

### What Happens if my Claim is Eligible?

A claimant must sign a Release and Subrogation Agreement from the Lawyers' Fund for Client Protection prior to receiving reimbursement. This Agreement grants permission to the fund to pursue the dishonest attorney to collect the amount reimbursed.

### To Obtain an Application for Reimbursement, Call, E-mail or Write to:

Lawyers' Fund for Client Protection  
Thomas J. Moyer Ohio Judicial Center  
65 South Front Street, 5th Floor  
Columbus, Ohio 43215-3431

614.387.9390  
1.800.231.1680  
lfcpc@sc.ohio.gov  
sc.ohio.gov/Boards/clientprotection

Applications for Reimbursement are also available at your local bar association or the Office of Disciplinary Counsel.



Are You a Victim  
of a **DISHONEST**  
Attorney?

THE SUPREME COURT *of* OHIO  
**Lawyers' Fund**  
*for* Client Protection  
**Can Help**

**T**he Supreme Court of Ohio has among its most important responsibilities maintaining the integrity of the judicial system and public confidence in judges and lawyers. The Supreme Court promulgates codes of conduct and administers a system of discipline for judges and lawyers.

On May 13, 1985, through Supreme Court Rule VIII, the Court established the Clients' Security Fund. In January 2015, the name of the fund was changed to Lawyers' Fund for Client Protection. The purpose of the fund is to reimburse clients who sustain financial losses resulting from dishonest acts by attorneys acting in a fiduciary or legal capacity.

While the vast majority of attorneys in Ohio discharge their duties in an honest and professional manner, there are a few who violate the trust placed in them by their clients. The Lawyers' Fund for Client Protection represents an effort by the legal profession to provide a source of reimbursement.

The Lawyers' Fund for Client Protection is NOT supported by tax dollars, but is funded through registration fees paid by all Ohio judges and attorneys.

### **What is the Lawyers' Fund for Client Protection?**

The Lawyers' Fund for Client Protection is an agency of the Supreme Court of Ohio established for the purpose of reimbursing victims of attorney theft, embezzlement, or misappropriation.

The fund does not provide legal advice, nor does it provide assistance in finding an attorney.

### **What are the Eligibility Requirements for Reimbursement?**

The following criteria must be met to be eligible for reimbursement from the Lawyers' Fund for Client Protection:

- Claims to the fund must be based on the dishonest conduct of an attorney acting in a fiduciary or legal capacity. The attorney must be admitted to the practice of law in Ohio at the time of the dishonest conduct.
- The dishonest conduct must be in the nature of a theft or embezzlement, and the client must incur a loss of money or property as a result.
- An attorney/client relationship, or a fiduciary relationship, must exist between the person filing a claim and the person against whom the claim is filed.
- The dishonest attorney must have been disciplined by the Supreme Court of Ohio, unless the attorney has resigned or is deceased.
- The Application for Reimbursement must be filed within five (5) years of the occurrence or the discovery of the dishonest act. The five-year time period may be tolled (extended) if the client takes some other affirmative action against the attorney within that one-year period.

### **What Types of Claims are not Eligible for Reimbursement from the Fund?**

- Losses resulting from negligence or malpractice.
- Losses resulting from disputes over fees paid or results obtained by the attorney.

### **Who Decides if I Qualify for Reimbursement?**

The Board of Commissioners of the Lawyers' Fund for Client Protection determines which claims are eligible for reimbursement. The Board consists of seven members appointed by the Supreme Court of Ohio. The Lawyers' Fund for Client Protection staff investigates each claim filed, and then submits the claim to the Board for a determination of eligibility.

### **How Much Can I Recover?**

The maximum amount of reimbursement that may be awarded is \$100,000.

### **How Much Does it Cost to File a Claim?**

There is no fee charged or other costs associated with filing an Application for Reimbursement.

### **Are These Proceedings Confidential?**

All claims filed and all records obtained by the Board are confidential. However, if an award is made, the names of the claimant and attorney, and the nature of the claim may be disclosed.

### **Do I Need an Attorney to File a Claim?**

An attorney is not required to file a claim with the Lawyers' Fund for Client Protection. If you wish to have an attorney's assistance, you may; however, the Lawyers' Fund for Client Protection is available to investigate the claims and to assist claimants in documenting their claims.