DISCIPLINARY HANDBOOK: VOLUME VIII

[CASES FROM 2014; CURRENT THROUGH DECEMBER 31, 2014]

BOARD OF COMMISSIONERS ON GRIEVANCES AND DISCIPLINE

Links within this document lead either to publications on the Supreme Court'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.

Board of Commissioners on Grievances and Discipline
of the Supreme Court of Ohio
65 South Front Street, 5th Floor
Columbus, OH 43215-3431
614.387.9370
www.supremecourt.ohio.gov/Boards/BOC

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CASE SUMMARIES

***Alsfelder**, Cincinnati Bar Assn. v.*
138 Ohio St.3d 333, 2014-Ohio-870. Decided 3/13/2014.

OVERVIEW: Respondent was indefinitely suspended for failing to cooperate in nearly every aspect of the disciplinary investigation over a period of years.

PROCEDURE: After a hearing, the panel found insufficient evidence to prove all charges except the failure to cooperate charge, recommended dismissal of all other charges, and recommended a sanction of an indefinite suspension. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction. Both parties objected. The Court overruled the objections and found the evidence was insufficient to support allegations of failure to maintain records of client funds, conversion of client funds, failure to provide a full accounting to a client, dishonest, fraud, deceit, or misrepresentation by using information in the course of representation to a client's disadvantage, and failure to report income on tax returns, and dismissed those charges.

FINDINGS: Respondent previously received a one-year suspension, fully stayed on conditions for accepting employment without disclosing that his professional judgment could be affected by his personal interests, charging a clearly excessive fee, and failing to maintain complete records of client funds.
In this case, Respondent failed to cooperate in the disciplinary process and failed to comply with orders of the Board, including subpoena requests. Respondent was found in contempt of Court, and was suspended pending proof of compliance with the prior orders of the Court and the Board. Respondent repeatedly failed to comply with the orders, and the suspension remains in effect.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and imposed an indefinite suspension, which goes into effect when Respondent purges his contempt of the Court's prior orders.

CASE AUTHORITY FOR SANCTION: None cited.

Rules Violated: Gov.Bar R. V(4)(G)

Aggravation/ Mitigation: A- (a) (prior discipline), (c) (pattern of misconduct), (e) (failure to cooperate), (f) (false or deceptive practices during investigation); **M-** None

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** YES
Sanction: Indefinite suspension		

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***Ballato**, Dayton Bar Assn. v.*
143 Ohio St.3d 76, 2014-Ohio-5063. Decided 11/19/2014.

OVERVIEW: Respondent was indefinitely suspended based on his felony conviction for possession of child pornography.

PROCEDURE: The Court imposed an interim felony suspension based on Respondent's conviction. After the hearing, the panel made findings of fact, conclusions of law, and recommended an indefinite suspension with credit for time served under the interim felony suspension. The Board adopted the panel's findings of fact, conclusions of law, but recommended an indefinite suspension with no credit for time served under the interim felony suspension.

FINDINGS: Over the course of Respondent's career, he was fired on three separate occasions for using office computers to view internet pornography. Respondent voluntarily enrolled in a six-week residential treatment program for sexual addiction in 2002 although he did not believe he had a problem at that time. In 2004, Respondent responded to an online advertisement for "amateur pornography for sale," and in the course of an email exchange, the seller revealed that the offer was for child pornography. Respondent placed an order and mailed a partial payment for the magazines. The magazines were delivered by an undercover postal inspector to Respondent's home while he was at work. Shortly thereafter, federal officers arrived and conducted searches at both his home and office. The officers found an abundance of adult pornography and three images of child pornography on Respondent's office computer.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and imposed an indefinite suspension with no credit for time served under the interim felony suspension.

CASE AUTHORITY FOR SANCTION: *Greenberg* (2013); *Ridenbaugh* (2009)

DISSENT: Chief Justice O'Connor and Justice O'Donnell dissented and would disbar Respondent. Justice Lanzinger also dissented and would grant credit for time served.

Rules Violated: DR 1-102(A)(3), 1-102(A)(6)

Aggravation/ Mitigation: A- (b) (dishonest or selfish motive), (d) (multiple offenses), (h) (harm to vulnerable victim); **M-** (a) (no prior discipline), (d) (full and free disclosure), (f) (other penalties/sanctions)

Court Modified Sanction: NO	**Criminal Conduct:** YES	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Indefinite suspension with no credit for time served under the interim felony suspension		

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***Bancsi**, Cleveland Metro. Bar Assn. v.*
141 Ohio St.3d 457, 2014-Ohio-5255. Decided 12/4/2014.

OVERVIEW: Respondent was suspended for two years, with 18 months stayed for failing to act with reasonable diligence, failing to keep a client reasonably informed, failing to inform the client in writing that he did not maintain professional liability insurance, and engaging in conduct that is prejudicial to the administration of justice.

PROCEDURE: The panel found that Respondent engaged in the charged misconduct and recommended that he serve a two-year suspension, with 18 months stayed on conditions, along with a two-year term of monitored probation. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction.

FINDINGS: In 1995, Respondent received a public reprimand for failing to deposit unearned fees in a client trust account, failing to properly account for client funds, and failing to return a client's case file. Also in 1995, Respondent was suspended for failing to meet the substance-abuse component of his continuing legal education requirements, but was reinstated later that year. In 1997, Respondent was again suspended for one year with, six months stayed for practicing law during his CLE suspension. Also in 2012, Respondent received another CLE suspension but was reinstated the following month. In this case, Respondent mishandled a client's domestic-relations matter by failing to respond to discovery requests and a motion to compel. He also sought a continuance due to his own bypass surgery, which was denied by the domestic relations court. A motion to dismiss his client's motion to modify spousal support was also denied. Due to his misconduct, the client lost 12 months of credit for a modification of the spousal support entered through new counsel.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and imposed a two-year suspension, with 18 months stayed on condition that he engage in no further misconduct and serve a two-year term of monitored probation, commencing upon his reinstatement.

CASE AUTHORITY FOR SANCTION: *Berk* (2012); *Marshall* (2007)

Rules Violated: Prof.Cond.R. 1.3, 1.4(a)(3), 1.4(a)(4), 1.4(c), 8.4(d)

Aggravation/ Mitigation: A- (a) (prior discipline), (d) (multiple offenses), (h) (harm to vulnerable victim), (i) (no restitution); **M**- (b) (no dishonest or selfish motive), (d) (cooperative attitude)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** YES
Sanction: Two-year suspension, with 18 months stayed on conditions		

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***Becker**, Disciplinary Counsel v.*
140 Ohio St.3d 299, 2014-Ohio-3665. Decided 9/3/2014.

OVERVIEW: Respondent was permanently disbarred for misappropriation of funds entrusted to him as fiduciary of decendent's estate and as guardian of incompetent person.

PROCEDURE: After the hearing, the panel made findings of fact, conclusions of law, and recommended that Respondent be permanently disbarred. The Board adopted the panel's report in its entirety. Both parties objected.

FINDINGS: Over a period of years, Respondent misappropriated funds entrusted to him, primarily to feed his gambling addiction.

SANCTION: Given the gravity and duration of the misconduct, the fiduciary duties violated, the harm caused to vulnerable victims, the multiple aggravating factors, and the sanctions imposed in similar cases, the Court adopted the Board's findings of facts, conclusions of law, and imposed permanent disbarment.

CASE AUTHORITY FOR SANCTION: *Lockshin* (2010); *Belock* (1998); *Churilla* (1997)

Rules Violated: Prof.Cond.R. 1.15(a), 8.4(b), 8.4(c), 8.4(d), 8.4(h); DR 1-102(A)(3), 1-102(A)(4), 1-102(A)(5), 1-102(A)(6)

Aggravation/ Mitigation: A- (b) (dishonest or selfish motive), (c) (pattern of misconduct), (d) (multiple offenses), (h) (harm to vulnerable victim), (i) (no restitution); **M**- (a) (no prior discipline)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Disbarment		

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***Bender**, Disciplinary Counsel v.*
139 Ohio St.3d 332, 2014-Ohio-2118. Decided 5/27/2014.

OVERVIEW: Respondent received a one-year suspension, fully stayed, for failing to act with reasonable diligence in representing a client, failing to keep a client informed, continuing to represent a client despite the fact his personal interests conflicted with the client because he failed to inform the client that he missed the statute of limitations deadline, and engaging in conduct that adversely reflected on his fitness to practice law. Respondent also commingled personal and client funds in his trust account and continued to practice law after he was appointed judge.

PROCEDURE: The parties submitted stipulations of fact and misconduct, and to the dismissal of certain violations alleged in the complaint. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of a one-year suspension, all stayed on condition.

FINDINGS: Respondent neglected a client's legal matter, failed to keep a client reasonably informed by failing to return telephone calls regarding the status of the personal injury case, not referring the case to another attorney before taking judicial office, and not informing a client that he had missed the statute of limitations. On the same case, Respondent failed to recognize that his personal interests conflicted with those of a client after he missed the statute of limitations date. After he took judicial office, in the same case Respondent took actions that constituted the practice of law. Additionally, after Respondent was appointed to judicial office, on at least two occasions he deposited settlement funds belonging to former clients into his client trust account even though he ceased working on their cases, and did not immediately withdraw the fees from the account.

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

CASE AUTHORITY FOR SANCTION: *Berk* (2007); *Bricker* (2013)

Rules Violated: Jud.Cond.R. 3.10; Prof.Cond.R. 1.3, 1.4(a)(3), 1.7(a)(2), 1.15(a), 8.4(h)

Aggravation/ Mitigation: A- (b) (dishonest or selfish motive); **M-** (a) (no prior discipline), (d) (full and free disclosure), (e) (good character)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** YES	**Prior Discipline:** NO
Sanction: One-year suspension stayed in its entirety on condition		

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***Binger**, Akron Bar Assn. v.*
139 Ohio St.3d 186, 2014-Ohio-2114. Decided 5/22/2014.

OVERVIEW: Respondent received an 18 month stayed suspension for improperly notarizing documents for clients that were signed outside of his presence, and leading his clients to believe that he was self-insured, despite being uninsured, for a significant period of time.

PROCEDURE: The parties submitted joint stipulations of fact, misconduct, aggravating and mitigating factors, and stipulated to the dismissal of two counts in the complaint. The panel rejected the parties' stipulations, but found clear and convincing evidence of three violations, but dismissed two other counts of the complaint, and recommended a six-month suspension, all stayed on conditions including enrollment in a mentoring program and serving a one-year probation. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction.

FINDINGS: In a dissolution, Respondent notarized clients' signatures on a document without witnessing them. Additionally, Respondent did not maintain liability insurance and failed to notify his clients or advise them in writing of the same. Instead, Respondent placed a sign in his office stating that he was self-insured, when in fact, he was uninsured. Respondent had previous, multiple offenses for failing to comply with CLE requirements and failing to keep the Court apprised of his residential and office addresses.

SANCTION: The Court adopted the Board's findings of fact and conclusions of law, but rejected the recommended sanction, and imposed an 18-month suspension, all stayed on condition that Respondent commit no further misconduct.

CASE AUTHORITY FOR SANCTION: *Karris* (2011); *Kraemer* (2010); *Fowerbaugh* (1995); *Craig* (2012); *Koehler* (2012)

DISSENT: Justice French concurred in part with the sanction, dissented in part, and would have ordered Respondent to serve monitored probation for the duration of the eighteen-month stayed suspension.

Rules Violated: Prof.Cond.R. 1.4(c), 8.4(c), 8.4(h)

Aggravation/ Mitigation: A- (d) (multiple offenses); **M**- (a) (no prior discipline), (d) (full and free disclosure)

Court Modified Sanction: YES	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Eighteen-month suspension stayed in its entirety on condition		

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***Cicero**, Disciplinary Counsel v.*
143 Ohio St.3d 6, 2014-Ohio-4639. Decided 10/23/2014.

OVERVIEW: Respondent, who was previously suspended twice for misconduct, was indefinitely suspended for unilaterally "fixing" his own speeding ticket and falsely representing to the court that he had prosecutor approval to do so.

PROCEDURE: After a hearing, the panel found that based upon his conduct, Respondent violated Prof.Cond.R. 3.3(a), 8.4(c), 8.4(d), and 8.4(h), and recommended an indefinite suspension. Upon review, the Board found that Respondent's conduct was sufficienty "egregious" to violate Prof.Cond.R. 8.4(h), and modified the sanction to disbarment. Respondent filed objections to the sanction, but otherwise accepted the Board's findings of fact and conclusions of law.

FINDINGS: This is Respondent's third case before the Court on disciplinary charges. In 1997, Respondent was suspended for one year for engaging in conduct prejudicial to the administration of justice, based on his insinuation to other lawyers, including opposing counsel, that he was having a sexual relationship with a judge before whom he was practicing. In 2012, Respondent was again suspended for one year based on his disclosure of potential client confidences. The misconduct in this case took place while the 2012 disciplinary case was pending. In this case, Respondent, after receiving a speeding ticket, obtained a blank, signed judgment entry from the arraignment judge and unilaterally reduced his speeding charge to a headlight violation. Respondent then falsely represented to the court that he received the prosecutor's approval for the reduction, when he had not. Due to his false representations to the court, the judge found Respondent in contempt of court and he served five days in jail.

SANCTION: The Court modified the sanction from disbarment to an indefinite suspension because based on the Court's precedent, Respondent's misconduct was not egregious enough to disbar him.

CASE AUTHORITY FOR SANCTION: *Stafford* (2012); *Fowerbaugh* (1995); *Hoskins* (2008); *Farrell* (2011); *Frost* (2009); *Squeo* (2012); *Boggs* (2011)

DISSENT: Chief Justice O'Connor and Justice Lanzinger dissented and would have disbarred Respondent.

Rules Violated: Prof.Cond.R. 3.3(a), 8.4(c), 8.4(d), 8.4(h)

Aggravation/ Mitigation: A- (a) (prior discipline), (b) (dishonest or selfish motive), (c) (pattern of misconduct), (g) (refusal to acknowledge wrongdoing); **M-** None

Court Modified Sanction: YES	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** YES
Sanction: Indefinite suspension		

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***Corrigan**, Ohio State Bar Assn. v.*
140 Ohio St.3d 266, 2014-Ohio-3678. Decided 8/27/2014.

OVERVIEW: Respondent was publicly reprimanded for pleading no contest to charges of operating a motor vehicle under the influence of alcohol and impeding the roadway.

PROCEDURE: The parties submitted an amended 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 public reprimand. The Board recommended that the agreement be accepted.

FINDINGS: Respondent, a judge of the Cuyahoga County Court of Common Pleas, was discovered slumped over the steering wheel of his vehicle, which was stopped in an intersection, while the vehicle's transmission was in the drive position and his foot on the brake.

SANCTION: The Court accepted the agreement and imposed a public reprimand.

CASE AUTHORITY FOR SANCTION: *Resnick* (2005); *Connor* (2004); *Bowling* (2010)

Rules Violated: Jud.Cond.R. 1.2

Aggravation/ Mitigation: A- None; **M-** (a) (no prior discipline), (d) (full and free disclosure), (f) (other penalties/sanctions)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: YES	**Public Official:** YES	**Prior Discipline:** NO
Sanction: Public Reprimand		

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***Damon**, Cincinnati Bar Assn. v.*
140 Ohio St.3d 383, 2014-Ohio-3765. Decided 9/3/2014.

OVERVIEW: Respondent was disbarred based on the conduct that led to his felony conviction. The offense involved the theft of fees from a law firm.

PROCEDURE: The Court imposed an interim felony suspension based on Respondent's conviction. The panel unaminously accepted the stipulated facts and recommended dismissal of allegations that had not be established. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of disbarment. Respondent filed objections to the Board's findings of fact and conclusions of law and the recommended sanction of disbarment. The Court overruled Respondent's objections and adopted the Board's findings of fact and conclusions of law, and concluded that disbarment is the appropriate sanction in this case.

FINDINGS: Respondent became employed as a full-time associated in a law firm. In return for an annual salary, Respondent agreed to remit to the firm all the fees he would earn during his employment, whether from work in progress before joining the firm or from new client matters. Respondent accepted payments from clients and deposited those funds into his own trust account, rather than into the firm's trust account. Respondent did not report or remit any of these receipts to the firm. The exact amount stolen from the firm is unknown, but Respondent declared approximately $84,000.

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

CASE AUTHORITY FOR SANCTION: *Belock* (1998); *Banks* (2002); *Moushey* (2004); *Sigall* (1984); *France* (2002)

Rules Violated: Prof.Cond.R. 1.2(a), 1.3, 1.4(a), 1.4(b), 1.5(a), 1.5(c), 1.15 (a)(2), 1.15(d), 1.15(e), 8.4(b), 8.4(c)

Aggravation/ Mitigation: A- (b) (dishonest or selfish motive), (c) (pattern of misconduct), (d) (multiple offenses), (e) (lack of cooperation), (g) (refusal to acknowledge wrongdoing), (h) (harm to vulnerable victim), (i) (no restitution); **M-** (a) (no prior discipline), (e) (good character), (f) (other penalties/sanctions)

Court Modified Sanction: NO	**Criminal Conduct:** YES	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Disbarment		

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***Daniell**, Disciplinary Counsel v.*
140 Ohio St.3d 67, 2014-Ohio-3161. Decided 7/23/2014.

OVERVIEW: Respondent was suspended for one year, with the entire suspension stayed for failing to properly prepare and maintain records of his client trust account and for failing to cooperate in the ensuing investigation.

PROCEDURE: The parties stipulated to the facts, misconduct, and recommended sanction. The Board adopted the panel's findings of fact, and misconduct, except for the finding of a violation of Prof.Cond.R. 8.4(h), and agreed with the panel that Respondent be suspended for one year all stayed on conditions.

FINDINGS: Relator notified Respondent that he had overdrawn his client trust account. Relator sent Respondent a series of letters requesting that he explain the overdraft and provide copies of monthly statements of his account as well as client ledgers for the period of the overdraft. After Relator sent his fourth letter, Respondent responded by attempting to explain the circumstances, but failed to produce any of the records requested by Relator. After additional follow-up inquiries, Relator discovered that Respondent had not been maintaining individual client ledgers or monthly statements and had not been performing monthly reconciliations. Respondent executed an affidavit to Relator stating that he had read the rule and that he understood his ethical obligations. However, once again, Respondent overdrew his client trust account. Respondent responded to Relator's letter, but failed to produce any trust account documents. After a follow-up phone call from Relator, Respondent submitted bank-generated monthly statements. Relator sent a follow-up letter to Respondent requesting a meeting with Respondent. However, Respondent did not respond to Relator. Respondent finally met with Relator and agreed to begin providing copies of client ledgers and monthly reconciliations. Respondent, again failed to produce the requested documents. Respondent finally submitted the records, but only produced handwritten monthly reconciliations, without individual client ledgers.

SANCTION: The Court adopted the Board's findings of fact, misconduct, and imposed a one-year suspension, with the entire suspension stayed on conditions that Respondent comply with the treatment contract of OLAP, continue counseling, comply with all medication-therapy recommendations, comply with all trust account requirements, complete one year of monitored probation, complete professionally mandated legal-education requirements, and commit no further misconduct.

CASE AUTHORITY FOR SANCTION: *Eynon* (2013)

Rules Violated: Prof.Cond.R. 1.15(a)(2), 1.15(a)(3), 1.15(a)(4), 1.15(a)(5), 1.15(b), 8.1(b); Gov.Bar R. V(4)(G)

Aggravation/ Mitigation: A- (c) (pattern of misconduct), (d) (multiple offenses), (e) (lack of cooperation); **M-** (a) (no prior discipline), (b) (no dishonest or selfish motive), (g) (chemical/mental illness)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: One-year suspension all stayed in its entirety on conditions		

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***Flowers**, Disciplinary Counsel v.*
139 Ohio St.3d 338, 2014-Ohio-2123. Decided 5/28/2014.

OVERVIEW: Respondent received a public reprimand for signing clients' names on five affidavits and then improperly notarizing them.

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 public reprimand. The Board recommended that the agreement be accepted.

FINDINGS: Respondent, on two separate occasions and without the client's permission, signed the client's name to five affidavits and then improperly notarized the client's purported signatures on the affidavits.

SANCTION: The Court accepted the agreement and imposed a public reprimand.

CASE AUTHORITY FOR SANCTION: *Mezacapa* (2004); *Thomas* (2001); *Melnick* (2005)

Rules Violated: Prof.Cond.R. 8.4(d), 8.4(h)

Aggravation/ Mitigation: A- None; **M**- (a) (no prior discipline), (d) (full and free disclosure)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: YES	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Public Reprimand		

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***Fonda**, Cleveland Metro. Bar Assn. v.*
138 Ohio St.3d 399, 2014-Ohio-850. Decided 3/12/2014.

OVERVIEW: Respondent received a one year stayed suspension for failing to act with reasonable diligence in representing a client, failing to keep a client informed about the status of a matter, failing to comply with reasonable request for information from a client, and failing to take steps reasonably practicable to protect a client's interest.

PROCEDURE: The parties entered into stipulations of fact, but not misconduct. A hearing was held and the panel found that Respondent violated most of the alleged violations and recommended dismissal of several other alleged violations. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of a one-year suspension, all stayed on conditions. Respondent filed objections.

FINDINGS: Respondent neglected the cases of two clients, failed to reasonably communicate with those clients for more than three years, failed to promptly return case files, and failed to return a client's check for court costs when requested.

SANCTION: The Court overruled Respondent's objections and adopted the Board's findings of fact, conclusions of law, and imposed a one-year suspension, with the entire suspension stayed on conditions, including that Respondent makes restitution to a client and remain in compliance with his OLAP contract.

CASE AUTHORITY FOR SANCTION: *Brueggeman* (2010)

DISSENT: Justices Pfeifer and O'Donnell dissented and would have imposed a public reprimand.

Rules Violated: Prof.Cond.R. 1.16(d), 1.3, 1.4(a)(3), 1.4(a)(4)

Aggravation/ Mitigation: A- (c) (pattern of misconduct), (d) (multiple offenses), (h) (harm to vulnerable victim); **M-** (a) (no prior discipline), (b) (no dishonest or selfish motive)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: One-year suspension stayed in its entirety on conditions		

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***Gilbert**, Cincinnati Bar Assn. v.*
138 Ohio St.3d 218, 2014-Ohio-522. Decided 2/20/2014.

OVERVIEW: Respondent received a one year stayed suspension for practicing law while registered on inactive status and neglecting client matters.

PROCEDURE: The parties stipulated to the misconduct and jointly recommended a one-year suspension. After a hearing, the panel recommended that Respondent serve a one-year suspension, stayed on conditions. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction.

FINDINGS: Respondent was licensed to practice law in Ohio and Kentucky, but registered for inactive status in Ohio because he worked exclusively in Kentucky state courts. Respondent left his employment in Kentucky, and assisted an Ohio attorney with administrative work, which led to performing legal work, despite being on inactive status in Ohio. Respondent filed an answer and counterclaim in a civil matter; met with clients; agreed to represent a client, but failed to answer questions and return calls; collected a retainer, but did not deposit the money into a client trust account; and failed to communicate with clients.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, dismissed the charge of collecting an excessive fee in a divorce-related matter due to insufficient evidence, and imposed a one-year suspension stayed in its entirety on conditions.

CASE AUTHORITY FOR SANCTION: *Bucciere* (2009); *Motylinski* (2012); *DiLabbio* (2004); *Rutherford* (2006)

Rules Violated: Prof.Cond.R. 1.1, 1.3, 1.15, 5.5(a)

Aggravation/ Mitigation: A- (d) (multiple offenses); **M-** (a) (no prior discipline), (b) (no dishonest or selfish motive), (c) (restitution or rectified consequences), (d) (full and free disclosure), (e) (good character)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: One-year suspension stayed in its entirety on conditions		

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***Gonzalez**, Disciplinary Counsel v.*
138 Ohio St.3d 320, 2014-Ohio-851. Decided 3/11/2014.

OVERVIEW: Respondent was suspended for two years, with one year stayed for failing to properly notify clients that he lacked malpractice insurance; failing to hold client funds in an interest-bearing trust account and maintain trust account records; failing to perform and retain a monthly reconciliation of client funds and preserve the identity of client funds and property; failing to abide by the client's decisions concerning the objectives of representation; failing to cooperate in the disciplinary proceeding; and failing to act with reasonable diligence in representing a client.

PROCEDURE: Respondent stipulated to many of the allegations against him, but denied that most of his actions violated the Rules of Professional Conduct. After a hearing, the panel found that Respondent committed most of the charged misconduct and recommended an indefinite suspension with reinstatement conditioned on restitution to a former client. The Board adopted the panel's report in its entirety. Respondent filed objections to three of the seven Board findings.

FINDINGS: Respondent failed to cooperate with Relator by not responding to two separate letters, and then at a deposition stated he found the letters to be "of no consequence." Respondent also did not respond to a discovery request for months. Respondent commingled personal and client funds in his client trust account, using that account to pay personal and business expenses, and wrote 25 checks drawn on his trust account to various individuals and entities. Respondent deposited another settlement check into his trust account and within five months of depositing the settlement funds, overdrew the account by issuing trust-account checks unrelated to the client's case. Respondent was given $400 to retain an expert, however, Respondent placed the client's money in a client file, rather than his trust account, and Respondent paid the expert with a trust-account check. Further, Respondent previously received a public reprimand for using undignified language and shouting at another attorney during negotiations before a magistrate.

SANCTION: The Court sustained in part and overruled in part Respondent's objections and dismissed two charges. The Court adopted the Board's findings of fact, conclusions of law, but modified the recommended sanction, and imposed a two-year suspension, with the second year stayed on conditions and reinstatement contingent on the condition that Respondent make restitution to a client.

CASE AUTHORITY FOR SANCTION: *Weiss* (2012)

DISSENT: Justice Lanzinger dissented and would have imposed an indefinite suspension as recommended by the Board.

Rules Violated: Prof.Cond.R. 1.3, 1.4(c), 1.15(a), 1.15(a)(2), 1.15(a)(5), 1.15(c), 1.16(c), 8.1(b), 8.4(d), 8.4(h)

Aggravation/ Mitigation: A- (a) (prior discipline), (d) (multiple offenses), (e) (lack of cooperation), (g) (refusal to acknowledge wrongdoing); **M-** None

Court Modified Sanction: YES	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** YES
Sanction: Two-year suspension, with one year stayed on conditions		

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***Gwinn**, Disciplinary Counsel v.*
138 Ohio St.3d 167, 2014-Ohio-101. Decided 1/23/2014.

OVERVIEW: Respondent was publicly reprimanded based upon her conviction for violating Ohio election laws, which was found to reflect adversely on her fitness to practice law.

PROCEDURE: The parties submitted a consent-to-discipline agreement that included stipulated findings of fact, misconduct, mitigating and aggravating factors, and an agreed sanction of a public reprimand. The Board recommended that the agreement be accepted.

FINDINGS: Respondent was convicted for failing to disclose that certain contributions to her unsuccessful campaign for county prosecutor were loans from her brother and a friend, which violated Ohio election law, and the Rules of Professional Conduct.

SANCTION: The Court accepted the agreement and imposed a public reprimand.

CASE AUTHORITY FOR SANCTION: *Taft* (2006)

Rules Violated: Prof.Cond.R. 8.4(h)

Aggravation/ Mitigation: A- None; **M**- (a) (no prior discipline), (b) (no dishonest or selfish motive), (c) (restitution or rectified consequences), (d) (full and free disclosure), (e) (good character), (f) (other penalties/sanctions)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: YES	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Public Reprimand		

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***Hale**, Disciplinary Counsel v.*
141 Ohio St.3d 518, 2014-Ohio-5053. Decided 11/18/2014.

OVERVIEW: Respondent received a six-month suspension for failing to respect and comply with the law and act in a manner that promotes public confidence in the integrity and impartiality of the judiciary, abusing the prestige of judicial office to advance the personal or economic interests of the judge or others, engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation, and conduct that was both prejudicial to the administration of justice and adversely reflected on his fitness to practice law.

PROCEDURE: The parties originally entered into a consent-to-discipline agreement, but the Court rejected it and remanded the matter to the Board for further proceedings, including the consideration of a harsher sanction. On remand, the parties entered into stipulations of fact, misconduct, and jointly recommended a six-month suspension. Following a hearing, the panel adopted the parties' stipulations of fact, misconduct, and sanction. The Board concluded that Respondent did not engage in conduct that adversely reflected on his fitness to practice law, amended the panel's report to dismiss that charge, and recommended a sanction of a six-month suspension. Relator objected to the Board's dismissal of the alleged violation and recommended sanction. The Court sustained Relator's objections finding that he violated Prof.Cond.R. 8.4(h).

FINDINGS: Respondent while serving as a judge, committed multiple ethical violations when he dismissed a speeding ticket issued to his personal attorney without the prosecutor's involvement and when he subsequently vacated the dismissal entry. Respondent resigned from the bench on May 24, 2013. At the hearing, Respondent testified that after he resigned his judicial position, he did not act as an attorney on any legal matters until "late November early December" 2013. More than two months after the hearing, Respondent moved the panel to correct his testimony and supplement the record. In an affidavit submitted with his motion, Respondent averred that he had represented five separate clients in legal matters in the timeframe identified in his testimony. Respondent claimed that he did not recall those matters when he testified, but that they were brought to his attention sometime after the hearing.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and imposed a six-month suspension.

CASE AUTHORITY FOR SANCTION: *Smakula* (1988); *Elum* (2012); *McCormack* (2012); *Plough* (2010); *Dann* (2012); *Engel* (2012)

DISSENT: Chief Justice O'Connor and Justice Lanzinger dissented and would have imposed a one-year suspension.

Rules Violated: Jud.Cond.R. 1.2, 1.3, 2.2, 2.9; Prof.Cond.R. 8.4(c), 8.4(d), 8.4(h)

Aggravation/ Mitigation: A- (b) (dishonest or selfish motive), (f) (false or deceptive practices during investigation); **M-** (a) (no prior discipline), (d) (full and free disclosure), (e) (good character), (f) (other penalties/sanctions)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: YES	**Public Official:** YES	**Prior Discipline:** NO
Sanction: Six-month suspension		

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***Harmon**, Disciplinary Counsel v.*
143 Ohio St.3d 1, 2014-Ohio-4598. Decided 10/22/2014.

OVERVIEW: Respondent was suspended for two years, with one year stayed on conditions for failing to disclose assets and giving false testimony in his 2009 bankruptcy proceeding.

PROCEDURE: The parties stipulated to the facts and mitigating factors. After a hearing, the panel found that Respondent engaged in the charged misconduct, and recommended a one-year suspension. The Board adopted the panel's findings of facts and misconduct, but recommended a two-year suspension, with one year stayed on conditions.

FINDINGS: In 2009, after a personal financial crisis, Respondent filed for bankruptcy and signed a petition disclosing all of his assets. Respondent also testified at a creditor's meeting that he reviewed and fully disclosed all assets in the petition. It was later discovered that Respondent failed to disclose numerous assets in the petition, including his interest in a lawsuit, his interest in his wife's bank account, a security deposit linked to his office lease, stocks and accounts receivable. The bankruptcy court found that Respondent failed to fully disclose assets and knowingly made false statements of material fact under oath with either fraudulent or reckless disregard of the truth and refused to discharge the debts in bankruptcy.

SANCTION: The Court adopted the Board's findings of facts, conclusions of law, and imposed a two-year suspension with one year stayed on conditions, including submitting to an OLAP evaluation and entering into and complying with an OLAP contract if deemed necessary.

CASE AUTHORITY FOR SANCTION: *Miller* (2012)

DISSENT: Justices Pfeifer, French, and O'Neill dissented and would have imposed a one-year suspension, with six months stayed.

Rules Violated: Prof.Cond.R. 8.4(c), 8.4(d), 8.4(h)

Aggravation/ Mitigation: A- (g) (refusal to acknowledge wrongdoing); **M**- (a) (no prior discipline), (d) (cooperative attitude), (f) (other penalties/sanctions)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Two-year suspension, with one year stayed on conditions		

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***Harvey**, Toledo Bar Assn. v.*
141 Ohio St.3d 346, 2014-Ohio-3675. Decided 9/4/2014.

OVERVIEW: Respondent received a two-year suspension, with six months stayed for violating several rules of professional conduct.

PROCEDURE: After the hearing, the panel found that Respondent had violated numerous rules of professional conduct and recommended that Respondent be suspended for two years, with six months stayed on conditions. The Board adopted the panel's findings of fact and conclusions of law but recommended that Respondent be suspended for two years with no portion of the suspension stayed. Both parties filed objections.

FINDINGS: In 2012, Respondent was suspended for one year, all stayed on the conditions that he commit no further misconduct and submit to one year of monitored probration for failing to act with reasonable diligence in representing clients, failing to keep his clients informed, and engaging in conduct prejudicial to the administration of justice. In this case, Respondent's conduct arises from his representation of four clients in various legal matters. Some of the conduct occurred during his stayed suspension and some occurred before his prior disciplinary case.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, but adopted the panel's recommended sanction, and imposed a two-year suspension with six months stayed on conditions.

CASE AUTHORITY FOR SANCTION: None cited.

DISSENT: Chief Justice O'Connor and Justice Pfeiffer dissented and would have declined to stay any portion of the two-year suspension.

Rules Violated: Prof.Cond.R. 1.3, 1.4(a)(1), 1.4(a)(2), 1.4(a)(4), 1.4(b), 1.5(d)(3), 1.15(a)(1), 1.15(a)(2), 1.15(a)(4), 1.15(c), 4.2, 8.1(b), 8.4(a), 8.4(c), 8.4(d), 8.4(h); Gov.Bar R. V(4)(G)

Aggravation/ Mitigation: A- (a) (prior discipline), (b) (dishonest or selfish motive, (d) (multiple offenses), (e) (lack of cooperation), (g) (refusal to acknowledge wrongdoing), (i) (no restitution); **M-** None

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** YES
Sanction: Two-year suspension, with six months stayed on conditions		

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***Helbley**, Mahoning Cty. Bar Assn. v.*
141 Ohio St.3d 156, 2014-Ohio-5064. Decided 11/19/2014.

OVERVIEW: Respondent was indefinitely suspended based on his felony conviction for commiting wire fraud.

PROCEDURE: The Court imposed an interim felony suspension based on Respondent's conviction. The parties stipulated to the facts, misconduct, aggravating and mitigating factors, and recommended an indefinite suspension with credit for time served under the interim felony suspension. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction.

FINDINGS: Respondent conspired with others to commit wire fraud by inducing mortgage lenders to approve the purchase of 14 properties at inflated prices.

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

CASE AUTHORITY FOR SANCTION: *Wagner* (2013)

DISSENT: Chief Justice O'Connor and Justices O'Donnell and Kennedy dissented and would have not granted credit for time served under the interim suspension.

Rules Violated: Prof.Cond.R. 8.4(b), 8.4(c)

Aggravation/ Mitigation: A- (d) (multiple offenses), (i) (no restitution); **M-** (a) (no prior discipline), (b) (no dishonest or selfish motive), (c) (restitution or rectified consequences), (d) (full and free disclosure), (e) (good character), (f) (other penalties/sanctions)

Court Modified Sanction: NO	**Criminal Conduct:** YES	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Indefinite suspension with credit for time served under the interim felony suspension		

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***Hillis**, Disciplinary Counsel v.*
139 Ohio St.3d 319, 2014-Ohio-2113. Decided 5/22/2014.

OVERVIEW: Respondent, an elected part-time law director, received a six month stayed suspension based on his conviction of the misdemeanor offenses of solicitation and criminal trespass.

PROCEDURE: The parties entered into a consent-to-discipline agreement, stipulating to the facts alleged in the complaint, and jointly recommended a six-month suspension, stayed in its entirety. The Board recommended the adoption of the agreement in its entirety.

FINDINGS: Respondent entered a no contest plea to, and was found guilty of misdemeanor offenses of solicitation and criminal trespass after he was found with a known prostitute in his parked car on private property. At the time of the offenses, Respondent was the elected part-time law director for the city of Zanesville.

SANCTION: The Court accepted the agreement and imposed a six-month suspension, with the entire suspension stayed on condition that Respondent engage in no further misconduct.

CASE AUTHORITY FOR SANCTION: *Brightbill* (1990)

Rules Violated: Prof.Cond.R. 8.4(h)

Aggravation/ Mitigation: A- None; **M**- (a) (no prior discipline), (c) (restitution or rectified consequences), (d) (full and free disclosure), (e) (good character), (f) (other penalties), (g) (chemical/mental illness)

Court Modified Sanction: NO	**Criminal Conduct:** YES	
Procedure/ Process Issues: YES	**Public Official:** YES	**Prior Discipline:** NO
Sanction: Six-month suspension stayed in its entirety on condition		

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***Hooks**, Dayton Bar Assn. v.*
139 Ohio St.3d 462, 2014-Ohio-2596. Decided 6/19/2014.

OVERVIEW: Respondent received a six month stayed suspension for failing to act with reasonable diligence by failing to file documents to modify a client's child-support obligations and failing to keep that same client reasonably informed as to the status of his case.

PROCEDURE: The parties stipulated to the facts and misconduct. Following a hearing, the panel made findings of facts, found two violations of the rules, recommended dismissal of a third alleged violation, and recommended a six-month suspension, all stayed. The Board adopted the panel's findings and recommendations.

FINDINGS: A client retained Respondent to modify existing child-custody and child-support orders. The client completed the necessary paperwork and paid Respondent a retainer. Respondent advised the client that he would file the necessary pleadings. After the client attempted to reach Respondent numerous times, nearly two months later, Respondent informed the client that he was attending to the matter. Thereafter, the client heard nothing and continuously attempted to contact Respondent to no avail. After a grievance was filed, Relator became involved and made several requests for the client's file. The Board found that Respondent made a good-faith effort to locate the file, and therefore, recommended dismissal of the charge involving failure to cooperate with the disciplinary investigation.

SANCTION: The Court adopted the Board's findings of fact, misconduct, dismissed the alleged violation of failure to cooperate, and imposed a six-month suspension stayed in its entirety on conditions, including that Respondent complete 12 hours of continuing legal education on law-firm management, submit to an OLAP evaluation, and participate in a one-year mentoring program.

CASE AUTHORITY FOR SANCTION: *Brown* (2010); *Poole* (2008); *Norton* (2007); *Sebree* (2002)

Rules Violated: Prof.Cond.R. 1.3, 1.4

Aggravation/ Mitigation: A- (d) (multiple offenses); **M-** (a) (no prior discipline), (b) (no dishonest or selfish motive)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Six-month suspension stayed in its entirety on conditions		

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***Jacobs**, Disciplinary Counsel v.*
140 Ohio St.3d 2, 2014-Ohio-2137. Decided 5/27/2014.

OVERVIEW: Respondent was suspended for two years based upon his conviction for making and subscribing false tax returns.

PROCEDURE: The parties submitted joint stipulations of fact and misconduct, and a recommendation of a two-year suspension with credit for time served under the interim felony suspension. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction.

FINDINGS: For tax years 2004 through 2007, Respondent prepared and submitted false tax returns that understated his taxable income by $256,380, and overstated his expenses by $253,256, resulting in unpaid taxes of $75,385. Respondent pled guilty and was convicted of one felony count of making and subscribing false tax returns, and was sentenced to 12 months and one day of incarceration and one year of supervised release, and to pay a fine and special assessment of $10,100. Respondent repaid the unpaid tax shortfall the day he was sentenced.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and imposed a two-year suspension with credit for time served under the interim felony suspension.

CASE AUTHORITY FOR SANCTION: *Pace* (2004); *Blaszak* (2004); *Smith* (2011)

Rules Violated: Prof.Cond.R. 8.4(b), 8.4(c), 8.4(h); DR 1-102(A)(3), 1-102(A)(4), 1-102(A)(6)

Aggravation/ Mitigation: A- (b) (dishonest or selfish motive), (c) (pattern of misconduct); **M-** (a) (no prior discipline), (c) (restitution or rectified consequences), (d) (full and free disclosure), (e) (good character)

Court Modified Sanction: NO	**Criminal Conduct:** YES	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Two-year suspension with credit for time served under the interim felony suspension		

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***Land**, Disciplinary Counsel v.*
138 Ohio St.3d 357, 2014-Ohio-1162. Decided 3/27/2014.

OVERVIEW: Respondent was indefinitely suspended based on her felony conviction of corruptly endeavoring to obstruct the due administration of the IRS, for creating fraudulent documents, and submitting them to the IRS on behalf of three clients.

PROCEDURE: The Court imposed an interim felony suspension based on Respondent's conviction. The parties stipulated to the facts, misconduct, aggravating and mitigating factors, and recommended an indefinite suspension with no reinstatement until Respondent completed her federal sentence. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction.

FINDINGS: In two separate estate cases, Respondent created fraudulent documents and submitted them to the IRS in an attempt to cover up mistakes that she had made in drafting the estate-planning documents in each case. In another estate case, Respondent created a fraudulent email to bolster her credibility regarding advice that she provided to the administrator of an estate. Based upon this conduct, Respondent was convicted of the felony charge of corruptly endeavoring to obstruct and impede the due administration of the IRS. She was sentenced to five years probation, including three years of home detention, along with orders to continue mental health treatment, and pay fines and costs.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and imposed an indefinite suspension with conditions for reinstatement and credit for time served under the interim felony suspension.

CASE AUTHORITY FOR SANCTION: *Smith* (2011); *Bennett* (2010)

Rules Violated: Prof.Cond.R. 4.1(a), 8.4(b), 8.4(c), 8.4(d), 8.4(h)

Aggravation/ Mitigation: A- (b) (dishonest or selfish motive), (c) (pattern of misconduct), (d) (multiple offenses); **M-** (a) (no prior discipline), (d) (full and free disclosure), (f) (other penalties/sanctions), (g) (chemical/mental illness)

Court Modified Sanction: NO	**Criminal Conduct:** YES	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Indefinite suspension with credit for time served under the interim felony suspension		

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***Leiken**, Cleveland Metro. Bar Assn. v.*
143 Ohio St.3d 21, 2014-Ohio-5220. Decided 12/2/2014.

OVERVIEW: Respondent was publicly reprimanded for representing a client when the representation was directly adverse to another client and failing to withdraw.

PROCEDURE: The parties submitted a consent-to-discipline agreement with an agreed sanction of a public reprimand. The Board recommended that the agreement be accepted.

FINDINGS: Respondent was jointly retained by a driver and his passenger in an action stemming from an automobile accident. It was subsequently alleged that the driver was comparatively negligent in the accident. Respondent later withdrew from representation of the driver and bought suit against the driver on behalf of the passenger.

SANCTION: The Court accepted the consent to discipline agreement and imposed a public reprimand.

CASE AUTHORITY FOR SANCTION: *Gabriel* (1991); *Tolliver* (1992)

Rules Violated: Prof.Cond.R. 1.7, 1.9, 1.16(a)(1)

Aggravation/ Mitigation: A- None; **M**- (a) (no prior discipline), (c) (restitution or rectified consequences), (d) (full and free disclosure), (e) (good character), (h) (other rehabilitation)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: YES	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Public Reprimand		

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***Lemieux**, Cleveland Metro. Bar Assn. v.*
139 Ohio St.3d 320, 2014-Ohio-2127. Decided 5/27/2014.

OVERVIEW: Respondent was indefinitely suspended because, while abusing drugs and alcohol, he accepted payment from four clients and then failed to perform their legal work, failed to reasonably communicate with them, failed to maintain a client trust account, issued misleading solicitation letters, and failed to cooperate in the disciplinary investigation.

PROCEDURE: The Court imposed an interim remedial suspension because Respondent posed a substantial threat of serious harm to the public. The parties submitted numerous exhibits and stipulated to many facts, and Respondent admitted some of the alleged rule violations. The panel made findings of fact and determined that Respondent's conduct violated five of the six counts, and dismissed the unproven charge. The panel recommended an indefinite suspension with conditions for reinstatement. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction.

FINDINGS: Respondent abused drugs and alcohol, and had entered multiple OLAP contracts and extensive treatment programs over many years. Nevertheless, Respondent suffered multiple relapses. During a relapse, Respondent undertook the representation of four clients and sent to each a misleading solicitation, referring to his solo practice as a firm with multiple, skilled attorneys. In the four cases, Respondent failed to consult with the clients or respond to their inquiries, he failed to inform the clients about their cases, and collected fees but did not perform the work and did not refund the fees. Respondent also failed to maintain a client trust account and failed to cooperate with the disciplinary investigations in these matters. Although Respondent failed to satisfy all of the criteria for his chemical dependency to be considered a mitigating factor, it was accorded some mitigating effect.

SANCTION: The Court adopted the Board's findings of fact and conclusions of law and imposed an indefinite suspension with conditions including executing a new OLAP contract, random drug screens, restitution, and two mental-health evaluations.

CASE AUTHORITY FOR SANCTION: *Anthony* (2013); *Hoff* (2010); *Weaver* (2004); *Lawson* (2008); *Hoppel* (2011)

DISSENT: Chief Justice O'Connor and Justice O'Donnell dissented and would have disbarred Respondent.

Rules Violated: Prof.Cond.R. 1.2(a), 1.3, 1.4(a)(2), 1.4(a)(3), 1.4(a)(4), 1.4(b), 1.5(a), 7.1, 8.1(b), 8.4(d), 8.4(h), 1.15(c); Gov.Bar R. V(4)(G)

Aggravation/ Mitigation: A- (b) (dishonest or selfish motive), (c) (pattern of misconduct), (d) (multiple offenses), (h) (harm to vulnerable victim), (i) (failure to make restitution); **M**- (a) (no prior discipline)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Indefinite suspension		

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***Malynn**, Medina Cty. Bar Assn. v.*
142 Ohio St.3d 435, 2014-Ohio-5261. Decided 12/4/2014.

OVERVIEW: Respondent was indefinitely suspended for failing to provide competent representation to a client, failing to keep a client reasonably informed about the status of the matter, and failing to advise a client in writing that the client may be entitled to refund of a fee denominated as "nonrefundable" if the lawyer does not complete representation.

PROCEDURE: The parties submitted joint stipulations of fact, rule violations, and a recommendation of an indefinite suspension to run concurrently with Respondent's term suspension. The Board adopted the panel's findings of fact, conclusions of law, but rejected the panel's recommended sanction and recommended instead an indefinite suspension to be effective on the date of the order.

FINDINGS: Respondent was suspended for failing to register in 2011 and suspended again in 2012 for two years with six months stayed on conditions for neglecting client matters. Although, Respondent's term suspension has expired, he has not applied for reinstatement. Respondent had been retained to file a breach-of-contract suit for a client. Respondent filed a complaint, but over the next 18 months he completely neglected the matter. Respondent failed to respond to discovery requests, failed to comply with court orders, and failed to oppose the defendants' various motions, including dispositive motions, and a motion for sanctions. As a result, the trial court sanctioned the client by dismissing the complaint without prejudice. Respondent did not send the client copies of any motions or orders filed in the case, and he did not inform them of his failure to prosecute the matter. A year after the dismissal, Respondent refiled an identical complaint. But again, Respondent failed to respond to discovery requests and a subsequent motion for sanctions and the trial court dismissed the client's case with prejudice. Respondent also failed to notify the client in a separate written notice that he did not maintain professional liability insurance.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and imposed an indefinite suspension with reinstatement conditioned on the submission of proof from a qualified mental-health professional demonstrating that Respondent is capable of returning to the competent, ethical, and professional practice of law.

CASE AUTHORITY FOR SANCTION: *Grote* (2010)

Rules Violated: Prof.Cond.R. 1.1, 1.3, 1.4(a)(3), 1.4(c), 1.5(d)(3)

Aggravation/ Mitigation: A- (a) (prior discipline), (c) (pattern of misconduct), (d) (multiple offenses), (h) (harm to vulnerable victim); **M-** (b) (no dishonest or selfish motive), (c) (restitution or rectified consequences), (d) (full and free disclosure)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** YES
Sanction: Indefinite suspension		

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***Marshall**, Disciplinary Counsel v.*
142 Ohio St.3d 1, 2014-Ohio-4815. Decided 11/6/2014.

OVERVIEW: Respondent received a two-year suspension, with one year stayed for engaging in dishonesty, fraud, deceit, or misrepresentation, conduct that was both prejudicial to the administration of justice and adversely reflected on her fitness to practice law, and making false statements concerning the integrity of the presiding judge.

PROCEDURE: Following the hearing, the panel made a finding that Respondent had committed most, but not all, of the violations and recommended that the allegations related to the amount of a fee and the failure to disclose potential conflicts of interest be dismissed. Based on the misconduct, the panel recommended a two-year suspension, with the second year stayed on conditions. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction. Respondent filed objections to the Board's findings of misconduct. The Court overruled Respondent's objections and adopted the Board's findings and recommended sanction.

FINDINGS: Respondent engaged in misconduct arising from her conduct during postjudgment proceeding initiated by a personal injury client's former counsel to establish and collect the value of their services pursuant to the doctrine of quantum meruit.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and imposed a two-year suspension, with one year stayed on the conditions that Respondent commit no further misconduct and make full restitution in the amount to be determined by the Cuyahoga County Court of Common Pleas.

CASE AUTHORITY FOR SANCTION: *Simon-Seymour* (2012); *Stafford* (2012); *Frost* (2009)

DISSENT: Justices French and O'Neill dissented and would have imposed a two-year suspension, with eighteen months stayed.

Rules Violated: Prof.Cond.R. 8.2(a), 8.4(d), 8.4(h); DR 1-102(A)(4), 1-102(A)(5), 1-102(A)(6)

Aggravation/ Mitigation: A- (b) (dishonest or selfish motive), (c) (pattern of misconduct), (d) (multiple offenses); **M-** (a) (no prior discipline), (d) (full and free disclosure), (e) (good character), (f) (other penalties/sanctions)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Two-year suspension, with one year stayed on conditions		

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***McBeth**, Cincinnati Bar Assn. v.*
139 Ohio St.3d 175, 2014-Ohio-1611. Decided 4/22/2014.

OVERVIEW: Respondent received a two-year suspension, with 18 months stayed for failing to provide competent legal representation, and failing to communicate and act with reasonable diligence in representing a client. Respondent also charged or collected an illegal or clearly excessive fee.

PROCEDURE: The parties submitted a consent-to-discipline agreement that included stipulated findings of fact and agreed sanction of a two-year suspension, with 18 months stayed subject to conditions that Respondent comply with his OLAP contract and complete a monitored probation during the suspension. The Board recommended that the agreement be accepted; however, the Court remanded the case for clarification of the recommended sanction. On remand, the Board accepted the parties' revised consent-to-discipline agreement, in which the parties stipulated to the facts and misconduct alleged in Relator's complaint, stipulated to aggravating and mitigating factors, as well as a recommended sanction of a two-year suspension, with 18 months stayed on conditions that Respondent enter into and comply with an OLAP contract and serve monitored probation during the stayed portion of his suspension.

FINDINGS: Respondent committed professional misconduct by failing to provide legal services to a client, making misrepresentations to the client that he had filed a lawsuit on the client's behalf when he had not, failing to communicate with the client, and spending the client's $1,500 retainer without having earned it. Respondent also owed money to two other former clients.

SANCTION: The Court adopted the revised agreement and imposed a two-year suspension, with 18 months stayed on the conditions that Respondent enter into and comply with an OLAP contract and serve a monitored probation during the stayed portion of his suspension.

CASE AUTHORITY FOR SANCTION: None cited.

Rules Violated: Prof.Cond.R. 1.1, 1.3, 1.4(a), 1.5(a), 1.15(a)

Aggravation/ Mitigation: A- (b) (dishonest or selfish motive); **M-** (a) (no prior discipline), (c) (restitution or rectified consequences), (d) (full and free disclosure), (g) (chemical/mental illness)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: YES	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Two-year suspension, with 18 months stayed on conditions		

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***McCafferty**, Ohio State Bar Assn. v.*
140 Ohio St.3d 229, 2014-Ohio-3075. Decided 7/17/2014.

OVERVIEW: Respondent was indefinitely suspended based on her felony conviction for making false statements to federal law enforcemements.

PROCEDURE: The Court imposed an interim felony suspension based on Respondent's conviction. The parties stipulated to the facts, misconduct, aggravating and mitigating factors, and recommended an indefinite suspension with no credit for time served under the interim felony suspension. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction.

FINDINGS: Respondent served as a judge on the Cuyahoga County Court of Common Pleas. Respondent was convicted on multiple counts of lying to FBI agents about conversations with people who were the subject of a county-wide corruption investigation. Respondent was deceptive about the nature of those conversations, most particularly that those conversations included matters that had been before her in court.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and imposed an indefinite suspension with no credit for time served under the interim felony suspension.

CASE AUTHORITY FOR SANCTION: *O'Neill* (2004); *Gallagher* (1998); *McAuliffe* (2009); *Hoskins* (2008); *Evans* (2000); *Crane* (1990)

DISSENT: Chief Justice O'Connor and Justices Lanzinger and French dissented stating that Respondent's case should be distinguished from other cases in which a judge has been disbarred.

Rules Violated: Jud.Cond.R. 1.1, 1.2, 1.3, 2.4(B); Prof.Cond.R. 8.4(b), 8.4(c), 8.4(d), 8.4(h)

Aggravation/ Mitigation: A- (b) (dishonest or selfish motive), (g) (refusal to acknowledge wrongdoing); **M-** (a) (no prior discipline), (d) (full and free disclosure), (e) (good character), (f) (other penalties/sanctions)

Court Modified Sanction: NO	**Criminal Conduct:** YES	
Procedure/ Process Issues: NO	**Public Official:** YES	**Prior Discipline:** NO
Sanction: Indefinite suspension with no credit for time served under the interim felony suspension		

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***McElroy**, Cleveland Metro. Bar Assn. v.*
140 Ohio St.3d 391, 2014-Ohio-3774. Decided 9/4/2014.

OVERVIEW: Respondent was indefinitely suspended based on his felony conviction of forgery and tampering with records.

PROCEDURE: The Court imposed an interim felony suspension based on Respondent's conviction. The parties stipulated to the facts and jointly recommended that Respondent be suspended for 18 months, with six months stayed on condition. The panel adopted the parties' stipulation of fact and misconduct, but recommended a two-year suspension with no reinstatement "until Respondent can demonstrate that he has broken this pattern of lying." The Board adopted the findings of fact and conclusions of law, but recommended an indefinite suspension with no credit for time served under the interim felony susupension.

FINDINGS: Respondent was convicted of forgery and tampering with evidence, making false statements in an affidavit, making false statements to a disciplinary investigator, making false statements to the trial court in his filings, allowing false statements to be made to the trial court without correction, making false statements to this Court in his filing, notarizing a signature without observing the person sign or administering the oath, and failing to report his felony convictions to a disciplinary board.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and imposed an indefinite suspension with no credit for time served under the interim felony suspension.

CASE AUTHORITY FOR SANCTION: *Insley* (2004); *Woods* (1986); *Nienaber* (1997)

Rules Violated: Prof.Cond.R. 3.3(a)(1), 8.1(a), 8.3(a), 8.4(c), 8.4(d), 8.4(h); 1-02(A)(3), 1-102(A)(4), 1-102(A)(5), 1-102(A)(6), 1-103(A)

Aggravation/ Mitigation: A- None; **M**- (a) (no prior discipline), (f) (other penalties/sanctions)

Court Modified Sanction: NO	**Criminal Conduct:** YES	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Indefinite suspension with no credit for time served under the interim felony suspension		

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***Mecklenborg**, Disciplinary Counsel v.*
139 Ohio St.3d 411, 2014-Ohio-1908. Decided 5/8/2014.

OVERVIEW: Respondent was publicly reprimanded based upon the fact that he was charged with operating a vehicle under the influence of alcohol and subsequently was found guilty of making false declarations about the pendency of that action on his application to renew his Ohio driver's license.

PROCEDURE: The parties originally entered into a consent-to-discipline agreement, but the sanction was rejected by the Court. On remand, the parties entered into stipulations of fact, misconduct, and jointly recommended a six-month suspension, all stayed. Following a hearig, the panel adopted the parties' stipulations of fact, misconduct, and sanction. The Board concluded that Respondent did not engage in an intentional act of dishonesty, fraud, deceit, or misrepresentation, and amended the panel's report to dismiss that charge, and recommended a sanction of a public reprimand.

FINDINGS: Respondent was charged with operating a vehicle while under the influence of alcohol in Indiana. While that case was pending and acting upon the advice of counsel, sought to renew his Ohio driver's license. However, Ohio law prohibits a person whose license is suspended or canceled from applying for or receiving a new license during the suspension or cancellation. As a result, Respondent entered a no contest plea to, and was found guilty of a violation of that law. Respondent then resigned from his position as the Speaker of the Ohio House of Representatives.

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

CASE AUTHORITY FOR SANCTION: *Russell* (2007); *Simon* (1994); *Resnick* (2005)

DISSENT: Chief Justice O'Connor dissented and would have followed the recommendation of the panel to impose a six-month suspension, all stayed.

Rules Violated: Prof.Cond.R. 8.4(h)

Aggravation/ Mitigation: A- None; **M**- (a) (no prior discipline), (b) (no dishonest or selfish motive), (d) (full and free disclosure), (e) (good character), (f) (other penalties)

Court Modified Sanction: NO	**Criminal Conduct:** YES	
Procedure/ Process Issues: YES	**Public Official:** YES	**Prior Discipline:** NO
Sanction: Public Reprimand		

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***Milhoan**, Disciplinary Counsel v.*
142 Ohio St.3d 230, 2014-Ohio-5459. Decided 12/17/2014.

OVERVIEW: Respondent was suspended for two years all stayed arising from his conduct in filing of virtually identical briefs in 31 of 35 criminal appeals that he was appointed to handle from 2006 to 2010.

PROCEDURE: The parties submitted joint stipulations of fact and 36 stipulated exhibits. The day before the hearing, Respondent disclosed to Relator that he had been abusing alcohol at the time of his misconduct. After hearing Respondent's testimony, the panel continued the hearing to enable Respondent to obtain an evaluation through OLAP. The Board adopted the panel's report in its entirety.

FINDINGS: Respondent's practice consisted of court-appointed work, primarily in juvenile court. From 2006 to 2010, the Ashland County Court of Common Pleas appointed Respondent to handle 35 criminal appeals. Of those 35 cases, 31 involved appeals from guilty pleas. In each of those cases, Respondent filed appellate briefs that were identical except for certain "case-specific modifications such as names, dates, crimes, sentences, and potential mitigation." Each brief contained ten pages, repeated the same grammatical errors, raised the same assignment of error, failed to cite any case law in support of the assigned error, and failed to include any information regarding the cost of incarceration or why the appellant's sentence would burden the state's resources. The briefs cited only one case and four sections of the Revised Code-three related to sentencing and one regarding appeal as a matter of right. Although these 31 briefs were virtually identical, in 29 of these cases, Respondent requested at least three extensions of time to file his appellate briefs.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, but imposed a two-year suspension stayed in its entirety on conditions that he engage in no further misconduct, remain in compliance with his OLAP contract, and make restitution of $8,757.50, to be apportioned between the Ohio Public Defender's Office and the Ashland County auditor according to the percentage that each office pays towards fees for court-appointed counsel in Ashland County.

CASE AUTHORITY FOR SANCTION: *Agopian* (2006); *Holland* (2005)

Rules Violated: Prof.Cond.R. 1.1, 1.5(a), 8.4(h); DR 1-102(A)(6), 6-101(A)(2)

Aggravation/ Mitigation: A- (c) (pattern of misconduct), (h) (harm to vulnerable victim); **M-** (a) (no prior discipline), (d) (full and free disclosure), (e) (good character), (g) (chemical/mental illness)

Court Modified Sanction: YES	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Two-year suspension stayed in its entirety on conditions		

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***Mismas**, Lake Cty. Bar Assn. v.*
139 Ohio St.3d 346, 2014-Ohio-2483. Decided 6/12/2014.

OVERVIEW: Respondent sent inappropriate, sexually explicit text messages to a third-year law student who interviewed for and later accepted a position as law clerk with his firm.

PROCEDURE: The parties entered into stipulations of fact, and following a hearing, the panel found that Respondent engaged in conduct adversely reflecting on his fitness to practice law, and recommended a public reprimand. The Board adopted the panel's findings of fact and misconduct, and recommended sanction, but modified the aggravating and mitigating factors.

FINDINGS: Respondent interviewed and hired a third-year law student for a law clerk position with his firm. From the evening of the law student's interview until nearly 20 days later, Respondent and the law student exchanged numerous text messages. Some of the text messages sent by Respondent to the law student were sexually explicit and inappropriate, including threats that her employment depended upon her performing sexual acts for him. After Respondent asked the law student to travel with him out-of-town, but she declined and received another inappropriate text message from Respondent, the law student resigned her employment with his firm.

SANCTION: The Court adopted the Board's findings of fact and conclusions of law, but found a harsher sanction was necessary because Respondent abused the power and prestige of the profession to demand sexual favors from a law student as a condition of employment. As a result, the Court imposed a one-year suspension, with six months stayed on conditions that Respondent engage in no further misconduct and continue to comply with all recommendations of his treating medical and psychological professionals.

CASE AUTHORITY FOR SANCTION: *Detweiler* (2013)

Rules Violated: Prof.Cond.R. 8.4(h)

Aggravation/ Mitigation: A- (b) (dishonest or selfish motive), (h) (harm to vulnerable victim); **M**- (a) (no prior discipline), (d) (full and free disclosure), (e) (good character), (g) (chemical/mental illness)

Court Modified Sanction: YES	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: One-year suspension, with six months stayed on conditions		

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***Oldfield**, Disciplinary Counsel v.*
140 Ohio St.3d 123, 2014-Ohio-2963. Decided 7/9/2014.

OVERVIEW: Respondent was publicly reprimanded for failing to promote confidence in judiciary, failing to avoid impropriety or appearance of impropriety, failing to recuse from proceedings when impartiality might be questioned, and conduct prejudicial to the administration of justice.

PROCEDURE: Based on the testimony of Respondent and other witnesses, the parties' stipulations and exhibits, the panel unanimously recommended dismissal of Jud.Cond.R. 1.3. Relator objected to the dismissal of Jud.Cond.R. 1.3 stating that Respondent did in fact abuse the prestige of her office to advance her own interests or the interests of another. The Court overruled Relator's objection. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of a public reprimand.

FINDINGS: Respondent is a judge on the Akron Municipal Court. Respondent and her husband attended a social engagement and the public defender, assigned to Respondent's courtroom, also attended. Respondent's husband left early and asked if the public defender would drive Respondent home. Respondent and the public defender left the party and stopped in a shopping-center parking lot, where they remained in the car, smoking and talking. About 15 to 30 minutes later, a police officer noticed the car and investigated. Smelling alcohol, the police officer asked the public defender to perform a field sobriety test. When she refused, the police office arrested her for having physical control of a vehicle while under the influence of alcohol. During exchanges with the police at the time of the arrest, Respondent remarked that she was a judge. Because the public defender refused to perform the field sobriety tests or take a breath-alcohol test, her driving privileges were immediately suspended. The public defender spent the next three nights with Respondent until her driving privileges were restored at her arraignment. During those three days, Respondent drove her to and from work. Respondent did not disqualify herself from cases on which the public defender represented clients in her courtroom. After obtaining the permission of the municipal prosecutor and public defender, Respondent presided over 53 cases, when the public defender's supervisor rotated her out of Respondent's courtroom to avoid adverse publicity.

SANCTION: The Court issued a public reprimand.

CASE AUTHORITY FOR SANCTION: *Medley* (2001); *Goldie* (2005); *Kubilus* (2003)

DISSENT: Chief Justice O'Connor and Justice Lanzinger dissented in part from the majority's decision to dismiss the allegation of Jud.Cond.R. 1.3 and would find a violation of Jud.Cond.R. 1.3.

Rules Violated: Jud.Cond.R. 1.2, 2.11(A); Prof.Cond.R. 8.4(d)

Aggravation/ Mitigation: A- (c) pattern of misconduct; **M-** (a) no prior discipline, (d) cooperative attitude, (e) good character

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** YES	**Prior Discipline:** NO
Sanction: Public Reprimand		

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***Owen**, Disciplinary Counsel v.*
142 Ohio St.3d 323, 2014-Ohio-4597. Decided 10/22/2014.

OVERVIEW: Respondent was suspended for two years, with one year stayed, for having sexual relations with the wife of a client, while representing the client in a death-penalty case.

PROCEDURE: The parties stipulated to the facts, misconduct, and a two-year suspension, with Respondent requesting some time stayed. Following a hearing, the panel found that Respondent committed the stipulated violations, and recommended a two-year suspension, with one year stayed on conditions that Respondent comply with his OLAP contract. The Board adopted the panel's findings of facts, conclusions of law, and recommended sanction.

FINDINGS: In 1997, Respondent represented a client in a double murder death penalty case. Shortly after the representation began, the client's wife began working at Respondent's office, and approximately one week to ten days prior to the trial, Respondent began a sexual relationship with the client's wife that lasted through the trial and into the following year. Although the client was found not guilty of the robbery and capital murder charges, he was found guilty of the lesser included charges of voluntary manslaughter and noncapital murder, and was sentenced to 10 to 25 years and 15 years to life, respectively, to be served consecutively. The charges were affirmed on appeal and Respondent never informed the client about the affair, but the client later learned of it years later after he and his wife divorced. In 2011, the client filed a motion for a new trial based on Respondent's sexual relationship with his wife before and during his trial, and the court granted the client a new trial.

SANCTION: The Court adopted the Board's findings of facts, conclusions of law, and imposed a sanction of a two-year suspension, with one year stayed on conditions, including compliance with a five-year OLAP contract.

CASE AUTHORITY FOR SANCTION: *Kodish* (2006); *Booher* (1996); *Singer* (Cal. 1990); *Artimez* (W.Va. 2000); *Gamino* (Wis. 2005); *Inglimo* (Wis. 2007); *Anonymous Member of the South Carolina Bar* (S.C. 2010); *Munden* (S.C. 2002); *Reynolds* (S.C. 1999); *Hoskins* (S.C. 1995); *Bauder* (Colo. 1997)

DISSENT: Chief Justice O'Connor dissented and would have imposed an indefinite suspension.

Rules Violated: DR 1-102(A)(5), 1-102(A)(6), 5-101(A)(1)

Aggravation/ Mitigation: A- (b) (dishonest or selfish motive), (h) (harm to vulnerable victim); **M**- (a) no prior discipline, (d) cooperative attitude, (e) good character

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Two-year suspension, with one year stayed on conditions		

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***Pappas**, Disciplinary Counsel v.*
141 Ohio St.3d 1, 2014-Ohio-3676. Decided 9/4/2014.

OVERVIEW: Respondent was suspended for two years based on his felony conviction for making false statements to federal law enforcemements and executing a false affidavit.

PROCEDURE: The Court imposed an interim felony suspension based on Respondent's conviction. The parties stipulated to the facts, misconduct, aggravating and mitigating factors, but they could not agree on the appropriate sanction. The Board adopted the panel's findings of fact, conclusions of law, and recommended a two-year suspension with credit for time served under the interim felony suspension.

FINDINGS: Respondent had prior discipline for failing to register. Respondent's law-school classmate and long-time friend was in the midst of a divorce. The friend requested that Respondent falsely claim ownership of his law firm in order to prevent his ex-wife from obtaining firm records. Respondent agreed and executed an affidavit, which was filed in the friend's divorce case in an effort to quash a subpoena. Respondent had in fact never had any ownership interest in the law firm. Apparently unbeknownst to Respondent, the friend had been carrying out a tax-fraud scheme for nearly three decades. As part of the investigation, IRS agents interviewed Respondent. During the interview, Respondent again falsely stated that he was the owner of the friend's law firm. Within months, Respondent admitted to lying and began cooperating with federal authorities. Respondent signed a confidential plea agreement, waived his right to the indictment, and pled guilty to a charge of making a false statement.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, but imposed a two-year suspension with no credit for time served under the interim felony suspension.

CASE AUTHORITY FOR SANCTION: *Derryberry* (1990); *Fowerbaugh* (1995)

DISSENT: Justice O'Donnell dissented and would have imposed disbarment.

Rules Violated: DR 1-102(A)(4), 1-102(A)(5), 1-102(A)(6), 7-102(A)(4), 7-102(A)(5)

Aggravation/ Mitigation: A- (a) (prior discipline), (b) (dishonest or selfish motive), (c) (pattern of misconduct); **M-** (c) (restitution or rectified consequences), (d) (full and free disclosure), (e) (good character), (f) (other penalties/sanctions)

Court Modified Sanction: YES	**Criminal Conduct:** YES	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** YES
Sanction: Two-year suspension with no credit for time served under the interim felony suspension		

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***Scaccia**, Dayton Bar Assn. v.*
141 Ohio St.3d 35, 2014-Ohio-4278. Decided 10/2/2014.

OVERVIEW: Respondent received a one-year suspension, with six months stayed for failing to represent clients in a competent manner, maintain records of client funds, maintain a client trust account, provide an accounting of clients' fees, and improperly charging a nonrefundable fee.

PROCEDURE: Based on the documentary evidence, stipulations, and testimony, the panel recommended that Respondent be suspended for one year, with six months stayed. Respondent filed objections to the recommended sanction. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction.

FINDINGS: Respondent was hired to represent the former employees of the Mound Laboratroy regarding wrongful termination of their employment. The Mound clients paid a total $22,000, which was deposited in Respondent's previous employer's trust account. When Respondent left the lawfirm, the firm transferred the remaining balance of the Mound clients' retainers, in the amount of $21,875, which Respondent deposited in his trust account. All the clients' fees that had been transferred to Respondent had been spent. Respondent provided only a check for $255, two checks totaling $379.09, a check for $401.45, and an invoice for $3,681.32, totaling $4,716.86. Respondent could not produce no other records regarding the clients' funds. The remaining balance spent was undocumented. Respondent refunded some of the clients' retainers because "it felt like the right thing to do." The entire $21,875 was spent before he started giving refunds so Respondent deposited his personal funds in his trust account to cover the refunds. Respondent also neglected the case, filed an amended complaint late causing the court to reject the late filing and terminating the case. Also on several other cases, Respondent would accept retainer fees and deposit the fees in his law firm's operating account, rather than his trust account.

SANCTION: The Court adopted the Board's findings of fact, misconduct, and imposed a one-year suspension, with six months stayed on conditions and reinstatement conditioned on payment of restitution.

CASE AUTHORITY FOR SANCTION: *Rucker* (2012); *Royer* (2012)

Rules Violated: Prof.Cond.R. 1.5(d)(3), 1.15(a), 1.15(a)(2), 1.15(a)(3), 1.15(a)(4), 1.15(c); DR 6-101, 9-102(B)(3)

Aggravation/ Mitigation: A- (c) (pattern of misconduct), (d) (multiple offenses), (g) (refusal to acknowledge wrongdoing); **M**- (a) (no prior discipline), (b) (no dishonest or selfish motive), (c) (restitution or rectified consequences)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: One-year suspension, with six months stayed on conditions		

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***Schiff**, Cleveland Metro. Bar Assn. v.*
139 Ohio St.3d 456, 2014-Ohio-2573. Decided 6/18/2014.

OVERVIEW: Respondent received a two year stayed suspension because of significant defects in his contingent fee contracts that resulted in failing to obtain multiple clients' consent for the division of fees with an attorney outside the firm, and failing to inform clients the manner in which the fees would be divided. Respondent also failed to keep another client reasonably informed of the status of a case.

PROCEDURE: The parties initially submitted a consent-to-discipline agreement, which was rejected by the panel. A hearing was conducted and the parties submitted joint stipulations of fact, misconduct, mitigating and aggravating factors, and jointly recommended a sanction. The Board adopted the panel's findings of fact, conclusions of law, and recommended a 12-month suspension, with the entire suspension stayed on conditions.

FINDINGS: Over a two-year period, Respondent, a solo practitioner, referred eight contingent fee cases to another attorney. The contingent fee contracts that Respondent used with those clients identified the lawyer to whom the cases were referred as a lawyer with Respondent's firm, even though he was not. Respondent did not disclose to those clients that the lawyer was not a member of his firm, nor did he disclose that the fees would be divided or how they would be divided between the two lawyers. On one of the cases, Respondent failed to have the client sign the closing statement, which also did not specify a division of fees between the two lawyers. On another case, Respondent had a client sign a contingent fee contract in which he handwrote in the other attorney's name who was retained on the case. That contingent fee contract did not disclose that the fees would be divided between the two lawyers. Finally, in another case, a client paid Respondent a retainer, but thereafter was unable to contact Respondent for at least a year and a half, and a complaint was never filed by Respondent on the case.

SANCTION: The Court adopted the Board's findings of fact, all but one of its findings of misconduct, and adopted the conclusions of law, but rejected the Board's recommended sanction, and imposed a two-year suspension, with the entire suspension stayed on conditions that Respondent commit no further misconduct and complete 12 hours of continuing legal education on law-firm management.

CASE AUTHORITY FOR SANCTION: *Conese* (2004)

DISSENT: Justices O'Donnell and O'Neill dissented and would have adopted the recommendation of the panel and the Board and imposed a one-year suspension, stayed on conditions.

Rules Violated: Prof.Cond.R. 1.3, 1.4(a)(3), 1.4(a)(4), 1.5(c)(2), 1.5(e); DR 1-102(A)(4), 2-102(C), 2-107(A)

Aggravation/ Mitigation: A- (c) (pattern of misconduct), (d) (multiple offenses), (h) (harm to vulnerable victim); **M**- (a) (no prior discipline), (b) (no dishonest or selfish motive), (c) (restitution or rectified consequences), (d) (full and free disclosure), (e) (good character)

Court Modified Sanction: YES	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Two-year suspension stayed in its entirety on conditions		

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***Schuler**, Disciplinary Counsel v.*
138 Ohio St.3d 346, 2014-Ohio-1127. Decided 3/26/2014.

OVERVIEW: Respondent was indefinitely suspended based on his felony conviction for filing a false tax return.

PROCEDURE: The Court imposed an interim felony suspension. The parties initially entered into a consent-to-discipline agreement recommending Respondent be suspended for 18 months with credit for time served under the interim suspension; however, it was rejected by the Court and remanded to the Board for further proceedings including consideration of a more severe sanction. At the hearing, the parties entered into stipulations of fact, misconduct, aggravating and mitigating factors, and recommended Respondent serve a two-year suspension with credit for time served. The panel adopted the stipulations of fact and misconduct, but found an indefinite suspension was warranted. The Board adopted the panel's report in its entirety.

FINDINGS: Respondent pled guilty to one felony count of filing a false tax return in federal court. Respondent admitted that he knowingly and willfully made and subscribed to a tax return that he did not believe to be true and correct by failing to disclose $360,000 in business income. The federal court sentenced Respondent to one year of probation in a home-confinement program and assessed him a $50,000 fine.

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

CASE AUTHORITY FOR SANCTION: *Bennett* (2010); *Smith* (2011); *Hunter* (2011)

Rules Violated: DR 1-102(A)(4), 1-102(A)(6)

Aggravation/ Mitigation: A- (b) (dishonest or selfish motive); **M-** (a) (no prior discipline), (d) (full and free disclosure), (f) (other penalties/sanctions)

Court Modified Sanction: NO	**Criminal Conduct:** YES	
Procedure/ Process Issues: YES	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Indefinite suspension with credit for time served under the interim felony suspension		

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***Shaw**, Disciplinary Counsel v.*
138 Ohio St.3d 522, 2014-Ohio-1025. Decided 3/25/2014.

OVERVIEW: Respondent was disbarred for practicing law while under suspension and paying himself fees in probate actions without first receiving approval from the court.

PROCEDURE: The parties stipulated to the facts, misconduct for practicing law while under suspension, accepting payment from an estate without first obtaining court approval, and an agreed sanction of an indefinite suspension. The panel accepted the parties' stipulations of fact and misconduct and found two additional aggravating factors, and recommended an indefinite suspension. The Board adopted the panel's findings of fact, misconduct, and recommended sanction.

FINDINGS: Respondent previously was suspended because he named his five children as beneficiaries of a trust he prepared for a client, borrowed $13,000 from the same client without advising of the inherent conflict of interest, failed to repay the loan, and accepted attorney fees for a guardianship for another client without obtaining court approval. Respondent did not apply, nor was he granted reinstatement prior to this case. On four separate occasions, with four different clients, Respondent practiced law while his license was under suspension. Additionally, on two separate occasions, Respondent accepted payment from two different estates without first obtaining court approval in violation of the local court rules and failed to reimburse the court for the overpayments he made to himself.

SANCTION: The Court adopted the Board's findings of facts, conclusions of law, but increased the recommended sanction, and disbarred Respondent.

CASE AUTHORITY FOR SANCTION: *Mbakpuo* (2002); *Allison* (2003)

Rules Violated: Prof.Cond.R. 3.4(c), 5.5(a), 8.4(d), 8.4(h); Gov.Bar R. V(8)(E); DR 1-102(A)(5), 1-102(A)(6), 7-106(A)

Aggravation/ Mitigation: A- (a) (prior discipline), (b) (dishonest or selfish motive), (c) (pattern of misconduct), (h) (harm to vulnerable victim); **M**- None

Court Modified Sanction: YES	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** YES
Sanction: Disbarment		

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***Simpson**, Disciplinary Counsel v.*
138 Ohio St.3d 94, 2014-Ohio-54. Decided 1/21/2014.

OVERVIEW: Respondent received a one year stayed suspension for engaging in professional misconduct by failing to respond to a client's requests for information, failing to deliver funds to a client, and failing to cooperate in the disciplinary process.

PROCEDURE: The parties submitted a consent-to-discipline agreement that included stipulated findings of fact and misconduct, agreed sanction of a one-year suspension, with the entire suspension stayed on conditions, and dismissal of the charged violation of engaging in conduct prejudicial to the administration of justice. The Board recommended that the agreement be accepted.

FINDINGS: Respondent represented a client and obtained a judgment in the client's favor. Following the judgment, Respondent took possession of a check for the client, then lost or misplaced the check, and failed to deliver the funds to the client. Respondent failed to respond to the client's numerous requests for information about the funds. Additionally, Respondent failed to cooperate in the disciplinary investigation.

SANCTION: The Court accepted the agreement and issued a one-year suspension, with the entire suspension stayed on conditions.

CASE AUTHORITY FOR SANCTION: None cited.

Rules Violated: Prof.Cond.R. 1.4(a)(4), 1.15(d), 8.1(b), 8.4(h); Gov.Bar R. V(4)(G)

Aggravation/ Mitigation: A- (d) (multiple offenses); **M-** (a) (no prior discipline), (c) (restitution or rectified consequences), (e) (good character)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: YES	**Public Official:** NO	**Prior Discipline:** NO
Sanction: One-year suspension stayed in its entirety on conditions		

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***Stenson**, Dayton Bar Assn. v.*
139 Ohio St.3d 428, 2014-Ohio-2339. Decided 6/4/2014.

OVERVIEW: Respondent received a six month stayed suspension for preparing and filing a frivolous pro se complaint on behalf of a client, dismissing a complaint without the client's consent, and neglecting another client's legal matter.

PROCEDURE: The parties entered into stipulations of fact and misconduct, and Relator agreed to withdraw Counts II and IV of its complaint. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction.

FINDINGS: Respondent represented a client, who wanted to pursue a claim in court, despite Respondent's advice that a court would not afford her the relief she sought. Respondent attempted to withdraw from representation, but provided the client with a pro se complaint. Despite his letter indicating that he could not continue with the representation, Respondent filed the pro se complaint on the client's behalf, and later dismissed the complaint without the client's consent when motions for summary judgment and sanctions were filed because the complaint was frivolous. The motion for sanctions was granted and the client was ordered to pay $10,400. In another matter, Respondent failed to timely respond to a notice from an administrative agency advising it intended to revoke or suspend a client's license. As a result of his failure to timely request a hearing, an order was issued revoking the client's license and appeals were unsuccessful.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and imposed a six-month suspension, all stayed on conditions that Respondent refund $2,500 of the fees he received from the client within 90 days of the order and that he commit no further misconduct.

CASE AUTHORITY FOR SANCTION: *Shuler* (2011); *Thomas* (2010); *Drain* (2008); *Sherman* (2010)

Rules Violated: Prof.Cond.R. 1.2(a), 1.3, 8.4(a)

Aggravation/ Mitigation: A- (d) (multiple offenses); **M-** (a) (no prior discipline), (b) (no dishonest or selfish motive), (d) (cooperative attitude), (e) (good character)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Six-month suspension all stayed in its entirety on conditions		

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***Streeter**, Disciplinary Counsel v.*
138 Ohio St.3d 513, 2014-Ohio-1051. Decided 3/25/2014.

OVERVIEW: Respondent received a two-year suspension, with 18 months stayed for misappropriating funds.

PROCEDURE: The parties submitted a consent-to-discipline agreement, but it was rejected by the panel, and a hearing was held. The parties submitted stipulations of fact and misconduct. The panel adopted the parties' stipulations and recommended a two-year suspension, all stayed on conditions. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction. Relator objected to the Board's recommended sanction, arguing Respondent's conduct was more egregious than the conduct in the case of *Disciplinary Counsel v. Edwards*, 134 Ohio St.3d 271, 2012-Ohio-5643, relied upon by the Board.

FINDINGS: On six occasions, Respondent misappropriated a total of more than $230,000 in funds received while conducting real estate closings for properties for his title business. Respondent conducted real estate closings for properties sold in Ohio and received funds from third parties that he was required to hold in escrow and disburse in accordance with the closing instructions for each transaction. Instead of depositing then into his trust account, he deposited them into his operating account and used them to cover personal and business expenses. With each misappropriation, Respondent would repay part or all of the previous misappropriation to prevent detection.

SANCTION: The Court adopted the findings of fact and misconduct, and sustained Relator's objection to increase the sanction. The Court distinguished Respondent's conduct from that in *Edwards*, because Respondent misappropriated more money, his selfish motive, his initial mischaracterization of his misappropriation as accidental, and his decision not to report his misconduct. The Court imposed a two-year suspension, with 18 months stayed on conditions including compliance with his OLAP contract.

CASE AUTHORITY FOR SANCTION: *Edwards* (2012)

Rules Violated: Prof.Cond.R. 8.4(c), 8.4(h)

Aggravation/ Mitigation: A- (b) (dishonest or selfish motive); **M-** (a) (no prior discipline), (c) (restitution or rectified consequences), (d) (full and free disclosure), (e) (good character), (g) (chemical/mental illness)

Court Modified Sanction: YES	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Two-year suspension, with 18 months stayed on conditions		

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***Swift**, Dayton Bar Assn. v.*
142 Ohio St.3d 476, 2014-Ohio-4835. Decided 11/6/2014.

OVERVIEW: Respondent was suspended for two years, with one year stayed for violating five Rules of Professional Conduct based on a pattern of overbilling for work he performed as a court-appointed attorney in the juvenile and general courts of four separate counties.

PROCEDURE: The parties stipulated to the facts, misconduct, and a two-year suspension, with one year stayed. Following a hearing, the panel found that Respondent committed the stipulated violations, and recommended a two-year suspension, with one year stayed on conditions that Respondent submit to a one-year period of monitored probation, commit no further misconduct, and make full restitution of $50,000, to be divided in designated percentages between the state and the affected counties. The Board adopted the panel's findings of facts and all but one of its conclusions of law, and recommended sanction.

FINDINGS: Relator initiated its investigation into Respondent's billing practices for his court-appointed legal work following a March 7, 2010 *Dayton Daily News* article that indentified Respondent as the attorney receiving the highest payment for court-appointed legal work in Ohio. Respondent was paid for work he performed on behalf of his clients at the rate of $50 per hour for his work in court, and $40 per hour for his work out of court. In submitting his bills for his court-appointed work, Respondent used a form promulgated by the Ohio Public Defender's Office. An audit of the forms that Respondent submitted to seek payment for court-appointed work revealed that his billing hours were extraordinarily high, including billings of at least 14 hours and up to 30 hours per day on numerous occasions. Respondent failed to maintain independent time records for himself or for the other attorneys whom he allegedly supervised. Respondent routinely billed for his work in increments of one-half hour instead of one tenth of an hour as required. Respondent failed to provide documentation in support of the hours he billed and acknowledged that he kept no records or other evidence to support his billings.

SANCTION: The Court adopted the Board's findings of facts, conclusions of law, and imposed a sanction of a two-year suspension, with one year stayed on conditions that Respondent submit to a one-year period of monitored probabtion focusing on law-office management, commit no further misconduct, and make full restitution of $50,000.

CASE AUTHORITY FOR SANCTION: *Stahlbush* (2010)

DISSENT: Chief Justice O'Connor and Justices Lanzinger and O'Neill dissented and would have imposed an indefinite suspension.

Rules Violated: Prof.Cond.R. 3.3(a)(1), 4.1(a), 8.4(c), 8.4(d), 8.4(h)

Aggravation/ Mitigation: A- (b) (dishonest or selfish motive), (c) (pattern of misconduct), (d) (multiple offenses), (i) (no restitution); **M**- (a) no prior discipline, (d) cooperative attitude, (e) good character

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** YES	**Prior Discipline:** NO
Sanction: Two-year suspension, with one year stayed on conditions		

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***Thompson**, Disciplinary Counsel v.*
139 Ohio St.3d 452, 2014-Ohio-2482. Decided 6/12/2014.

OVERVIEW: Respondent received a two-year suspension, with 18 months stayed for committing multiple acts of misconduct, including using his client trust account for both his personal and business expenses, commingling funds, and misappropriating client funds.

PROCEDURE: The parties submitted stipulations of fact, misconduct, aggravation and mitigation, and recommended a two-year suspension, with 18 months stayed on condition he serve an 18-month period of monitored probation. The Board adopted the panel's report in its entirety.

FINDINGS: Over a two-year period, Respondent used his client trust account not only for client funds, but also for his personal bank account and law office operating account, depositing personal checks into it and using it to pay rent for his law office and his residence, among other expenses. During that same time period, although Respondent paid each client the appropriate settlement proceeds, he failed to promptly withdraw his own fees from the client trust account, thereby commingling personal and client funds in his trust account. Additionally, in January 2011, Respondent deposited a settlement check for a client into his trust account, but did not distribute the proceeds to the client until July 2011. During that six month period, Respondent's trust account fell far below the amount owed to the client. In July 2011, Respondent did distribute the monies owed to the client in full. In 1992, the Court imposed a public reprimand for the same misconduct.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and imposed a two-year suspension, with 18 months stayed on conditions, that upon reinstatement, he serve an 18-month period of monitored probation and engage in no further misconduct.

CASE AUTHORITY FOR SANCTION: *Riek* (2010)

DISSENT: Justice O'Neill dissented and would have imposed a two-year suspension, all stayed on the condition that Respondent continue his contract with OLAP for the duration of the stayed suspension period.

Rules Violated: Prof.Cond.R. 1.15(a), 1.15(a)(2), 1.15(a)(3), 8.4(b), 8.4(c), 8.4(d), 8.4(h)

Aggravation/ Mitigation: A- (a) (prior discipline), (b) (dishonest or selfish motive), (c) (pattern of misconduct), (d) (multiple offenses); **M**- (c) (restitution or rectified consequences), (d) (full and free disclosure)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** YES
Sanction: Two-year suspension, with 18 months stayed on conditions		

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***Troller**, Disciplinary Counsel v.*
138 Ohio St.3d 307, 2014-Ohio-60. Decided 1/14/2014.

OVERVIEW: Respondent was suspended for two years, with six months stayed for practicing law for numerous years while his license was under suspension.

PROCEDURE: The parties entered into joint stipulations of fact, misconduct, aggravating and mitigating factors, and jointly recommended a two-year suspension, with six months stayed on conditions. The panel found that Respondent practiced law without a license, and adopted the joint stipulations, but added an additional condition to the sanction. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction.

FINDINGS: From 2002 through 2012, Respondent served as chief legal officer of a company. In December 2005, Respondent's law license was suspended for failure to register as an attorney for the 2005-2007 biennium. In May 2006, his license was again suspended for failure to comply with CLE requirements for the 2003-2004 reporting period, and failure to comply with a previously ordered monetary sanction for noncompliance in the 2001-2002 reporting period. Respondent was not reinstated to the practice of law following his 2005 and 2006 suspensions. While suspended, Respondent held himself out as being authorized to practice law and actually engaged in the practice of law in at least three respects: (1) working with outside counsel on pending litigation matters, (2) negotiating and drafting contracts on behalf of the company, and (3) advising human-resources personnel regarding the termination of employees. Respondent also managed the company's legal department employees and supervised another attorney, all while under suspension.

SANCTION: The Court adopted the Board's findings of fact, conclusions of law, and imposed a two-year suspension, with six months stayed on conditions including that Respondent extend his OLAP contract for two-and-a-half years, pay the attorney-registration fees for the 2005-2007 biennium and the three subsequent bienniums during which he practiced law without a license within 30 days of the order, and engage in no further misconduct.

CASE AUTHORITY FOR SANCTION: *Koury* (1997); *Bancsi* (1997); *Blackwell* (1997); *Seabrook* (2012); *Carson* (2001)

DISSENT: Chief Justice O'Connor and Justices O'Donnell and French dissented and would have imposed a two-year actual suspension from the practice of law.

Rules Violated: Prof.Cond.R. 5.5(a), 8.4(h); Gov.Bar R. VI(5)(C); DR 1-102(A)(6), 3-101(B)

Aggravation/ Mitigation: A- (a) (prior discipline), (c) (pattern of misconduct), (d) (multiple offenses);
M- (d) (full and free disclosure), (e) (good character)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** YES
Sanction: Two-year suspension, with six months stayed on conditions		

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***Turner**, Disciplinary Counsel v.*
140 Ohio St.3d 109, 2014-Ohio-3158. Decided 7/23/2014.

OVERVIEW: Respondent was suspended for two years, with the entire suspension stayed for misconduct arising from the deposit of personal funds into his client trust account, use of that account for his personal and business expenses, and failure to cooperate in the ensuing investigation.

PROCEDURE: The parties stipulated to the facts, misconduct, aggravating and mitigating factors, and recommended sanction. The Board adopted the panel's findings of fact and misconduct, and agreed with the panel that Respondent be suspended for two years all stayed on the condition that Respondent engage in no further misconduct.

FINDINGS: In 2000, Respondent was previously suspended for six-months, with the entire suspension stayed for neglect of three separate probate matters and failure to deposit client funds into his client trust account. In this case, Respondent deposited more than $250,000 of his own money into his client trust account and used the account only to pay his personal and business expenses. Respondent was notified by Relator that his client trust account had a negative balance. Relator sent several letters to Respondent requesting information and they all went unanswered. Respondent finally responded to the letter, and soon thereafter, Relator subpoenaed his client trust account records. Based on the information obtained from the records, Relator requested additional information. When Respondent failed to answer, Relator subpoenaed him for deposition. Before the deposition, Respondent submitted a written response to Relator's inquiries and stated that he would "promptly" provide copies of the requested documents. Respondent did not produce the copies nor respond to two additional letters.

SANCTION: The Court adopted the Board's findings of fact, misconduct, aggravating and mitigating factors, and imposed a two-year suspension, with the entire suspension stayed on the condition that he commit no further misconduct.

CASE AUTHORITY FOR SANCTION: *Simon* (2011)

DISSENT: Justice Lanzinger dissented and would impose an actual suspension of one year.

Rules Violated: Prof.Cond.R. 1.15(b), 8.1(b), 8.4(h); Gov.Bar R. V(4)(G)

Aggravation/ Mitigation: A- (a) (prior discipline), (e) (lack of cooperation); **M**- (b) (no dishonest or selfish motive), (d) (full and free disclosure), (e) (good character)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** YES
Sanction: Two-year suspension all stayed in it entirety on condition		

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***Wallace**, Disciplinary Counsel v.*
138 Ohio St.3d 350, 2014-Ohio-1128. Decided 3/26/2014.

OVERVIEW: Respondent was suspended for two years, with the second year stayed for failing to hold client funds in a separate client trust account, and failing to maintain a record of client funds.

PROCEDURE: The parties stipulated to the facts and misconduct. The panel accepted the parties' stipulations of fact and misconduct, and recommended a two-year suspension, with six months stayed on conditions, and that Respondent be required to serve one year of monitored probation. The Board adopted the panel's findings of fact and misconduct, and agreed with the panel that Respondent be suspended for two years and serve one year of monitored probation on reinstatement, but recommended the stayed portion be increased to one year. Respondent objected to the Board's recommended sanction.

FINDINGS: Respondent represented a client on multiple legal and business matters, and failed to hold the client's insurance settlement and a separate cash payment he received in a separate client trust account. Before depositing the settlement check, Respondent endorsed the client's names without obtaining permission to do so. Respondent also failed to maintain a record of the funds he held on behalf of that client and misappropriated the funds. Respondent was previously suspended for six months based on his deliberate attempts to mislead his client into believing that the client's civil case was still pending for more than a year after the court had dismissed it.

SANCTION: The Court overruled Respondent's objection and adopted the Board's findings of fact, misconduct, and imposed a two-year suspension, with the second year stayed on the condition that he commit no further misconduct, and on reinstatement, serve a one year period of monitored probation.

CASE AUTHORITY FOR SANCTION: *Burchinal* (2012); *Peden* (2012); *King* (2012); *Simon-Seymour* (2012); *Gildee* (2012); *Manning* (2008); *Edwards* (2012); *Fowerbaugh* (1995)

DISSENT: Chief Justice O'Connor and Justices Lanzinger and O'Neill dissented and would have declined to stay any portion of the two-year suspension.

Rules Violated: Prof.Cond.R. 1.15(a), 1.15(a)(2), 8.4(c), 8.4(h)

Aggravation/ Mitigation: A- (a) (prior discipline), (b) (dishonest or selfish motive), (d) (multiple offenses); **M**- (d) (full and free disclosure), (e) (good character)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** YES
Sanction: Two-year suspension, with the second year stayed on condition		

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***Wexler**, Disciplinary Counsel v.*
139 Ohio St.3d 597, 2014-Ohio-2952. Decided 7/9/2014.

OVERVIEW: Respondent was suspended for six months, with the entire six months stayed for knowingly making a false statement of material fact in connection with a disciplinary matter.

PROCEDURE: The panel conducted a hearing and, at the conclusion of Relator's evidence, unaminously voted to dismiss violations of DR 1-102(A)(5), DR 1-102(A)(6), DR 5-101(A)(1), DR 5-103(B), Prof.Cond.R. 1.8(e), Prof.Cond.R. 1.8(h), Prof.Cond.R. 8.4(c), and Prof.Cond.R. 8.4(h). The Board adopted the panel's findings of fact and conclusions of law, but recommended that Respondent be suspended for six months all stayed on the condition that he commit no further misconduct.

FINDINGS: Respondent represented a client on multiple legal matters. The client alleged that she had an affair with Respondent before he resolved her first matter. The client submitted copies of phone records and hotel receipts, including a receipt for a stay at a Holiday Inn Express, that indicated that the room had been booked in Respondent's name. Respondent did not answer the allegation that he had had an affair with his client, though Respondent later consistently and adamantly denied that allegation. Respondent suggested that the hotel receipt was fraudulent. Later, at Respondent's deposition with Relator, he admitted that his response to the grievance was not accurate and was misleading.

SANCTION: The Court adopted the Board's findings of fact, misconduct, and imposed a six-month suspension, with the entire suspension stayed on the condition that he commit no further misconduct.

CASE AUTHORITY FOR SANCTION: *Deloach* (2011)

Rules Violated: Prof.Cond.R. 8.1(a)

Aggravation/ Mitigation: A- (b) (dishonest or selfish motive), (c) (pattern of misconduct), (f) (false or deceptive practices during investigation); **M-** (a) (no prior discipline), (d) (cooperative attitude), (e) (good character)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Six-month suspension all stayed in its entirety on conditions		

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***Wilcox**, Disciplinary Counsel v.*
142 Ohio St.3d 483, 2014-Ohio-5264. Decided 12/4/2014.

OVERVIEW: Respondent was suspended for one year mostly for repeatedly failing to cooperate with the disciplinary investigation.

PROCEDURE: The parties stipulated to the facts, rule violations, and jointly recommended that Respondent serve a one-year suspension, with conditions for reinstatement. Respondent did not appear at the panel hearing, but submitted documentation indicating that he had completed several treatment programs for alcoholism and was residing in Wisconsin. The panel adopted the stipulated rule violations, except for the charge under Prof.Cond.R. 8.4(h), which Relator had dismissed at the hearing. The panel also agreed with the parties' recommended sanction, but added another condition for reinstatement. The Board adopted the panel's report in its entirety.

FINDINGS: Respondent was previously suspended for failing to register and failing to comply with the CLE requirements. Both suspensions were in effect during the case. In one matter, Respondent failed to notify a domestic-relations court of his attorney registration suspension. A second matter, a former client expressed dissatisfaction with Respondent's representation and stated that he failed to return his file, despite his refund of the retainer. In the third matter, Respondent represented a client in a landlord-tenant lawsuit, agreeing on the day of the scheduled trial to a verbal settlement with the landlord, but failed to reduce the agreement in writing. Ultimately, the landlord's case was dismissed for failure to prosecute. Also in July 2012, the Lakewood Municipal Court sentenced Respondent to 180 days in jail for violating conditions of his probation.

SANCTION: The Court adopted the Board's findings of fact and imposed a one-year suspension with reinstatement contingent on the following conditions: Respondent was ordered to 1) submit proof that he has established a contract with OLAP and participated in the program as recommended by his counselor; 2) submit proof that he has continued to make regular visits to his treating mental health professional; 3) submit an evaluation by an OLAP-designated independent and qualified healthcare professional regarding his mental health; 4) submit proof that his treating mental-health professional is of the opinion that he is fit to practice law; and 5) refrain from further misconduct.

CASE AUTHORITY FOR SANCTION: *Hofelich* (2007); *James* (2006)

DISSENT: Justice O'Neill dissented and would have indefinitely suspended Respondent.

Rules Violated: Prof.Cond.R. 8.1(b), 8.4(d); Gov.Bar R. V(4)(G)

Aggravation/ Mitigation: A- (a) (prior discipline), (c) (pattern of misconduct), (e) (lack of cooperation); **M-** (b) (no dishonest or selfish motive), (c) (restitution or rectified consequences), (f) (other penalties/sanctions)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** YES
Sanction: One-year suspension		

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***Wilson**, Disciplinary Counsel v.*
142 Ohio St.3d 439, 2014-Ohio-5487. Decided 12/23/2014.

OVERVIEW: Respondent was publicly reprimanded for signing the name of her granddaughter's mother to an affidavit, notarizing the document without noting that she had signed it with the affiant's authorization, and then filing the document in a guardianship proceeding.

PROCEDURE: The parties stipulated to the facts and underlying misconduct. The panel accepted the parties' stipulations of fact and misconduct, and recommended a public reprimand. The Board adopted the panel report in its entirety.

FINDINGS: Suzanne Turner filed an application to be appointed as the guardian for her grandchild, whose parents are Turner's daughter, Danielle and Respondent's son. Attached to the application was a waiver of notice and consent to the guardianship signed by Danielle. Respondent found an unopened letter addressed to her son. Respondent opened the letter and found a notice for a hearing on Turner's application for guardianship. After talking to Danielle by telephone, Respondent concluded that Danielle wanted Respondent to oppose the guardianship on Danielle's behalf. Respondent, therefore, prepared a motion to deny the application, a brief in opposition, and a sworn affidavit for Danielle's signature. Respondent gave her son a copy of the motion and affidavit and asked him to obtain Danielle's signature. When Respondent had not received the executed affidavit back, Respondent sent Danielle a text message seeking permission to sign the document on her behalf. Respondent signed Danielle's name on the affidavit and notarized that signature without indicating that the signature was not Danielle's or that the signature was made with text-message authorization. After Respondent filed the documents, Danielle sent Respondent a text message indicating that she was conflicted about the guardianship. Once Turner had discovered the text message and brought it to the court's attention, Respondent sent Danielle another text message advising her that she was going to withdraw the motion. When Respondent appeared at the hearing, however, she was informed that the application had been dismissed for lack of jurisdiction.

SANCTION: The Court adopted the Board's findings of fact and imposed a public reprimand.

CASE AUTHORITY FOR SANCTION: *Mezacapa* (2004)

Rules Violated: Prof.Cond.R. 3.3(a)(1), 8.4(c), 8.4(d)

Aggravation/ Mitigation: A- (b) (dishonest or selfish motive); **M**- (a) (no prior discipline), (d) (full and free disclosure), (e) (good character)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Public Reprimand		

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***Wrage**, Disciplinary Counsel v.*
139 Ohio St.3d 152, 2014-Ohio-807. Decided 3/11/2014.

OVERVIEW: Respondent received a two-year suspension, with one year stayed for failing to pay child-support on numerous occasions and failing to respond and assist Relator during the investigation.

PROCEDURE: The Court imposed an interim child-support suspension. The parties stipulated to the facts and misconduct, and jointly recommended a two-year suspension, with one year stayed on conditions with credit for time served under the interim child-support suspension. The Board adopted the panel's findings of fact and misconduct, but would not grant Respondent credit for time served under the interim child-support suspension.

FINDINGS: Respondent defaulted on his child-support obligations in 2009, 2010, and 2012, each time being found in contempt of court and each time paying enough to purge his contempt and avoid jail time. As of March 2013, his child-support arrearage was more than $40,000. During Relator's investigation, Respondent failed to respond to two letters sent by Relator, failed to respond to a subpoena ordering him to appear for a deposition, and failed to answer the complaint in his disciplinary action until after Relator moved for default.

SANCTION: The Court adopted the Board's findings of facts, conclusions of law, and imposed a two-year suspension, with one year stayed on conditions including compliance with his child support obligation and no credit for time served under the interim child-support suspension.

CASE AUTHORITY FOR SANCTION: *Curry* (2006); *Redfield* (2007)

Rules Violated: Prof.Cond.R. 8.1(b), 8.4(d), 8.4(h); Gov.Bar R. V(4)(G)

Aggravation/ Mitigation: A- None; **M**- (a) (no prior discipline), (f) (other penalties/sanctions)

Court Modified Sanction: NO	**Criminal Conduct:** NO	
Procedure/ Process Issues: NO	**Public Official:** NO	**Prior Discipline:** NO
Sanction: Two-year suspension, with one year stayed on conditions		

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Rule 8.1(a) (knowingly making a false statement of material fact in connection with a disciplinary matter)
McElroy (9/4/2014)
Wexler (7/9/2014)

Rule 8.1(b) (failing to disclose fact or failing to respond to demand for information from a disciplinary authority)
Daniell (7/23/2014)
Harvey (9/4/2014)
Lemieux (5/27/2014)
Simpson (1/21/2014)
Turner (7/23/2014)
Wilcox (12/4/2014)
Wrage (3/11/2014)

Rule 8.2 (judicial officials)

Rule 8.2(a) (false or reckless statements concerning the integrity of a judicial officer)
Marshall (11/6/2014)

Rule 8.3(a) (requiring an attorney to report to disciplinary authority violations of the Rules)
McElroy (9/4/2014)

Rule 8.4(a) (violating, attempting to violate, knowingly assisting or inducing another to violate the Rules)
Harvey (9/4/2014)
Stenson (6/4/2014)

Rule 8.4(b) (committing illegal act that reflects adversely on honesty or trustworthiness)
Becker (9/3/2014)
Damon (9/3/2014)
Helbley (11/19/2014)
Jacobs (5/27/2014)
Land (3/27/2014)
McCafferty (7/17/2014)
Thompson (6/12/2014)

Rule 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation)
Becker (9/3/2014)

Binger (5/22/2014)
Cicero (10/23/2014)
Damon (9/3/2014)
Hale (11/18/2014)
Harmon (10/22/2014)
Harvey (9/4/2014)
Helbley (11/19/2014)
Jacobs (5/27/2014)
Land (3/27/2014)
McCafferty (7/17/2014)
McElroy (9/4/2014)
Streeter (3/25/2014)
Swift (11/6/2014)
Thompson (6/12/2014)
Wallace (3/26/2014)
Wilson (12/23/2014)

Rule 8.4(d) (conduct prejudicial to the administration of justice)
Bancsi (12/4/2014)
Becker (9/3/2014)
Cicero (10/23/2014)
Flowers (5/28/2014)
Hale (11/18/2014)
Harmon (10/22/2014)
Harvey (9/4/2014)
Land (3/27/2014)
Lemieux (5/27/2014)
Marshall (11/6/2014)
McCafferty (7/17/2014)
McElroy (9/4/2014)
Oldfield (7/9/2014)
Shaw (3/25/2014)
Swift (11/6/2014)
Thompson (6/12/2014)
Wilcox (12/4/2014)
Wilson (12/23/2014)
Wrage (3/11/2014)

Rule 8.4(h) (conduct adversely reflecting on lawyer's fitness to practice)
Becker (9/3/2014)
Bender (5/27/2014)
Binger (5/22/2014)
*Cicero (10/23/2014)
Flowers (5/28/2014)
Gwinn (1/23/2014)
*Hale (11/18/2014)
*Harmon (10/22/2014)
Harvey (9/4/2014)
Hillis (5/22/2014)
Jacobs (5/27/2014)
Land (3/27/2014)
*Lemieux (5/27/2014)
Marshall (11/6/2014)
*McCafferty (7/17/2014)
McElroy (9/4/2014)
*Mecklenborg (5/8/2014)
Milhoan (12/17/2014)
*Mismas (6/12/2014)
Shaw (3/25/2014)
Simpson (1/21/2014)
Streeter (3/25/2014)
*Swift (11/6/2014)
Thompson (6/12/2014)
Troller (1/14/2014)
*Turner (7/23/2014)
Wallace (3/26/2014)
Wrage (3/11/2014)

***Court discusses "egregiousness requirement"**

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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DR 1-102(A)(1) (prohibiting a lawyer from violating a disciplinary rule)

DR 1-102(A)(3) (engaging in illegal conduct involving moral turpitude)
Ballato (11/19/2014)
Becker (9/3/2014)
Jacobs (5/27/2014)
McElroy (9/4/2014)

DR 1-102(A)(4) (conduct involving dishonesty, fraud, deceit, or misrepresentation)
Becker (9/3/2014)
Jacobs (5/27/2014)
Marshall (11/6/2014)
McElroy (9/4/2014)
Pappas (9/4/2014)
Schiff (6/18/2014)
Schuler (3/26/2014)

DR 1-102(A)(5) (conduct prejudicial to the administration of justice)

Becker (9/3/2014)
McElroy (9/4/2014)
Marshall (11/6/2014)
Owen (10/22/2014)
Pappas (9/4/2014)
Shaw (3/25/2014)

DR 1-102(A)(6) (conduct adversely reflecting on fitness to practice law)
Ballato (11/19/2014)
Becker (9/3/2014)
Jacobs (5/27/2014)
Marshall (11/6/2014)
McElroy (9/4/2014)
Milhoan (12/17/2014)
Owen (10/22/2014)
Pappas (9/4/2014)
Schuler (3/26/2014)
Shaw (3/25/2014)
Troller (1/14/2014)

DR 1-103(A) (requiring a lawyer possessing unprivileged knowledge of a violation of DR 1-102 to report the knowledge to a tribunal or other legal authority empowered to investigate)
McElroy (9/4/2014)

DR 1-104 (informing client of lack of professional malpractice insurance)

DR 1-104(A) (informing client of lack of professional malpractice insurance)

DR 1-104(B) (maintaining copy of notice)

DR 1-104(C) (notice required unless applicable exception)

DR 2-101(A)(1) (false, fraudulent, misleading, deceptive, self-laudatory, or unfair statements)

DR 2-101(F)(1) (soliciting legal business in person or by telephone)

DR 2-102(B) (practice under a trade name; misleading name)

DR 2-102(C) (improper representation of the existence of partnership)
Schiff (6/18/2014)

DR 2-103(A) (recommending employment of self, partner, or associate to non-lawyer without solicitation)

DR 2-103(B) (compensating a person to recommend employment)

DR 2-103(C) (requesting a person to promote the use of lawyer's services)

DR 2-106(A) (charging or collecting a clearly excessive or illegal fee)

DR 2-106(B) (fee in excess of reasonable fee)

DR 2-107(A) (fee division by lawyers not in the same firm)
Schiff (6/18/2014)

DR 2-107(A)(1) (fee division in proportion to services performed)

DR 2-107(A)(2) (terms of fee division and identities of lawyers not disclosed in writing)

DR 2-107(A)(3) (total fee is unreasonable)

DR 2-110(A)(2) (withdrawal without steps to avoid foreseeable prejudice to client; failing to return papers)

DR 2-110(A)(3) (failing after withdrawal to promptly refund any unearned fees)

DR 2-110(B)(2) (representing client when continued employment will result rule violation)

DR 3-101(A) (aiding a non-lawyer in the unauthorized practice of law)

DR 3-101(B) (practice of law violating professional regulations)
Troller (1/14/2014)

DR 3-102 (sharing fees with a non-lawyer)

DR 3-103(A) (forming a partnership with a non-lawyer to practice law)

DR 4-101 (failing to preserve the confidences of a client)

DR 4-101(B)(1) (knowingly revealing the secrets or confidences of a client)

DR 4-101(B)(2) (failure to preserve client confidences and secrets)

DR 5-101(A)(1) (employment when attorney's judgment might be influenced by personal interests)
Owen (10/22/2014)

DR 5-101(A)(2) (preparing a will/trust in which the lawyer is named a beneficiary)

DR 5-103(B) (providing financial assistance to client)

DR 5-104(A) (entering into a business transaction with client when interests differ)

DR 5-105(A) (declining employment if judgment is or is likely to be adversely affected)

DR 5-105(B) (continuing employment when judgment is likely to be adversely affected by representation of another client)

DR 5-105(C) (representing multiple clients without full disclosure)

DR 6-101 (failing to act competently)
Scaccia (10/3/2014)

DR 6-101(A)(1) (handling a legal matter not competent to handle)

DR 6-101(A)(2) (handling a legal matter without adequate preparation)
Milhoan (12/17/2014)

DR 6-101(A)(3) (neglecting an entrusted legal matter)

DR 6-102 (attempt to exonerate self from or limit liability to client for malpractice)

DR 7-101(A)(1) (failing to seek lawful objectives through reasonable means)

DR 7-101(A)(2) (failure to carry out a contract of employment)

DR 7-101(A)(3) (causing prejudice or damage to client)

DR 7-102(A)(1) (taking legal action merely to harass or injure another)

DR 7-102(A)(2) (advancing claim or defense unwarranted under existing law)

DR 7-102(A)(3) (concealing or knowingly failing to disclose what the law requires to be revealed)

DR 7-102(A)(4) (knowingly using perjured testimony or false evidence)
Pappas (9/4/2014)

DR 7-102(A)(5) (knowingly making false statements of law or fact)
Pappas (9/4/2014)

DR 7-102(A)(6) (knowingly participating in the creation or presentation of false evidence)

DR 7-102(A)(7) (counseling or assisting a client in illegal or fraudulent conduct)

DR 7-102(A)(8) (conduct contrary to a disciplinary rule)

DR 7-103(B) (failing to timely disclose evidence in a criminal trial)

DR 7-105(A) (threatening criminal prosecution to obtain an advantage in a civil matter)

DR 7-106(A) (disregarding ruling of a tribunal)
Shaw (3/25/2014)

DR 7-106(B)(7) (intentionally or habitually violating any established rule of procedure)

DR 7-106(C)(1) (making statements unsupported by evidence)

DR 7-106(C)(2) (questions with no reasonable basis to believe are relevant and are intended to degrade a someone)

DR 7-106(C)(4) (asserting personal opinion)

DR 7-106(C)(6) (undignified or discourteous conduct before a tribunal)

DR 7-109(A) (suppressing evidence that attorney

or client has a legal obligation to produce)

DR 7-110(B) (communicating as to the merits of a cause with a presiding judge or official on a pending matter)

DR 8-102(B) (making false accusations against a judge or other adjudicatory officers)

DR 9-102 (failing to preserve the identity of a client's funds and property)

DR 9-102(A) (commingling funds)

DR 9-102(A)(2) (failure to maintain a trust account; failure to preserve funds and property)

DR 9-102(B) (failure to identify or keep record of funds)

DR 9-102(B)(1) (failure to promptly notify a client of the receipt of client's funds)

DR 9-102(B)(3) (failure to maintain complete records of all client's property)
Scaccia (10/3/2014)

DR 9-102(B)(4) (failure to promptly pay or deliver client funds, securities or other property)

DR 9-102(E)(1) (failure to maintain clients' funds in trust account)

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Gov. Bar R. V(4)(G) (failure to cooperate with disciplinary investigation)
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Daniell (7/23/2014)
Harvey (9/4/2014)
Lemieux (5/27/2014)
Simpson (1/21/2014)
Turner (7/23/2014)
Wilcox (12/4/2014)
Wrage (3/11/2014)

Gov. Bar R. V(8)(G)(2) (failure to register a suspended attorney with the Office of Disciplinary Counsel)

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)
Shaw (3/25/2014)

Gov. Bar R. V(11)(E) (proceedings and documents relating to review and investigation of grievances be private)

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)
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Bancsi (12/4/2014)
Cicero (10/23/2014)
Gonzalez (3/11/2014)
Harvey (9/4/2014)
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Shaw (3/25/2014)
Thompson (6/12/2014)
Turner (7/23/2014)
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McCafferty (7/17/2014)
McElroy (9/4/2014)
Pappas (9/4/2014)
Schuler (3/26/2014)

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Mecklenborg (5/8/2014)
Schuler (3/26/2014)
Simpson (1/21/2014)

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Milhoan (12/17/2014) (+)
Mismas (6/12/2014) (+)
Pappas (9/4/2014) (+)
Schiff (6/18/2014) (+)
Shaw (3/25/2014) (+)
Streeter (3/25/2014) (+)

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Lemieux (5/27/2014)
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McCafferty (7/17/2014)
McElroy (9/4/2014)
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Flowers (5/28/2014)
Gwinn (1/23/2014)
Leiken (12/2/2014)

Mecklenborg (5/8/2014)
Oldfield (7/9/2014)
Wilson (12/23/2014)

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Binger (5/22/2014)
Daniell (7/23/2014)
Fonda (3/12/2014)
Gilbert (2/20/2014)
Gonzalez (3/11/2014)
Hale (11/18/2014)
Harmon (10/22/2014)
Harvey (9/4/2014)
Hillis (5/22/2014)
Hooks (6/19/2014)
Jacobs (5/27/2014)
Marshall (11/6/2014)
McBeth (4/22/2014)
Milhoan (12/17/2014)
Mismas (6/12/2014)
Owen (10/22/2014)
Pappas (9/4/2014)
Scaccia (10/3/2014)
Schiff (6/18/2014)
Simpson (1/21/2014)
Stenson (6/4/2014)
Streeter (3/25/2014)
Swift (11/6/2014)
Thompson (6/12/2014)
Troller (1/14/2014)
Turner (7/23/2014)
Wallace (3/26/2014)
Wexler (7/9/2014)
Wilcox (12/4/2014)
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