

**AMENDMENTS TO THE SUPREME COURT  
RULES FOR THE GOVERNMENT OF THE BAR OF OHIO**

The following amendments to the Supreme Court Rules for the Government of the Bar of Ohio (Gov. Bar R. V, Section 15 and Gov. Bar. R. VI, Sections 11 and 12) were adopted by the Supreme Court of Ohio. The history of these amendments is as follows:

|                    |                                |
|--------------------|--------------------------------|
| March 12, 2018     | Publication for public comment |
| September 25, 2018 | Final adoption by conference   |
| November 1, 2018   | Effective date of amendments   |

Key to Adopted Amendments:

1. Unaltered language appears in regular type. Example: text
2. Language that has been deleted appears in strikethrough. Example: ~~text~~
3. New language that has been added appears in underline. Example: text

# SUPREME COURT RULES FOR THE GOVERNMENT OF THE BAR OF OHIO

## RULE V. DISCIPLINARY PROCEDURE

[Existing language unaffected by the amendments is omitted to conserve space]

### Section 15. Impairment Suspension; Termination of Suspension.

[Existing language unaffected by the amendments is omitted to conserve space]

**(D) Duty of Clerk on Entering Order.** Upon the entry of a suspension order under this section, the clerk of the Supreme Court shall mail certified copies of the order as provided in Section 17 of this rule. A copy of the order shall be provided to the Office of Attorney Services, and ~~that office shall change~~ the registration status of respondent to ~~inactive status~~ shall be designated as “ineligible.” The order shall be a matter of public record and shall be docketed by the clerk, but the order shall not be published or posted on the Supreme Court’s web site.

[Existing language unaffected by the amendments is omitted to conserve space]

[Rule V amended effective October 1, 1986; September 1, 1987; January 1, 1988; March 16, 1988; July 27, 1988; January 1, 1989; October, 11, 1989; November 8, 1989; December 5, 1989; September 1, 1990; July 1, 1992; September 1, 1995; November 1, 1995; July 1, 1996; September 1, 1996; April 21, 1997; October 1, 1997; November 3, 1997; January 20, 1998; November 2, 1998; September 1, 1999; May 8, 2000; May 1, 2001; February 1, 2003; January 12, 2004; February 1, 2007; September 1, 2007; January 1, 2008; April 1, 2008; January 1, 2012; August 1, 2012; January 1, 2013; January 1, 2015; March 1, 2017; November 1, 2018.]

## RULE VI. REGISTRATION OF ATTORNEYS

[Existing language unaffected by the amendments is omitted to conserve space]

### Section 11. Retirement or Resignation from the Practice of Law.

#### **(A) Application to retire or resign**

An attorney who wishes to retire or resign from the practice of law in Ohio shall file an application with the Office of Attorney Services. The application shall be on a form furnished by the office and contain both of the following:

- (1) A notarized affidavit setting forth the attorney’s full name, attorney registration number, date of birth, mailing address, and all other jurisdictions and registration numbers under which the attorney practices. The affidavit shall state all of the following:

(a) The attorney wishes to retire or resign from the practice of law in Ohio;

(b) The attorney fully understands that the retirement or resignation completely divests the attorney of the privilege of engaging in the practice of law, and of each, any, and all of the rights, privileges, and prerogatives appurtenant to the office of attorney and counselor at law;

(c) The attorney fully understands that the retirement or resignation is unconditional, final, and irrevocable.

(2) A written waiver allowing Disciplinary Counsel to review all proceedings and documents relating to review and investigation of grievances made against the attorney under the Rules for the Government of the Bar of Ohio and the Rules for the Government of the Judiciary of Ohio and to disclose to the Supreme Court any information it deems appropriate, including, but not limited to, information that otherwise would be private pursuant to Gov. Bar R. V.

**(B) Investigation by Disciplinary Counsel**

The Office of Attorney Services shall refer an application received pursuant to division (A) of this section to Disciplinary Counsel. Upon receipt of the referral, Disciplinary Counsel shall determine whether any disciplinary proceedings are pending against the attorney. After completing this inquiry, Disciplinary Counsel shall submit to the office a confidential report, under seal, recommending whether the application should be accepted, denied, or delayed. If Disciplinary Counsel recommends that the application be accepted, the report shall indicate whether the attorney should be designated as “retired” or designated as “resigned with disciplinary action pending.” If Disciplinary Counsel recommends that the application be denied or delayed, the report shall provide reasons for the recommendation. Upon receipt of the report from Disciplinary Counsel, the office shall ~~do one of the following:~~

~~(1) Accept the application and designate the attorney as retired if the report recommends such acceptance and designation;~~

~~(2) File file the application and the report with the Clerk of the Supreme Court if the report recommends acceptance of the application with a designation of resigned with discipline pending or the denial or deferral of the application.~~

**(C) ~~Resignation with discipline action pending or denial or deferral of application~~ Order for Retirement, Resignation with Discipline Pending, or the Denial or Deferral of the Application.**

Upon receipt and consideration of an application ~~with a designation of “resigned with discipline pending” or the denial or deferral of the application~~ filed pursuant to division (B)~~(2)~~ of this section, the Supreme Court shall enter an order it deems appropriate. ~~An~~

~~order accepting an application to resign from the practice of law shall indicate that the attorney be designated as resigned with disciplinary action pending. The Clerk of the Supreme Court shall serve a copy of an order of retirement on the retired attorney. The Clerk shall serve copies of the an order of resignation with discipline pending or denial or deferral of an application as provided in Gov. Bar R. V, Section 17(D)(1).~~

**(D) Law firm letterhead for retired attorney**

A retired attorney may be designated as “retired” on law firm letterhead if the attorney’s name was included on the letterhead prior to the time that the attorney’s retirement was accepted by the Supreme Court. A retired attorney shall not be listed as “of counsel” or otherwise be represented as able to engage in the practice of law in Ohio.

**Section 12. Suspended Attorneys.**

**(A) “Suspended” status**

The registration status of an attorney who is suspended from the practice of law in Ohio pursuant to ~~Gov. Bar R. V, Gov. Bar R. VI, or Gov. Bar R. X~~ the following rules shall be designated as “suspended-”:

- (1) Gov. Bar R. V, except as provided in Gov. Bar R. V, Section 15(D);
- (2) Gov. Bar R. VI;
- (3) Gov. Bar R. X.

**(B) “Ineligible” status**

The registration status of an attorney who is suspended from the practice of law in Ohio pursuant to Gov. Bar R. V, Section 15(D) shall be designated as “ineligible,” unless the attorney is subject to any other suspension listed in division (A) of this section.

**[Existing language unaffected by the amendments is omitted to conserve space]**

[Not analogous to former Rule VI, effective February 28, 1972; amended effective January 1, 1981; November 17, 1982; July 1, 1983; May 13, 1985, July 1, 1986; January 1, 1989; July 1, 1991; September 1, 1991; January 1, 1992; July 1, 1992; July 1, 1993; January 1, 1995; July 1, 1995; November 1, 1995; July 1, 1997; July 1, 1999; November 28, 2000; June 1, 2002; August 19, 2002; November 1, 2002; July 1, 2003; July 1, 2005, September 1, 2005; July 1, 2007; September 1, 2007; January 1, 2008; May 1, 2009; September 1, 2010; January 1, 2012; January 1, 2013; November 1, 2013; January 1, 2015; April 1, 2015; December 1, 2015; July 1, 2016; September 15, 2016; November 1, 2017; November 1, 2018.]

**RULE XX. TITLE AND EFFECTIVE DATES**

[Existing language unaffected by the amendments is omitted to conserve space]

**Section 2. Effective Dates.**

[Existing language unaffected by the amendments is omitted to conserve space]

(JJJJ) The amendments to Gov. Bar R. V, Section 15 and Gov. Bar. R. VI, Sections 11 and 12, adopted by the Supreme Court on September 25, 2018, shall take effect on November 1, 2018.