/1/2021)
[Hoague](#) (3/11/2020)
[Hoskins](#) (5/23/2017)
[Jancura](#) (9/14/2022)
[Moody](#) (10/11/2018)
[Moore](#) (3/15/2017)
[Nelson](#) (4/21/2022)
[Okuley](#) (9/26/2018)
[Porter](#) (12/15/2021)
[Robinson](#) (6/29/2021)
[Schuman](#) (12/6/2017)
[Smith](#) (12/6/2017)

[Striff](#) (12/24/2019)
[Walden](#) (12/24/2019)
[Wilson](#) (5/27/2020)
[Yoder](#) (10/6/2020)

Rule 3.3(a)(3) (knowingly offering false evidence)

[Davis](#) (4/20/2022)
[Okuley](#) (9/26/2018)

Rule 3.4(a) (destroying or concealing a document with evidentiary value)

[Magee](#) (8/16/2018)
[Okuley](#) (9/26/2018)

Rule 3.5(a)(3)(i) (prohibiting a lawyer from communicating ex parte with a judicial officer or other official as to the merits of the case during the proceeding unless authorized to do so by law or court order)

[Thomas](#) (12/9/2020)

Rule 3.3(d) (ex parte proceeding- requiring lawyer to inform tribunal of all material facts)**Rule 3.4(a) (destroying or concealing a document with evidentiary value)****Rule 3.4(b) (falsify evidence)**

[Jancura](#) (9/14/2022)
[Magee](#) (8/16/2018)
[Moody](#) (10/11/2018)

Rule 3.4(c) (knowingly disobey the rules of a tribunal)

[Bellew](#) (12/28/17)
[Brooks](#) (10/20/2022)
[Domis](#) (3/21/2019)
[Donchatz](#) (5/16/17)
[Dougherty](#) (4/14/2021)
[Hoskins](#) (5/23/2017)
[Magee](#) (8/16/2018)
[Mahin](#) (8/19/2020)
[Moody](#) (10/11/2018)
[Okuley](#) (9/26/2018)
[Piazza](#) (2/25/2020)
[Sarver](#) (12/2/2020)
[Smith](#) (3/23/2022)
[Striff](#) (12/24/2019)
[Vick](#) (7/27/2022)
[Wilson](#) (5/27/2020)

Rule 3.4(d) (intentionally or habitually failing to make reasonably diligent effort to comply with a legally proper discovery request by opposing party)

[Hillman](#) (2/17/2022)
[Kluesener](#) (6/22/2017)
[Moody](#)(10/11/2018)
[Vick](#) (7/27/2022)

Rule 3.5(a)(1) (prohibiting a lawyer from seeking to influence a judicial officer, juror, prospective juror, or other official by means prohibited by law)

Rule 3.5(a)(3) (prohibiting a lawyer from communicating ex parte with a judicial officer as to the merits of the case during the proceeding)

Rule 3.5(a)(5) (engage in conduct intended to disrupt a tribunal)

[Bailey & Bailey](#) (7/16/2020)
[Baker](#) (6/8/2021)

Rule 3.5(a)(6) (undignified or discourteous conduct that is degrading to a tribunal)

[Bailey & Bailey](#) (7/16/2020)
[Baker](#) (6/8/2021)
[Morton](#) (11/23/2021)
[Yoder](#) (10/6/2020)

Rule 4.1 (truthfulness in statements to others)

Rule 4.1(a) (making false statement to third person during representation)

[Hoskins](#) (5/23/2017)
[Jancura](#) (9/14/2022)
[Moody](#)(10/11/2018)
[Noble](#) (6/29/2022)
[Robinson](#) (6/29/2021)
[Yoder](#) (10/6/2020)

Rule 4.2 (prohibiting a lawyer from communicating about the subject of his representation of a client with a person known to be represented by another lawyer in the matter)

[Bruce](#) (1/16/2020)
[Harmon](#) (10/15/2019)
[Barns](#) (12/20/2018)
[Nyce](#) (1/3/2018)
[Rehkopf](#) (9/27/2018)

Rule 4.3 (prohibiting a lawyer from giving legal advice to an unrepresented person)

Rule 4.4 (lawyer shall not embarrass, harass, delay, burden, or violate the legal rights of such a person)

[Atway](#) (1/3/2018)
[Harmon](#) (10/15/2019)

Rule 4.4(a) (lawyer shall not embarrass, harass, delay, burden, or violate the legal rights of such a person)

[Yoder](#) (10/6/2020)

Rule 5.1(c)(managing lawyer is responsible for another's violation if managing lawyer orders or ratifies the conduct)

[Christensen & Kluesener](#) (1/23/2020)

Rule 5.1(c)(1) (managing lawyer is responsible for another's violation if managing lawyer orders or ratifies the conduct)

Rule 5.3 (responsibilities regarding nonlawyer assistants)

[Jarvis](#) (11/8/2022)

Rule 5.3(a) (managing lawyer must have measures in effect to assure non-lawyer's conduct is compatible with professional obligations)

[Buzzelli](#) (7/20/2022)
[Christenen](#) (8/12/2020)
[Fitz](#) (7/20/2022)
[Kathman](#) (6/30/2021)

Rule 5.3(b) (supervisory lawyer must make reasonable efforts to ensure conduct is compatible with professional obligations)

[Heller](#) (7/1/2021)
[Kathman](#) (6/30/2021)
[Berling](#) (5/12/2020)
[Christenen](#) (8/12/2020)
[Christensen & Kluesener](#) (1/23/2020)
[Davis](#) (4/10/2019)

Rule 5.3(c) (lawyer with direct supervisory responsibility for professional conduct rule violation of nonlawyer)

[Christensen & Kluesener](#) (1/23/2020)
[Marsh](#) (8/4/2020)

Rule 5.3(c)(2) (lawyer has managerial authority)

and knows of the conduct at the time and fails to take reasonable remedial action)

[Heller](#) (7/1/2021)

Rule 5.4(a) (prohibiting lawyer from sharing legal fees with a nonlawyer)

[Heller](#) (7/1/2021)
[Begovic](#) (11/06/19)

Rule 5.4(c) (prohibiting a lawyer from permitting a person pays the lawyer to direct or regulate the lawyers' professional judgment)

Rule 5.5 (unauthorized practice of law; multijurisdictional practice of law)

[Mahin](#) (8/19/2020)

Rule 5.5(a) (prohibiting a lawyer from practicing law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so)

[Austin](#) (8/21/2019)
[Begovic](#) (11/06/19)
[Bellew](#) (12/28/17)
[Berling](#) (5/12/2020)
[Brooks](#) (10/20/2022)
[Burchinal](#) (3/17/2021)
[Dougherty & Cicero](#) (10/30/19)
[Ford](#) (10/20/2021)
[Fuhry](#) (12/6/2017)
[Hoskins](#) (5/23/2017)
[Hurley](#) (1/16/2018)
[Ludwig](#) (11/10/2021)
[Maciak](#) (1/24/2018)
[Okuley](#) (9/21/2021)
[Sarver](#) (12/2/2020)
[Weber](#) (12/28/2017)

Rule 5.5(b)(2) (prohibiting a lawyer who is not admitted to practice in this jurisdiction from holding himself out as admitted to practice)

[Bellew](#) (12/28/17)
[Fuhry](#) (12/6/2017)
[Hurley](#) (1/16/2018)

Rule 7.1 (communications concerning a lawyer's services)

[Austin](#) (8/21/2019)
[Brown](#) (7/6/2017)
[Hurley](#) (1/16/2018)
[Okuley](#) (9/21/2021)
[Williamson](#) (7/27/2017)

Rule 7.3(a) (in-person solicitation of professional employment for pecuniary gain)

[Bahan](#) (2/12/2020)

Rule 7.2(b) (giving anything of value to a person for recommendation of the lawyer's services)

Rule 7.2(b)(3) (the usual charges for a nonprofit or lawyer referral service that complies with Gov. Bar R. XVI)

Rule 7.3(c)(1) (disclose the manner in which the lawyer became aware of the identity and legal need of addressee)

[Williamson](#) (7/27/2017)

Rule 7.3(c)(3) ("ADVERTISING MATERIAL" OR "ADVERTISEMENT ONLY")

Rule 7.3(d) (verification that party has been served with notice of the action filed against the party)

[Williamson](#) (7/27/2017)

Rule 7.5(a) (practicing under a trade name or a misleading name)

[Brown](#) (7/6/2017)

Rule 7.5(c) (name of lawyer in public office in name of a law firm)

[Brown](#) (7/6/2017)

Rule 7.5(d) (stating or implying practice in partnership or other organization)

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[Darling](#) (3/24/2022)
[Delay](#) (7/23/2019)
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 Harter (9/27/2018)
 Jones (11/18/2021)
 Karp (12/20/2018)
 Maney (12/6/2017)
 Nyce (1/3/2018)
 Okuley (9/26/2018)
 Petracci (2/3/2021)
 Porter (12/15/2021)
 Sarver (12/2/2020)
 Smith (12/6/2017)

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 Barbera (3/15/2017)
 Barbera (7/1/2021)
 Bellew (12/28/17)
 Bishop (12/24/2019)
 Brenner (1/22/2020)
 Bruner (11/17/2021)
 Bulson (5/21/2020)
 Burchinal (3/17/2021)
 Chambers (2/16/2021)
 Cheselka (12/24/2019)
 Corner (3/18/2020)
 Delay (7/23/2019)
 DeMasi (1/3/2018)
 Dougherty (4/14/2021)
 Driftmyer (12/20/2018)
 Engel (7/31/2018)
 Fernandez (9/25/2018)
 Ford (10/20/2021)
 Ford (3/19/2020)
 Goobl (1/2/2018)
 Hadeed (11/7/19)
 Harter (9/27/2018)
 Harvey (5/31/2017)
 Hoskins (5/23/2017)
 Magee (8/16/2018)
 Mariotti (12/18/2019)
 Nelson (12/7/2017)
 Nyce (1/3/2018)
 Okuley (9/21/2021)
 Oviatt (12/20/2018)
 Petracci (2/3/2021)
 Rieser (11/28/2018)
 Roseman (5/16/2019)
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 Selby (5/22/2019)
 Simmons (9/24/2019)
 Striff (12/24/2019)
 Sullivan (1/21/2020)
 Talley (11/23/2021)
 Walden (12/24/2019)
 Weir (6/17/2020)
 Weir (6/5/2019)

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 Cramer (8/27/2020)
 Oviatt (12/20/2018)

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Rule 8.4(a) (violating, attempting to violate, knowingly assisting or inducing another to violate the Rules)

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 Atway (1/3/2018)
 Atway (5/7/2020)
 Bereday (5/22/2019)
 Bucio (12/28/2017)
 Burchinal (3/17/2021)
 Burge (8/13/2019)
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 Cochran (1/2/2018)
 Connors (6/18/2020)
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 George (5/13/2020)
 Hoague (3/11/2020)
 Horton (10/10/2019)
 Jacob (5/10/2017)
 King (11/19/2019)
 Lewis (5/30/2018)
 Lindner (6/21/2017)
 Lindon (3/18/2021)
 Long (11/10/2021)
 Manore (9/25/2019)
 Marshall (10/16/2018)
 Martyniuk (6/26/2017)
 Mason (12/28/2017)
 McNally (9/18/2018)
 Miller (5/17/2017)
 Mitchell (12/19/2019)
 Pertee (8/3/2021)
 Plesich (11/27/2019)
 Polizzi (4/7/2021)
 Rauzan & Wagner (2/6/2020)
 Riggs-Horton (11/20/2019)
 Robinson (6/29/2021)
 Sarver (11/30/2018)

Schwarz (4/22/2020)
 Sciortino (12/13/2018)
 Scott (12/18/2019)
 Strauss (4/15/2021)
 Striff (12/24/2019)
 Tinch (5/20/2020)
 Wilson (5/27/2020)
 Yavorcik (1/21/2020)

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 Austin (8/21/2019)
 Bellew (12/28/17)
 Benbow (7/12/2018)
 Bennett (10/2/2018)
 Bereday (5/22/2019)
 Berling (5/12/2020)
 Bishop (12/24/2019)
 Brueggeman (4/23/2020)
 Bruner (11/17/2021)
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 Burgess (6/30/2021)
 Buttar (4/21/2020)
 Cheselka (12/24/2019)
 Chodosh (3/7/2019)
 Clark (11/8/2018)
 Cramer (8/27/2020)
 Delay (7/23/2019)
 DeMasi (1/3/2018)
 Devanney (4/13/2021)
 Donchatz (5/16/2017)
 Dougherty & Cicero (10/30/19)
 Doute (11/24/2020)
 Dull (12/5/2017)
 Dunn (10/24/2018)
 Farris (11/26/2019)
 Ford (10/20/2021)
 Ford (3/19/2020)
 George (5/13/2020)
 Gold (8/14/2018)
 Grendel (6/8/2021)
 Halligan (9/19/2019)
 Harter (9/27/2018)
 Hoague (3/11/2020)
 Hoskins (5/23/2017)
 Hurley (1/16/2018)
 Jacob (5/10/2017)
 Jones (11/18/2021)
 Karp (12/20/2018)
 King (11/19/2019)
 Lewis (5/30/2018)
 Lindner (6/21/2017)
 Lindon (3/18/2021)
 Little (7/20/2017)
 Ludwig (11/10/2021)
 Magee (8/16/2018)

Mahin (8/19/2020)
 Maney (12/6/2017)
 Manore (9/25/2019)
 Mariotti (12/18/2019)
 Marsh (8/4/2020)
 Marshall (10/16/2018)
 Miller (5/17/2017)
 Moody (10/11/2018)
 Moore (5/30/2019)
 Nyce (1/3/2018)
 Okuley (9/21/2021)
 Okuley (9/26/2018)
 Owens (12/19/2018)
 Parkin (12/20/2018)
 Petracci (2/3/2021)
 Piazza (2/25/2020)
 Pickrel (7/20/2017)
 Pigott (12/20/2018)
 Plesich (11/27/2019)
 Polly-Murphy (9/22/2021)
 Robinson (6/29/2021)
 Rumizen (6/27/2019)
 Rutherford (7/11/2018)
 Sarver (11/30/2018)
 Sarver (12/2/2020)
 Sciortino (12/13/2018)
 Scott (12/18/2019)
 Smith (12/19/2017)
 Smith (12/6/2017)
 Spinazze (3/11/2020)
 Striff (12/24/2019)
 Sullivan (1/21/2020)
 Tinch (5/20/2020)
 Turner (10/18/2018)
 Vanderburg (10/17/2019)
 Weber (11/4/2021)
 Wilcoxson (11/10/2021)
 Wilson (5/27/2020)
 Wochna (11/8/2018)
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 Bailey & Bailey (7/16/2020)
 Baker (6/8/2021)
 Benbow (7/12/2018)
 Berling (5/12/2020)
 Bruce (1/16/2020)
 Burchinal (3/17/2021)
 Christenen (8/12/2020)
 Christensen & Kluesener (1/23/2020)
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[McCray \(5/21/2019\)](#)
[Miller \(5/17/2017\)](#)
[Moody \(10/11/2018\)](#)
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[Corley \(6/16/2020\)](#)
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Rule 8.5(a) (a lawyer admitted to practice in Ohio is subject to the disciplinary authority of Ohio, regardless of where the conduct occurs)

Rule 8.5(b)(2) (the rules of the jurisdiction in which the lawyer's conduct occurred, or, if the predominant effect of the conduct is in a different jurisdiction, the rules of that jurisdiction shall be applied)

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Gov. Bar R. V(4)(G) (failure to cooperate with disciplinary investigation)

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Gov. Bar R. V(11)(E) (proceedings and documents relating to review and investigation of grievances be private)

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Gov. Bar R. VI (requiring an attorney to register with the Supreme Court on or before the first day of September in each odd-numbered year)

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Gov. Bar R. V(8)(E) (requiring a suspended lawyer to notify all clients being represented in pending matters of his suspension and consequent disqualification to act as an attorney)

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Gov. Bar R. V(9)(G) (failure to cooperate with disciplinary investigation)

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Gov. Bar R. VI(4)(B) (an attorney shall keep the Office of Attorney Services apprised of the attorney's current address and phone number)

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[Weber \(12/28/2017\)](#)

Gov. Bar R. VI(4)(D) (failing to provide IOLTA information on certificate of registration when maintaining an IOLTA)

[Weber \(12/28/2017\)](#)

Gov. Bar R. VI (5)(C)(prohibiting an attorney who has been suspended for a registration violation from practicing law or holding out as authorized to practice law)

Gov. Bar R. VII(2)(A)(3(d) (unauthorized practice of law if providing legal services while suspended for failure to satisfy CLE requirements)

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Gov. Bar R. VII(2)(A)(4) (holding out to the public as authorized to practice law in Ohio)

[Weber \(12/28/2017\)](#)

Gov. Bar R. V(20)(A) (requiring an attorney admitted to the practice of law in Ohio to provide written notification of a disciplinary order issued in another jurisdiction to disciplinary counsel and the clerk of this court within 30 days of its issuance)

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Gov. Bar R. V(23)(F) (notification to client that a

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