



Ohio Board of Professional Conduct

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

From: Elizabeth T. Smith, Director

Date: October 15, 2025

Re: Bi-Monthly Update

Greetings. It is hard to believe that more than two months have passed since I started this foray into the world of attorney and judicial professional conduct. I was reminded by a former colleague when I took this position that it is a very small percentage of lawyers who enter the hearing room and are sanctioned. For that, I am grateful. And we, here on the Fifth Floor, are all about finding ways to even make that number smaller.

October Board Meeting

The Board held its meeting on October 3 and approved seven case reports, each of which was filed with the Supreme Court on October 3 and 6. They are:

- [Columbus Bar Association v. Javier Horatio Armengau](#)
- [Disciplinary Counsel v. Hon. Richard Steven Skelton](#)
- [Disciplinary Counsel v. Hon. John Marshal Ickes](#)
- [Medina County Bar Association v. Eric Dorman Hall](#)
- [Disciplinary Counsel v. Brian Nicholas Gernert](#)
- [Disciplinary Counsel v. William Anthony Paxton](#)

The complaint in [Disciplinary Counsel v. Clyde Bennett II](#) was dismissed.

Currently, the Board has 24 open cases (up from 18 in the last report). Two of these are awaiting a panel report; 4 are scheduled for hearing; 5 are stayed pending resignation and 7 are awaiting an answer. There are 26 cases pending before the Supreme Court.

Probable Cause Deadlines: The next two deadlines are **October 24** and **December 1**. The schedule for calendar year 2026 will be forthcoming soon. Please review Gov. Bar. Rule V (10

and (11) in regard to the submission of materials. Also, filings before the deadline are always appreciated.

Saving Trees: The first electronic filing of the Board case records with the Supreme Court Clerk of Courts has now been successfully accomplished, with just a few hiccups. I understand that the Clerk of Courts will want exhibits to be submitted on a USB drive: one for Relator, one for Respondent and one for joint exhibits, if any. The Panel Chairs will be addressing this at Pre-hearing Conferences.

Hearing Room and IT Issues: Recently, we met with IT personnel and the outside vendor to discuss the acoustic and speaker issues in Hearing Room 106. We all will need to remind the witness to speak loudly and close to the microphone. The IT team is considering different arrangements for speakers as well as the control of exhibits by someone besides the attorney at the podium. We also noted that the cameras and microphones were not in sync. We all observed that the counter for the witness is too small to accommodate laptops, binders, etc. during a hearing. Finally, you will notice that we have switched to an audio zoom platform for pre-hearing conferences, having experienced increased issues (and inconvenience) using Webex.

Expense Reimbursement Policy Guidance: By now, all of the CGCs have received the policy guidance for indirect expense reimbursements. As indicated, we are willing to continue to address concerns by being ever mindful that we all have budgets by which to live and the funding from the Attorney Services Fund is not unlimited. I do look forward to conversations with the bar associations about the guidance. Also, we also received approval from the Board for some very limited reconciliations to five of the CGCs as we all recognize the importance of moving forward. Finally, we are commencing the development of a platform for electronic submission of expenses.

Miller-Becker Seminar: We are looking forward to a record turnout (live and virtual) in Akron on October 24, 2025 at the University of Akron. We hope to see you there.

As always, if you have any questions or concerns, do not hesitate to call or email us.

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