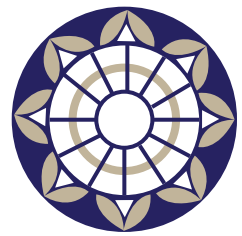




Ohio Board of Professional Conduct

Disciplinary Handbook

VOLUME XVIII



2024



DISCIPLINARY HANDBOOK: VOLUME XVIII

[CASES FROM 2024; CURRENT THROUGH DECEMBER 31, 2024]

OHIO BOARD OF PROFESSIONAL CONDUCT

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

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



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TABLE OF CONTENTS

[Link is to the beginning of the section]

I. TABLE OF CASES

II. CASE SUMMARIES

[A](#) [B](#) [C](#) [D](#) [E](#) [F](#) [G](#) [H](#) [I](#) [J](#) [K](#) [L](#) [M](#)
[N](#) [O](#) [P](#) [Q](#) [R](#) [S](#) [T](#) [U](#) [V](#) [W](#) [X](#) [Y](#) [Z](#)

III. INDEX

[AGGRAVATING & MITIGATING FACTORS](#)

[CODE OF JUDICIAL CONDUCT VIOLATIONS](#)

[CRIMINAL CONDUCT \(Felony, Misdemeanor, Treatment in Lieu of Conviction\)](#)

[DISCIPLINARY PROCEDURAL ISSUES \(Aggravation/ Mitigation, Cause remanded by Court, Consent-to-Discipline, Default, Sanction Increase/ Decrease, Other\)](#)

[DISCIPLINARY RULE VIOLATIONS](#)

[PRIOR DISCIPLINARY RECORD \(Attorney Registration, Board Discipline, Other\)](#)

[PUBLIC EMPLOYEE MISCONDUCT \(Judge/ Magistrate/ Clerk, Public Official\)](#)

[RULES OF PROFESSIONAL CONDUCT VIOLATIONS](#)

[SANCTION \(Disbarment, Dismissal, Indefinite Suspension, Public Reprimand, Term Suspension\)](#)

TABLE OF CASES

FOR CASE SUMMARY- Click the Case Name; **FOR FULL DECISION-** Click the citation in the Case Summary

[Adams, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-559. Decided
2/20/2024.

[Alexander, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-900. Decided
3/14/2024.

[Bell, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-876. Decided
3/13/2024.

[Billingsley, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-222. Decided
1/25/2024.

[Bissell, Disciplinary Counsel v.](#)
Case No. 2024-0482. Decided 5/28/2024.

[Brown, Cleveland Metro. Bar Assn. v.](#)
Slip Opinion No. 2024-Ohio-2789. Decided
7/25/2024.

[Brown-O'Neal, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-5571. Decided
11/27/2024.

[Burkett, Disciplinary Counsel v.](#)
Case No. 2024-0850. Decided 7/23/2024.

[Byron, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-5433. Decided
11/20/2024.

[Driftmyer, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-540. Decided
2/15/2024.

[Dugan, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-5118. Decided
10/29/2024

[Gernert, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-1946. Decided
5/23/2024.

[Glover, Disciplinary Counsel v.](#)
Case No. 2024-1120. Decided 10/1/2024

[Goodman, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-852. Decided
3/12/2024.

[Hartley, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-5232. Decided
11/5/2024.

[Haven, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-5278. Decided
11/7/2024.

[Hoover, Disciplinary Counsel v.](#)
Slip Opinion 2024-Ohio-4608. Decided
9/24/2024.

[Kaiser, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-2788. Decided
7/25/2024.

[McCarty, Columbus Bar Assn. v.](#)
Slip Opinion No. 2024-Ohio-4940. Decided
10/16/2024.

[McClain, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-5197. Decided
11/1/2024.

[Macala, Mahoning Cty. Bar Assn. v.](#)
Slip Opinion No. 2024-Ohio-3158. Decided
8/22/2024.

[Miller, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-4939. Decided
10/16/2024.

[Moore, Disciplinary Counsel v.](#)
Slip Opinion 2024-Ohio-5198. Decided
11/1/2024.

[Perrico, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-1540. Decided
4/25/2024.

[Port, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-5566. Decided
11/27/2024.

[Ranke, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-5491. Decided
11/26/2024.

[Riley, Toledo Bar Assn. v.](#)
Slip Opinion No. 2024-Ohio-4941. Decided
10/16/2024.

[Robinson, Lorain Cty. Bar Assn v.](#)
Slip Opinion No. 2024-Ohio-1657. Decided
5/2/2024.

[Rohrbaugh, Mahoning Cty. Bar Assn. v.](#)
Slip Opinion No. 2024-Ohio-5127. Decided
10/29/2024.

[Ryan, Columbus Bar Assn. v.](#)
Slip Opinion No. 2024-Ohio-5570. Decided
11/27/2024.

[Smith, Lorain Cty. Bar Assn v.](#)
Case No. 2024-0847. Decided 7/23/2024.

[Smith, Cleveland Metro. Bar Assn. v.](#)
Slip Opinion 2024-Ohio-4502. Decided
9/17/2024

[Stenson, Cincinnati Bar Assn. v.](#)
Slip Opinion No. 2024-Ohio-995. Decided
3/20/2024.

[Taubman, Cleveland Bar Assn. v.](#)
Case No. 2024-0483. Decided May 28, 2024

[Taylor, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-1082. Decided
3/27/2024.

[Tregre, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-3172. Decided
5/7/2024.

[VanBibber, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-1702. Decided
5/7/2024.

[Vick, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-557. Decided
2/20/2024.

[Villarreal, Columbus Bar Assn. v.](#)
Slip Opinion No. 2024-Ohio-5165. Decided

10/30/2024.

[Walton, Lorain Cty. Bar Assn. v.](#)
Slip Opinion No. 2024-Ohio-4975. Decided
10/17/2024.

[Warner, Disciplinary Counsel v.](#)
Slip Opinion No. 2024-Ohio-551. Decided
2/16/2024.

[Westmeyer, Toledo Bar Assn. v.](#)
Slip Opinion No. 2024-Ohio-5196. Decided
11/1/2024

[Wilkinson, Disciplinary Counsel v.](#)
Case No. 2024-1560. Decided 1/23/2024.

[Winkler, Ohio State Bar Assn. v.](#)
Slip Opinion No. 2024-Ohio-3141. Decided
8/21/2024.

CASE SUMMARIES

Adams, Disciplinary Counsel v.
2024-Ohio-559. Decided 2/20/2024

Case Summary

Sanction	Disbarment
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(1), 1.4(a)(3), 1.4(a)(4), 1.15(c), 1.15(d), 1.16(d), 8.1(b), 8.4(c), 8.4(d)
Aggravation/Mitigation	A- (3) (pattern of misconduct), (4) (multiple offenses),(5) (lack of cooperation), (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim), (9) (no restitution); M- (1) (no prior discipline)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Freeman (2011)
Cited By	

OVERVIEW: Respondent was permanently disbarred for misappropriating settlement proceedings in three separate matters, failing to respond to communications from clients, and failing to cooperate in the disciplinary process

PROCEDURE: The Court granted Relator’s motion remand the case to the board and Relator later filed a motion for default disbarment. The Board adopted the commissioner’s findings of fact, conclusions of law, and recommended sanction of permanent disbarment.

FINDINGS: In one count, Respondent was retained to represent a couple for injuries sustained by the wife in an automobile accident. He sued the driver and the clients’ insurance

[Table of Cases](#) [Index](#)

company. After settlement of the matter against the driver, he paid himself and a Medicaid lien but failed to pay a Medicare lien and his clients. He then voluntarily dismissed the case against the insurer, failed to refile the matter, and ignored the clients’ requests for information. A malpractice claim was brought, and Respondent was ordered to pay \$272,284.65. In a second count, he agreed to settle a client’s claim but did not pay known liens from the Bureau of Workers’ Compensation (“BWC”). A later suit was filed by BWC to collect the lien against the client and tortfeasors. A cross-claim was later filed against the client Respondent. In a third count, Respondent voluntarily dismissed a personal injury case, refiled the case, and accepted funds from the defendant’s insurer and the client’s carrier. He then wrote checks to himself and his law firm. He then distributed some, but not all of the funds owed to his client or to a hospital that had obtained a judgment against both he and his client.

SANCTION: The Supreme Court adopted the Board’s findings of fact, conclusions of law, and recommended sanction of permanent disbarment. He was ordered to pay costs to the Preble County Court of Common Pleas and make restitution to several clients and parties.

NOT PARTICIPATING: Justice Brunner

Sanction	One-year, stayed suspension
Court Modified Sanction	No
Rules Violated	8.4(b)
Aggravation/Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive); M- (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions), (7) (disorder)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Mitchell (2019)
Cited By	

OVERVIEW: Respondent received a one-year, stayed suspension for misconduct arising from his conviction on a third-degree felony count of failure to comply with an order or signal of a police officer.

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

FINDINGS: Respondent was observed making a U-turn by police. Respondent stopped his vehicle but when the officer approached, Respondent peeled out from the berm and accelerated onto the highway. A high-speed pursuit commenced that reached speeds of over 100 miles per hour. The officer terminated the pursuit in the interest of safety after he could not close the gap between his vehicle and Respondent’s vehicle. Respondent later took his vehicle to a local body shop for repairs to damage incurred during the high-speed chase. He was indicted with third-degree felony counts of failure

to comply with an order or signal of a police officer and tampering with evidence. He admitted during a presentence investigation that had been drinking and probably had been impaired. He was found guilty on the count for failure to comply and sentenced to three years of community control and his license was impaired for three years. He was ordered to complete outpatient treatment for substance abuse and comply with his OLAP contract.

SANCTION: The Supreme Court adopted the Board’s findings of fact, conclusions of law, and recommended sanction of one-year, stayed suspension upon reinstatement and registration for active service and dismissed his interim felony suspension. In addition to the requirements of Gov.Bar R. V(24)(B), Respondent was required to submit proof of his compliance with his OLAP contract, and if reinstatement was sought during his community-control sanction, compliance with Gov.Bar R. V(24)(D) was also required. In addition to the suspension, he was required to remain in compliance with the terms of the community-control sanction, substance-abuse-treatment, and existing OLAP contract.

NOT PARTICIPATING: Justice Brunner

Sanction	Indefinite suspension
Court Modified Sanction	Yes
Rules Violated	8.4(b) , 8.4(h)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Goldblatt (2008); Romer (2023)
Cited By	

OVERVIEW: Respondent was indefinitely suspended for misconduct arising out of his felony indictment for importuning and felony conviction for unlawful use of a telecommunication device.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of a two-year suspension with six months credit for time served under his interim felony suspension.

FINDINGS: Respondent was employed as an assistant prosecutor to the child-support unit of the juvenile division. On July 30, 2021, he visited a website on his personal cellphone that lists sex worker profiles. He sent a text message to one profile. The person answering the text was an undercover officer. A text conversation ensued where Respondent learned the fictional age of the officer and made arrangements for sex. He did not follow through with a meeting with the officer. On August 5, 2021, the undercover officer texted Respondent with a photo of a

clothed female and Respondent replied with a photo of himself and his dog. He reiterated that the officer was too young. Two weeks after the last text message, Respondent was arrested at his office and his employment was simultaneously terminated. He was indicted on one count of importuning, a fifth-degree felony. He pleaded guilty to an amended count of unlawful use of a telecommunication device, a fifth-degree felony and was sentenced to one year of community control.

SANCTION: The Supreme Court adopted the Board's findings of fact and conclusions of law, but indefinitely suspended Respondent with no credit for time served under an interim suspension. In addition to the requirements in Gov.Bar R. V(25), Respondent will be required to submit proof that he has successfully completed the terms of the community-control and proof from a qualified health-care professional that he continued to participate in counseling and took all prescribed medications.

CONCURRING IN PART AND DISSENTING IN PART: Justices DeWine and Stewart would have accepted the recommended sanction of a two-year suspension with six months credit for time served under the interim felony suspension.

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	8.4(c)
Aggravation/Mitigation	A- (8) (harm to vulnerable victim); M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Thompson (2011); Moore (2017)
Cited By	

record because Hanson stated he had not signed the affidavit and because Respondent admitted she did not see it signed by Hanson. Respondent argued at the disciplinary hearing that she notarized the affidavit at the direction of her supervising attorney and suggested that the in-person requirement for notarization had been suspended due to the COVID-19 pandemic.

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

NOT PARTICIPATING: Justices Donnelly and Brunner

OVERVIEW: Respondent received a public reprimand for falsely notarizing an affidavit.

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

FINDINGS: Respondent's employer represented Shawnte and Lavelle Gibson, a married couple, in a juvenile case involving their children. The employer emailed an affidavit to the father of one of the children, Eddie Hanson, and informed Respondent that she had witnessed the father sign the affidavit electronically during a video conference. Respondent agreed to notarize the father's purported signature. Respondent later appeared on behalf of the Gibsons at a pretrial hearing. Counsel for Hanson stated that Hanson did not recognize the affidavit that had been filed with an emergency-custody motion and that Respondent had not been present when he signed the affidavit. The magistrate in the matter testified that she struck the affidavit from the

Sanction	Two-year suspension, stayed
Court Modified Sanction	No
Rules Violated	8.4(c), 8.4(h)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (4) (multiple offenses); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions), (8) (other rehabilitation)
Criminal Conduct	Yes
Public Official	Yes
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Okuley (2018); Noble (2022); Lewis (2018)
Cited By	

OVERVIEW: Respondent received a two-year, stayed suspension stemming from a conviction for disorderly misconduct.

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

FINDINGS: Respondent, an assistant county prosecutor, was involved in a traffic encounter with another driver. Respondent cut-off the driver and caused the driver to slam on her brakes to avoid a collision with Respondent's vehicle. The driver honked her horn at Respondent. He then exited his vehicle and approached the driver's vehicle. She rolled down her window and Respondent spit in her face. This caused the driver to remove her foot from the brake pedal, and the vehicle rolled into the rear of Respondent's vehicle. He began screaming at the

driver, falsely stated he was a police officer, that he had a weapon in his vehicle, and would kill her if she did not have insurance. When the police arrive, Respondent made several false statements and denied that he had spit at the driver, that he had told her he was a police officer, stated that he had a gun, and that he would kill her. Respondent was issued a citation for disorderly conduct. He was convicted, fined \$50, and assessed court costs. He appealed his conviction, but it was later dismissed for want of prosecution. Respondent did not report his conviction to the county prosecutor, as required by the office policy. The prosecutor learned of the criminal conviction after an agent of the Ohio Bureau of Investigation notified an assistant prosecutor. Respondent resigned his position in lieu of an investigation into whether he should be terminated.

SANCTION: The Supreme Court adopted the parties' consent-to-discipline agreement, and imposed a two-year suspension, all stayed.

DISSENTING: Chief Justice Kennedy would have remanded the matter to the Board.

NOT PARTICIPATING: Justice Brunner

Sanction	Six-month suspension, stayed
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 1.16(d)
Aggravation/Mitigation	A- (1) (prior discipline); M- (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Haynes (2020); Vivo (2019); Mickens (2018); Falconer (2020)
Cited By	

OVERVIEW: Respondent received a six-month, stayed suspension for neglecting a client’s legal matter, failing to reasonably communicate with her client, and failing to protect the client’s interests upon termination of the representation.

PROCEDURE: The hearing panel rejected the parties’ consent-to-discipline agreement. The panel chair granted the parties’ motion to waive the hearing and submitted the matter to the panel on the stipulations and joint exhibits. The Board adopted the panel’s findings of fact, conclusions of law, and recommended sanction of a six-month, stayed suspension.

FINDINGS: Respondent agreed to represent a client in a foreclosure action filed against him by the county. The client provided Respondent with a counterclaim and asked her to file it in the case. Respondent never filed the counterclaim believing it was without merit and time-barred. Between December 2018 and June 2019,

Respondent filed a motion for leave to file the complaint instant, an untimely motion for mediation and extension of time to respond to plaintiff’s motion for summary judgment, and a motion for extension of time to file an amended answer and counterclaim. During a settlement conference, the client decided that he did not want to resolve the matter via a loan modification and instructed Respondent to file a counterclaim. Respondent did not file the counterclaim. In November 2019, the trial court granted summary judgment in favor of the plaintiff, which the client learned about from the trial court’s docket. The client made repeated attempts to contact Respondent who was absent from her office for six weeks due to an illness. Respondent subsequently filed several motions, including a motion to vacate the summary-judgment order, which was denied. The client filed several pro se motions and removed the action to federal district court and filed a separate federal action and appeal in which he named Respondent as a defendant. Respondent ceased representing the client as of February 2020, but did not file a notice of withdrawal, and the trial court continued to serve documents on Respondent, rather than the client until October 2022.

SANCTION: The Supreme Court adopted the Board’s findings of fact, conclusions of law, and recommended sanction of a six-month, stayed suspension on condition that Respondent commit no further misconduct.

NOT PARTICIPATING: Justice Brunne

Sanction	One-year suspension, six months stayed
Court Modified Sanction	No
Rules Violated	3.3(a)(1), 4.2, 8.4(a), 8.4(c), 8.4(d)
Aggravation/Mitigation	A- (3) (pattern of misconduct), (4) (multiple offenses), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Fowerbaugh (1995); Schuman (2017); Miller (2012); Vardiman (2016)
Cited By	

OVERVIEW: Respondent received a one-year suspension, with six months stayed for filing falsely notarized affidavits, making false statements to the court, communicating with a represented party, and inducing another lawyer to violate the Rules of Professional Conduct.

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

FINDINGS: Respondent was hired by two parents in a custody matter. One parent was facing contempt for not relinquishing a child to family services. At the first scheduled hearing, Respondent and the clients failed to appear, and the parents were found in contempt and warrants were issued for their arrest. Respondent filed a

motion to recall the warrants and attached affidavits that Respondent claimed to have notarized. The case went to trial, but family services later dismissed the two cases without prejudice because the time limits had expired. A new suit was filed, an emergency temporary custody hearing was scheduled, but neither Respondent nor her clients appeared. Respondent later asked a represented father of one of her client's children, S.H., to sign an affidavit that the child had made up allegations of "abuse and neglect" against her clients. Respondent had not contacted the father's lawyer before speaking with him or give the lawyer a copy of the affidavit. Respondent had another lawyer, Lon'Cheri' D. Billingsley, who worked in her firm, notarize the affidavit indicating that she had witnessed its signing and then attached the affidavit to a motion to terminate a prior emergency custody order. Respondent did not attend the final pre-hearing and the father's counsel informed the court off-the-record that the signed affidavit had been improperly obtained. Respondent continued to rely on the improperly obtained and falsely notarized affidavit when representing the clients.

SANCTION: The Supreme Court adopted the Board's findings of fact, conclusions of law, and recommended sanction of a one-year, six-months stayed suspension on the condition that Respondent refrain from further misconduct.

NOT PARTICIPATING: Justice Brunner

Sanction	Two-year suspension, stayed
Court Modified Sanction	No
Rules Violated	8.4(b), 8.4(c)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive); M- (1) (no prior discipline), (4) (cooperative attitude), (6) (other penalties/sanctions), (8) (other rehabilitation)
Criminal Conduct	Yes
Public Official	Yes
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Rosen (2015); Rauzan (2020); Hurley (2015)
Cited By	

OVERVIEW: Respondent received a two-year, stayed suspension stemming from a conviction for misuse of the Ohio Law Enforcement Gateway.

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

FINDINGS: Respondent, as an assistant city prosecutor, was granted access to the Ohio Law Enforcement Gateway ("OHLEG"). Respondent signed an acknowledgement that included his agreement that he would use OHLEG information exclusively for official purposes and that unauthorized access would constitute a violation of R.C. 2913.04. Respondent learned that his wife was using an online dating application. An individual, Nathaniel Marceau, contacted Respondent's wife via the application believing Respondent and his wife were going through a divorce. Respondent used OHLEG to

run a search for Marceau. Respondent then sent text messages to Marceau's cellphone which instructed him to not go back to Respondent's marital residence. He also called Marceau's parents and asked them to tell Marceau to not contact his wife. When approached by the chief prosecutor about accusations that he had misused OHLEG, Respondent initially denied that he inappropriately used OHLEG, admitted that he ran a search for a male who was at his house, and believed the search to be appropriate because he had issued a trespass notice to the person who was the subject of the search. Respondent later admitted his conduct was unacceptable and resigned his position as assistant city prosecutor. He was charged with unauthorized use of property in violation of R.C. 2913.04(D) and entered a guilty plea to an amended charge of attempted unauthorized use of property, a first-degree misdemeanor. He was found guilty and ordered to pay a \$500 fine.

SANCTION: The Supreme Court adopted the parties' consent-to-discipline agreement, and imposed a two-year suspension, all stayed.

NOT PARTICIPATING: Justice Brunner

Sanction	One-year suspension, stayed
Court Modified Sanction	No
Rules Violated	1.15(a), 1.15(b), 1.15(c), 3.3(a)(1), 8.4(d)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (7) (refusal to acknowledge wrongdoing); M- (1) (no prior discipline)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Cameron (2011); Henderson (2002)
Cited By	

OVERVIEW: Respondent received a one-year, stayed suspension for misrepresenting his relationship with a client and mishandling his IOLTA account.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of a one-year, stayed suspension. Respondent filed a no-objection brief in response to the Board's findings and recommendation.

FINDINGS: Respondent was hired by a former romantic partner on a contingent-fee basis to sue her boyfriend at which point their prior relationship resumed. Respondent also represented the client in two separate protection-order cases, a criminal case, her divorce, and another lawsuit against her ex-husband. The client verbally agreed to pay Respondent a \$15,000 retainer to be charged at an hourly rate of \$300. He deposited the retainer into his personal business account even though he had not billed the hours necessary to earn the retainer. In [Table of Cases](#) [Index](#)

one protection-order case, Respondent unintentionally revealed his relationship with the client when transmitting trial exhibits to opposing counsel. The husband's lawyer moved to disqualify Respondent who then proceeded to misrepresent the status of his relationship at a subsequent hearing. He characterized the relationship as existing only in the past. Respondent later refunded the client's retainer from his personal account and the client wrote a new check for the retainer. He deposited the check into his IOLTA and paid himself \$10,000 without confirming that the funds were available. Respondent also deposited personal funds into his IOLTA.

SANCTION: The Supreme Court adopted the Board's findings of fact, conclusions of law, and recommended sanction of a one-year suspension, fully stayed on condition that he refrain from further misconduct.

CONCURRING IN PART AND DISSENTING IN PART: Chief Justice Kennedy would not have stayed the suspension.

NOT PARTICIPATING: Justice Brunner

Sanction	One-year suspension
Court Modified Sanction	No
Rules Violated	1.1, 1.4(a)(3), 1.4(a)(4), 1.4(c), 1.5(d)(3), 1.15(c), 1.15(e), 3.3(a)(1), 4.3, 8.1(b), 8.4(c)
Aggravation/Mitigation	A- (1) (prior discipline), (3) (pattern of misconduct), (6) (false or deceptive practices during investigation), (8) (harm to vulnerable victim), (9) (no restitution); M- (2) (no dishonest or selfish motive), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Bennett (2018)
Cited By	

OVERVIEW: Respondent failed to provide competent representation, engaged in dishonest conduct, made a false statement of fact to a tribunal, mishandled advanced fees, failed to inform clients she did not carry professional-liability insurance, and failed to respond to relator’s investigation.

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

FINDINGS: Respondent did not inform a client seeking judicial release, at the outset of representation, that he may be entitled to a full or partial refund of the fee and did not deposit the fee in her IOLTA. Once the required motion was drafted, she requested an additional payment to

file it, but never received the payment and never filed the motion. Respondent failed to respond to multiple requests from the client to communicate and failed to complete the legal work. In a second matter, Respondent was retained to assist a couple in the purchase of a home. After a home inspection, the parties agreed on sale terms and determined that Respondent would draft the necessary documents. At the time of the inspection, the seller believed she was self-represented, and that Respondent was acting as the buyers’ lawyer. Respondent claimed that she was not representing the buyers and was only present to notarize documents. After the inspection, Respondent drafted a half-page handwritten sales agreement that was signed by the parties. Issues later arose regarding the date of possession, proration of taxes, repairs, and appliances. After Respondent drafted and recorded the deed, she learned that the buyers stopped payment on the check because they were unsatisfied with the condition of the premises. Respondent then filed a forcible entry and detainer against the seller in municipal court. At the hearing, she showed two envelopes purportedly containing the checks to demonstrate to the court that the buyers had brought them to the hearing. She later acknowledged that she never gave the checks to the seller or the court. The court dismissed the case. The buyers filed a professional-malpractice action against Respondent.

SANCTION: The Supreme Court adopted the Board’s findings of fact, conclusions of law, and recommended sanction of a one-year suspension and ordered to pay restitution of \$250, serve a one-year of period of monitored probation upon reinstatement, and completed additional CLEs on law-office management and criminal law.

NOT PARTICIPATING: Justices Donnelly and Brunner

Sanction	One-year, stayed suspension
Court Modified Sanction	No
Rules Violated	1.8(j)
Aggravation/Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive), (8) (harm to vulnerable victim); M- (4) (cooperative attitude), (5) (good character), (8) (other rehabilitation)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	
Cited By	

OVERVIEW: Respondent received a one-year, stayed suspension for soliciting sexual activity from a client and sending her explicit and suggestive text messages.

PROCEDURE: Respondent initially did not respond to the complaint and a certification of default was filed. His subsequent objection to the default was sustained and he was regranted leave to answer. The Board adopted the panel’s findings of fact, conclusions of law, and recommended sanction of a one-year, stayed suspension. No objections were filed.

FINDINGS: Respondent agreed to represent a pro bono client in her pending divorce. After discussing details about a hearing to obtain a protection order, Respondent sent the client a series of lewd messages, told her about his sexual preferences, and asked her what sex positions she preferred. Respondent admitted that he sent the messages and later sent other messages soliciting a sexual relationship with the client. Over the following weeks, he continued to solicit sexual

activity including an offer to give the client a chest massage. He repeatedly called her “baby” and suggested she come to his residence. The client accused Respondent of ignoring her because she had rejected his sexual advances. The client filed a grievance alleging Respondent had made sexual advances, tried to sexually assault her, and consistently berated and swore at her. In response to Relator’s letter of inquiry, Respondent denied an attempt to commit sexual assault but admitted to engaging in “sexual wordplay” with the client.

SANCTION: The Supreme Court adopted the Board’s findings of fact, conclusions of law, and recommended sanction of a one-year suspension, fully stayed on condition that he refrain from further misconduct.

CONCURRING IN PART AND DISSENTING IN PART: Chief Justice Kennedy would have imposed a one-year suspension, with six months stayed in accordance with *Disciplinary Counsel v. Bunstine*.

NOT PARTICIPATING: Justice Brunner

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

OVERVIEW: Respondent received a two-year suspension, all stayed, stemming from his conviction on two separate counts of OVI, parole violations, and the dismissal of a case while he served as city law director.

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

FINDINGS: Respondent, an interim city law director, was arrested on suspicion of OVI after he was stopped by a deputy sheriff. A caller had observed Respondent veer off a road, strike a utility pole, and drive away from the scene. The investigating deputies observed an open beer can and whiskey bottle in the car, a piece of a utility pole protruding from a door and fender, a shattered window, and a missing passenger-side mirror. Respondent was charged with a first-degree misdemeanor OVI and a first-degree misdemeanor refusal to submit to chemical

testing. His driver’s license was administratively suspended for one year and he received limited driving privileges. Four months later, he was stopped while driving after a trooper ran his license plate and learned that the driver had limited driving privileges. The trooper observed the vehicle weaving in its lane and driving on the solid white line. Respondent refused to exit the vehicle and asked the trooper to call his parents. He eventually exited the car, failed a field sobriety test, and was arrested on suspicion of OVI. He was charged with three first-degree misdemeanor offenses and a probation violation from his earlier case to which he pleaded guilty. While interim city law director, Respondent was scheduled to prosecute a driving-under-suspension case. Ten minutes before the trial, Respondent telephoned the clerk, and through slurred speech, said that he planned to “call off” the police officer in the case. The clerk surmised that he wanted to dismiss the charges. However, the magistrate interpreted the call as a request for a continuance, denied the request, and dismissed the case for failure to prosecute. Respondent was later found intoxicated in his home by his probation officer. He pleaded guilty to a probation violation and was ordered to wear a SCRAM device.

SANCTION: The Supreme Court adopted the Board’s findings of fact, conclusions of law, and recommended sanction of a two-year, fully stayed suspension on conditions that he remain in compliance with his OLAP contract, complete three additional hours of CLE on alcoholism, substance abuse, or mental-health issues, comply with his court-ordered probation, and serve a two-year period of monitored probation, and engage in no further misconduct.

NOT PARTICIPATING: Justice Brunner

¹ The stayed suspension was later revoked and the full two-year suspension imposed.

Sanction	One-year, stayed suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(4), 1.15(a), 1.16(d), 1.16(e), 8.1(a)
Aggravation/Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive), (4) (multiple offenses), (6) (false or deceptive practices during investigation); M- (3) (restitution or rectified consequences), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	Fonda (2014); Crosser (2016)
Cited By	

of over one year, Respondent was sent several emails from the client regarding the status of the organization's legal matters. Respondent replied to some but not all of the emails and did not directly address the client's inquiries. On two occasions, Respondent did not answer or return the client's calls. Further attempts by the client to contact Respondent via email or text were unsuccessful. In response to a letter of inquiry from Relator, Respondent made a false representation that she had never informed the client that she was terminating the representation.

SANCTION: The Supreme Court adopted the parties' consent-to-discipline agreement, and imposed a one-year suspension, all stayed.

NOT PARTICIPATING: Justice Brunner

OVERVIEW: Respondent received a one-year stayed suspension for failing to complete work for a client and failing to comply with reasonable requests for information.

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

FINDINGS: Respondent was retained to serve as legal counsel for Luke 3:11 Ministries, a nonprofit organization. The retention agreement provided that Respondent would be paid \$500 for each month of a six-month period. Respondent was emailed several legal documents for review and corrections. She did not reply or acknowledge receipt of the email until the client followed up with a second email. During a period

Sanction	Disbarment
Court Modified Sanction	Yes
Rules Violated	8.4(b), 8.4(h)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Polizzi (2021); Williams (2011); Ostheimer (1995)
Cited By	

OVERVIEW: Respondent was permanently disbarred for misconduct arising from her felony conviction for unlawful sexual conduct with a minor.

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

FINDINGS: Respondent was convicted of a third-degree felony for unlawful sexual conduct with a minor. She was sentenced to a 30-month prison term, ordered to serve a five-year mandatory term of post-release control, and classified as a Tier II sex offender. The conviction arose from a report from boyfriend’s daughter that she had been molested by Respondent and her father. Some of the sexual abuse occurred with Respondent watching or participating in the

[Table of Cases](#) [Index](#)

activity. The daughter described Respondent’s actions as those of a “monster.” Respondent continued her relationship with the daughter’s father for two years after the daughter reported the abuse. Respondent admitted at hearing that she had engaged in the illegal conduct that was described in the stipulations.

SANCTION: The Supreme Court adopted the Board’s findings of fact and conclusions of law but permanently disbarred the Respondent.

CONCURRING WITH OPINION: Justice Donnelly

CONCURRING IN JUDGMENT ONLY: Justice Stewart

NOT PARTICIPATING: Justice Brunner

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	8.4(b) , 8.4(h)
Aggravation/Mitigation	A- (3) (pattern of misconduct), (4) (multiple offenses), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Lindner (2011)
Cited By	

OVERVIEW: Respondent was indefinitely suspended for misconduct arising out of his misdemeanor convictions for assault, disorderly conduct, telecommunications harassment, and menacing.

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

FINDINGS: Respondent contacted the mother of a former client, L.T., and asked her to come to his home. She refused, but he later arrived at her home at her invitation visibly intoxicated. Respondent then made several inappropriate and sexually charged comments about L.T.’s 13-year-old-daughter. She asked him to leave, but he refused, leading to a physical struggle when L.T. attempted to call 9-1-1. Respondent was found guilty of disorderly conduct. Respondent later had a physical altercation with his wife and was found guilty of disorderly conduct. Charges were also brought against Respondent for domestic violence and child endangering related to an October 2002 incident when he grabbed his 8-

year-old daughter by the neck, leaving her unable to breathe, to which Respondent pleaded no contest to an amended charge of disorderly conduct. Respondent was also found guilty of telecommunication-harassments counts related to Facebook posts concerning his wife and pleaded guilty to menacing for making public threats on Facebook against the lawyer representing the mother of his daughters. The threats followed the filing of a motion filed by the lawyer in a custody matter indicating that Respondent was making threats of violence toward the children’s mother and stepfather. In the lawyer’s police report, she indicated that she believed that Respondent posed a “legitimate threat to her personal safety.” During the disciplinary hearing, Respondent offered alternative explanations for the charges filed against him and placed blame for his convictions on the victims of this acts, the court, or his counsel. The panel found Respondent an “arrogant, trying, taxing, and exasperating” witness. He replied to a question from his own counsel with the observation that “[t]he law is lesser because I’m not a part of it now.”

SANCTION: The Supreme Court adopted the Board’s findings of fact and conclusions of law and recommendation to indefinitely suspend respondent with no credit served under his interim felony suspension. Reinstatement was conditioned on a psychological or psychiatric evaluation, no more than three months before the filing of a petition for reinstatement; compliance with treatment recommendations; a prognosis that he can return to the competent, ethical, and professional practice of law; a sustained period of treatment; and proof of Respondent’s compliance with the conditions of his probation imposed in the criminal cases.

NOT PARTICIPATING: Justice Brunner

Sanction	One-year suspension
Court Modified Sanction	No
Rules Violated	8.4(d), 8.4(h)
Aggravation/Mitigation	A- none; M- (1) (no prior discipline), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Bailey (2020); Howard (2009); Strauss (2021); West (1995)
Cited By	

OVERVIEW: Respondent was suspended for one year for misconduct arising from a standoff with law enforcement, an OMVI conviction, and the interruption of court proceedings.

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

FINDINGS: Local police received a tip warning that Respondent was armed and suicidal. When contacted, Respondent indicated that he had a gun and bullets in the chamber and that he would not allow police into his home. Respondent had calmed down when the police reached his home. Later, police learned that Respondent was driving to West Point Military Academy, possibly to commit suicide, and police issued a law-enforcement bulletin that he was armed and intoxicated. Respondent voluntarily turned around and began to drive home after talking to his brother by phone. Law enforcement intercepted him and ordered him to get of his vehicle, which he refused to do for 24 minutes, informing them that he had a loaded firearm and

telling them to shoot him. He was later taken into custody and transported to a hospital for an emergency mental-health violation. He was indicted for improperly handling a firearm in a motor vehicle and an OVI. He pleaded guilty to both charges and received intervention in lieu of conviction in the improper-handling case. He was sentenced to three days of incarceration or a 72-hour driver-intervention program and 12 months of community control. In another matter, Respondent's wife filed a petition for divorce. Respondent became highly agitated during a hearing before a magistrate and the hearing was suspended due to concerns that Respondent was incompetent to proceed or could have a mental-health crisis if the hearing proceeded. During the disciplinary hearing, Respondent had several irrational and irrelevant outbursts.

SANCTION: The Supreme Court adopted the Board's findings of fact and conclusions of law and recommendation to suspend him for one year. Reinstatement was conditioned on his completion of the intervention-in-lieu of conviction program; having no pending criminal matters; completion of three hours of additional CLE focused on alcoholism, substance abuse, and mental-health issues; completion of an OLAP evaluation and compliance with any treatment recommendations; and documentation from a qualified healthcare professional certifying that he does not suffer from a mental or substance-use disorder that would impair his ability to practice law and that he is able to return to the competent, ethical, and professional practice of law.

NOT PARTICIPATING: Justice Brunner

Sanction	Eighteen-month suspension, six months stayed
Court Modified Sanction	Yes
Rules Violated	JCR 1.2, 2.2, 2.3(B), Prof.Cond.R. 8.4(d)
Aggravation/Mitigation	A- (3) (pattern of misconduct), (4) (multiple offenses), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character).
Criminal Conduct	No
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Bachman (2020); Medley (2004)
Cited By	

OVERVIEW: Respondent was suspended for eighteen months with six months stayed for 64 rule violations based on his methods of collecting fines and court costs from 16 municipal-court defendants that resulted in two defendants being wrongfully incarcerated and 14 defendants coerced into paying fines and costs under unlawful threats of incarceration.

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

FINDINGS: In sixteen different matters, Respondent engaged in a range of misconduct including threatening to incarcerate defendants for non-jailable offenses, ignoring Ohio law, not segregating fines and costs as required by law, not affording defendants procedural due process, failing to engage defendants about their right to

counsel, not holding a discussion with defendants about that ability to pay fines, and improperly threatening or holding defendants in jail until fines and costs were paid directly or through a \$50 credit for each day held in custody. In a majority of the matters, he acted with indifference to defendants or exhibited bias or prejudice on the basis of the socioeconomic status or race of the defendants. Some of Respondent's conduct ignored the application of the law, and on one occasion when he later discovered that a defendant had been unlawfully jailed, he failed to admit the mistake. In another matter, Respondent failed to follow Crim R. 46 by setting a bond based upon a defendant's ability to pay outstanding fines and costs.

SANCTION: The Supreme Court adopted the Board's findings of fact, conclusions of law, but imposed an eighteen-month suspension fully stayed suspension. Pursuant to Gov.Jud.R. III(7)(A), Respondent was immediately suspended from judicial office without pay for the duration of the suspension.

CONCURRING IN JUDGMENT ONLY:
Justice DeWine

NOT PARTICIPATING: Justice Brunner

Sanction	One year, stayed suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.15(c), 1.16(e), 8.1(a)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (4) (multiple offenses), (5) (lack of cooperation), (6) (false or deceptive practices during investigation), (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim), (9) (no restitution); M- (1) (no prior discipline), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Ferfolia (2022); Mariotti (2019); Kendrick (2016); Devanney (2021)
Cited By	

OVERVIEW: Respondent received a one-year suspension, fully stayed, for accepting a client’s retainer and failing to perform any work, failing to deposit the retainer in her IOLTA, failing to refund the retainer upon representation, and submitting false statements to Relator during the ensuing disciplinary investigation.

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

FINDINGS: Respondent was retained by Tina

Preece to represent her in a custody matter involving her daughter and granddaughter and accepted a \$200 cash retainer. Respondent did not obtain any contact information, but only obtained the Preece’s name and her daughter’s last name. She wrote the name “Tina” on a file folder, clipped the cash to the folder and put the folder in a desk drawer. Preece called Respondent after receiving notice of an April 5 hearing in juvenile court, left a voicemail, but Respondent never returned her call. Respondent did not appear for the April 5 hearing. Preece later went to Kaiser’s office and requested a refund of her \$200 payment. Respondent refused to refund the money, acknowledged she had received the retainer, but denied that she had received a call and then claimed that she had returned the call. When responding to a letter of inquiry from Relator, Respondent stated that she found no record of “the name Tina Preece” and that she was unaware of any communication from her. She responded to a second letter of inquiry, and stated that she had never represented Preece, had not been paid \$200, and that Preece had not appeared in her office.

SANCTION: The Supreme Court adopted the Board’s findings of fact, conclusions of law, and recommended sanction of a one-year, stayed suspension on conditions that she complete six hours of CLE focused on law-office management within 90 days of the Court’s order and commit no further misconduct.

CONCURRING IN PART AND DISSENTING IN PART: Chief Justice Kennedy

NOT PARTICIPATING: Justice Brunner

Sanction	Six-month, stayed suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.15(b), 1.15(c), 1.15(d), 1.16(d)
Aggravation/Mitigation	A- (3) (pattern of misconduct), (4) (multiple offenses); M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (3)(restitution or rectified consequences), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Malvasi (2015); Wilcoxson (2018); Hooks (2014)' Driftmyer (2018)
Cited By	

OVERVIEW: Respondent received a six-month, stayed suspension for failing to deposit into his IOLTA legal fees and expenses to be withdrawn only as fees are earned or expenses incurred.

PROCEDURE: The panel rejected a consent-to-discipline agreement and the parties subsequently entered into stipulations of fact and misconduct. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of a fully stayed, six-month suspension.

FINDINGS: Respondent was retained by Pamela Pratt to manage the administration of her mother's estate. Respondent did not have Pratt sign a retention or fee agreement and Pratt agreed to pay an initial \$400 for the representation primarily focused on obtaining access to Pratt's mother's safety-deposit box. A subsequent \$850

was later paid by Pratt to prepare a deed and to file paperwork for the client's appointment as the executor of the estate. During a meeting with Pratt to sign paperwork, Respondent informed her that he was travelling to Florida and would be back on a date certain. Pratt later received a call from the probate court that the paperwork to appoint her as commissioner had been received but the fees included in the paperwork were insufficient. Pratt attempted to contact Respondent, learned that his phone number had changed, and found that his office had been "cleared out". Pratt later contacted the police department for assistance since she was unable to reach Respondent and was concerned for his well-being. Unbeknownst to the Pratt, Respondent had begun a full-time position as the mediation supervision in the common pleas court. Respondent's conduct delayed the administration of the estate, causing Pratt to incur more expenses for property taxes and the upkeep of the decedent's residence and she retained new counsel. Respondent returned to private practice and several months later returned Pratt's fees. In another matter, Respondent agreed to represent a client in divorce action, was paid a \$1,000 retainer, but did not deposit it in his IOLTA. Relator's investigation revealed issues with his IOLTA including the failure to deposit client fees, a deposit of proceeds from the sale of his residence, and the lack of any record for the checks written from or deposited in his IOLTA.

SANCTION: The Supreme Court adopted the Board's findings of fact, conclusions of law, and recommended sanction of a six-month, stayed suspension on conditions that Respondent complete six hours of CLE focused on law-office management and trust account management, and serve a one-year period of monitored probation focused on law-practice and trust account management.

NOT PARTICIPATING: Justice Brunner

Sanction	Two-year suspension
Court Modified Sanction	No
Rules Violated	8.4(h)
Aggravation/Mitigation	A- (4) (multiple offenses); M- (1) (no prior discipline), (2) (no dishonest or selfish motive), consequences), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions), (8) (other rehabilitation)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent was suspended for two years, with credit for time served under an interim felony suspension, for misconduct stemming from felony convictions for aggravated assault and inducing panic.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of a two-year suspension with credit for time served under Respondent's interim felony suspension. No objections were filed.

FINDINGS: Respondent, his girlfriend, and a group of female friends were at a bar where he became intoxicated, aggravated, and belligerent. When the group decided to leave the bar, Respondent walked off from the group. When approached by two members of the group to convince him to leave with them, Respondent assaulted one of them and attempted to kick the other. The rest of the group left the bar without

Respondent. The women returned to Respondent's home and removed guns that he kept in the house. Respondent returned home, became enraged smashed a bottle, and threw miscellaneous items around the house. A melee ensued and one of the women grabbed a knife and stabbed Respondent. The women left the house and were pursued by Respondent with a gun. When he caught his girlfriend and another woman, he pointed the gun at them and held them at point-blank range. When he attempted to grab and kick the women, he lost his footing, fell, and fired one shot into the air and returned home. A SWAT team was summoned and Respondent held himself in his home for several hours until gas canisters were thrown through the windows of his home. Respondent was later charged and pleaded guilty to several felony and misdemeanor counts including aggravated assault, domestic violence, and inducing panic. He was placed on three years of community control and ordered to not contact the women, other than his girlfriend.

SANCTION: The Supreme Court adopted the Board's findings of fact, conclusions of law, and recommended sanction of a two-year suspension, with credit for time served. Respondent's reinstatement was conditioned on his compliance with his judgement entry of sentence in the criminal case, compliance with his three years of community control, compliance with his three-year OLAP contract, compliance with any treatment recommendations of mental-health professionals, and proof from a qualified healthcare professional to a reasonable degree of psychological certainty, that Respondent can return to the competent, ethical, and professional practice of law.

CONCURRING IN PART AND DISSENTING IN PART: Chief Justice Kennedy would not have awarded credit for time served under the interim felony suspension.

Sanction	Six-month, stayed suspension
Court Modified Sanction	No
Rules Violated	1.4(a)(3), 3.3(a)(1), 8.4(c)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (4) (multiple offenses); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Fowerbaugh (1996); Markijohn (2003)
Cited By	

OVERVIEW: Respondent received a six-month, stayed suspension for forging the signatures of five people on a waiver of partial accounting and forging the signature of the fiduciary on a separate waiver of a partial account in a second case.

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

FINDINGS: Respondent was retained by Sandra Billec to handle the estate of her sister-in-law who died intestate in November 2018. Under Ohio law, the decedent's husband was the sole heir. Following the death of the sister-in-law, Respondent prepared a will for the husband, naming his four nephews as equal beneficiaries. The husband later died in April 2019 and Respondent spent two years identifying the assets of both estates. The probate court began to send notices to the fiduciary and Respondent that the estate's inventories were delinquent, then later

that the fiduciary's accounts and status reports were also delinquent. Notices of a hearing to file status reports and orders to appear and show cause were issued by the probate court. Three days before a hearing date, Respondent filed waivers of partial accounts purportedly signed by Billec as fiduciary. In addition, the waiver in the other estate was purportedly signed by the four beneficiaries of the estate. Respondent had signed the names of the fiduciary and beneficiaries without their knowledge or consent. Once the waivers were filed, the probate court issued an entry in each cases withdrawing the citations to appear and show cause. Billec later discovered the forgeries and sent Respondent a letter terminating the representation. He received no fee for the services he provided for either estate.

SANCTION: The Supreme Court adopted the Board's findings of fact, conclusions of law, and recommended sanction of a six-month, stayed suspension on condition that he commit no further misconduct.

CONCURRING IN PART AND DISSENTING IN PART: Chief Justice Kennedy would have imposed a fully stayed one-year suspension. Justices DeWine and Deters would have imposed a public reprimand.

NOT PARTICIPATING: Justice Brunner

Sanction	One-year, stayed suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(1), 1.4(a)(2), 1.4(a)(3), 1.4(a)(4), 8.4(c).
Aggravation/Mitigation	A- (4) (multiple offenses); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character), (7) (disorder)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Fowerbaugh (1995); Macala (2024); Markijohn (2003)
Cited By	

OVERVIEW: Respondent a one-year, stayed suspension for failing to communicate with a client and for his false representation to a government agency that another partner in his firm was representing a client.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of a one-year, stayed suspension. The parties jointly waived objections to the Board's findings and recommendations.

FINDINGS: Respondent was retained by a couple to sue a contractor, who never performed any work on a remodel of their home despite receiving partial payment. The defendant filed an answer and counterclaim. Without consulting with his clients, he moved for a 60-day extension of all deadlines and a jury trial was rescheduled for April 25, 2002. When asked for an update on the case, Respondent told his clients that the trial had been scheduled for February 22, 2022 and

that he expected the court would continue the case. He later informed the clients about the rescheduling of the trial from March to April. Opposing counsel requested a joint dismissal of the case without prejudice, to which Respondent agreed without obtaining consent from his clients. He later told the clients that the case was on hold. In another matter, Respondent was hired by a client to sue a company for damaging his windows on a home being built in Michigan. Another lawyer in Respondent's firm, Kathryn Hickner, admitted in Michigan, filed the lawsuit. The same client contacted Respondent about a lawsuit the Michigan liquor control commission had filed against his company. Respondent then requested a copy of the violation report from the commission. The commission staff asked him whether he was licensed in Michigan and explained that it could only release the report to a Michigan-licensed lawyer or authorized signer. Respondent directed his staff to send a letter to the commission using Hickner's information and signature without first obtaining her approval. The commission later entered a notice of appearance for Hickner as counsel for the client. The client contacted Hickner to inform her that he was being represented by another lawyer.

SANCTION: The Supreme Court adopted the Board's findings of fact, conclusions of law, and recommended sanction of a one-year, stayed suspension on conditions that he engage in no further misconduct and submit to Relator quarterly reports from his doctor regarding his compliance with healthcare recommendations.

NOT PARTICIPATING: Justice Brunner

Sanction	One-year, stayed suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(1), 1.4(a)(3), 1.4(a)(4), 1.16(d), 8.1(a), 8.4(c), 8.4(d)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (4) (multiple offenses), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Fowerbaugh (1996); Markijohn (2003); Davis (2022)
Cited By	

OVERVIEW: Respondent received a one-year, stayed suspension for misconduct arising from his failure to communicate with a client, his failure to prosecute the client's case, and misrepresentations he made to opposing counsel and his client.

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

FINDINGS: Respondent was retained by a client to represent her in negotiations with an insurance company following a motorcycle accident. Respondent did not respond to requests from State Farm insurance for additional documentation and failed to respond to multiple emails from the client or a letter sent by State

[Table of Cases](#)

[Index](#)

Farm inquiring about the status of the claim. Respondent ultimately filed a lawsuit against the driver of the motorcycle accident, her husband, who was insured by State Farm. Respondent did not seek the client's approval before filing the complaint and falsely claimed that he was waiting for the insurance company to respond after he received more inquiries from the client. After the answer was filed, Respondent never responded to discovery requests nor a motion to compel that was later filed. Respondent voluntarily dismissed his client's complaint and did not respond to additional questions from the client or inform her that the complaint had been dismissed. The complaint was refiled and a notice of deposition was filed to take the deposition of Respondent's client. The deposition was held but Respondent did not prepare the client. A motion for summary judgment was filed by the defendant that was unopposed by Respondent and the complaint was dismissed with prejudice. The client later discovered the dismissal after checking the court's online docket and informed Respondent that she wished to appeal. When the client was finally able to contact Respondent, he falsely informed her that the complaint had been dismissed because her deposition conflicted with the police report. During the four years of representation, Respondent did not conduct any discovery, interview any witnesses, nor make a settlement demand.

SANCTION: The Supreme Court adopted the Board's findings of fact, conclusions of law, and recommended sanction of a one-year stayed suspension on condition that he remain in compliance with his two-year OLAP contract and refrain from further misconduct.

NOT PARTICIPATING: Justice Brunner

Sanction	Two-year suspension, one year stayed
Court Modified Sanction	No
Rules Violated	8.4(b), 8.4(h)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (4) (cooperative attitude), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Carter (2023)
Cited By	

OVERVIEW: Respondent was suspended for two years with one year stayed for misconduct stemming from an underlying criminal conviction for misdemeanor assault and furnishing alcohol to an underage person.

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

FINDINGS: Respondent pleaded guilty to two counts of furnishing alcohol to underage persons and one count of assault. The assault conviction was amended from an original charge of sexual imposition. He was sentenced to a 180-day suspended jail term, 12 months of community control, fined, required to pay court costs, and ordered to have no contact with two minors. Respondent had furnished alcohol to his underage stepdaughter, T.B., and two of her underage

friends, C.P. and B.R. He provided the alcohol throughout the night, played drinking games, which resulted in two of the minors, C.P. and B.R., becoming ill. C.P. went to a basement bathroom and was attended by Respondent. C.P. testified that Respondent pulled her "into his lap", started touching her over her clothes on the vagina, thighs, breasts, and arms, and said, "All the dirty things I could do to you right now." His stepdaughter regularly checked on C.P. and always found the bathroom door closed, even though she left it open each time she left. When the stepdaughter and Respondent moved C.P. to a couch, he placed his hands on her breasts. Several months after the incident, T.B. told her mother what had occurred. T.B., C.P., and B.R. later made statements to a deputy sheriff. C.P. was asked by the deputy to place a recorded telephone call to Respondent at which time she accused Respondent of getting her "wasted" and touching her. Respondent did not deny the accusations during the phone call.

SANCTION: The Supreme Court adopted the Board's findings of fact, conclusions of law, and recommended sanction of two years with one year stayed on the condition that he engage in no further misconduct. In addition to the requirements for reinstatement, Respondent was ordered to provide proof that he had submitted to an alcohol assessment conducted by OLAP or a qualified chemical-dependency professional and that he had completed any OLAP contract and/or treatment recommendations arising from the evaluation.

CONCURRING WITH OPINION: Justice Donnelly

CONCURRING IN PART AND DISSENTING IN PART: Chief Justice Kennedy and Justice Deters

NOT PARTICIPATING: Justice Brunner

Sanction	Disbarment
Court Modified Sanction	No
Rules Violated	1.1, 1.5(a), 1.7(a)(2), 1.8, 1.15(a), 1.16(e), 3.3(a)(1), 8.4(c), 8.4(d), 8.4(h)
Aggravation/Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses),(5) (lack of cooperation), (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim), (9) (no restitution); M- none
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	Kafantaris (2009); Magee (2018)
Cited By	

OVERVIEW: Respondent was permanently disbarred for misappropriating client funds, falsifying bank records, making false statements to a tribunal, charging excessive fees, representing a client with an impermissible conflict of interest, and failing to provide competent representation.

PROCEDURE: Respondent failed to answer Relator’s complaint, and an interim default suspension was imposed by the Court. The case was remanded to the Board. The Board adopted the commissioner’s findings of fact, conclusions of law, and recommended sanction of permanent disbarment.

FINDINGS: While acting as the appointed

[Table of Cases](#)

[Index](#)

administrator for an estate, Respondent wrote 15 checks and executed 18 wire transfers to himself, withdrew \$40,000 in cash, and made multiple transfers to another estate. He later fabricated bank records to conceal his misappropriation. In another matter, as estate administrator, he hired a company owned by his wife to clean the estate’s primary asset of real property. The property was later sold for \$21,600 to another company formed by his wife and then sold by the company for \$195,000 before a motion was made for the court to approve the appraisal and order the sale. Respondent was removed as administrator of the estate. In a different matter, Respondent was retained to locate and protect inheritances for a client’s aunt. Respondent found \$28,885.13 in inheritances and intended to put that money in a trust, but the aunt died before the trust was formed. Respondent used the money to pay funeral expenses, but falsely represented to the client and Relator the amount that he paid. Respondent kept the remaining balance which was \$437.88 after deducting \$14,346 for billed legal work. In a fourth matter, Respondent was retained to create a Medicaid asset protection trust. A month passed without any progress and the client terminated the representation. Respondent did not refund any portion of the \$9,400 fee.

SANCTION: The Supreme Court adopted the Board’s findings of fact, conclusions of law, and recommended sanction of permanent disbarment and ordered Respondent to make restitution within 90 days to two estates in the amounts of \$4,857.88 and \$9,400, respectively.

NOT PARTICIPATING: Justice Brunner

Sanction	Disbarment
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 1.15(c), 1.16(d), 1.16(e), 3.3(a)(1), 3.4(d), 8.1(a), 8.1(b), 8.4(c), 8.4(d)
Aggravation/ Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses),(5) (lack of cooperation), (6) (false or deceptive practices during investigation), (8) (harm to vulnerable victim), (9) (no restitution); M- none
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Fernandez (2018); Large (2018); Rutherford (2018); Marshall (2009)
Cited By	

OVERVIEW: Respondent was permanently disbarred for 30 rule violations arising from her mishandling of four different client matters.

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

FINDINGS: Respondent was appointed as appellate counsel to appeal the convictions of a client but failed to file a timely notice of appeal. She falsely represented to the client that an appeal had been filed. In another matter, Respondent

was hired to handle a child custody matter and did not deposit cash payments from the client in her IOLTA. She performed no legal work and failed to respond to the client’s inquiries about the status of the case. In a third matter, Respondent was retained to represent a client and her business in a civil lawsuit filed by three former employees seeking damages for unpaid wages. Respondent accepted attorney fees totaling \$8,100 that were not deposited in an IOLTA. Respondent did not file a motion to dismiss or respond to discovery requests. Based on subsequent motions filed by the plaintiffs, the defendants and Respondent were ordered to pay sanctions and attorney fees. Respondent filed a late response to a motion for summary judgment and the plaintiffs were awarded \$268,802.72 in damages and were later awarded attorney fees and costs. Respondent did not inform her clients of the judgment or the award of attorney fees and costs. A malpractice action was successfully pursued against Respondent by her client. It was determined by the hearing panel that Respondent had lied to the trial court about an affidavit that she claimed had been filed. In a final matter, Respondent nor her client appeared at a divorce trial, having falsely told her client that the trial had been “kicked.” The client later learned that a judgment entry of divorce had been filed when she received a letter from her husband’s lawyer with a quitclaim deed that had been filed pursuant to the court’s entry.

SANCTION: The Supreme Court adopted the Board’s findings of fact, conclusions of law, and recommended sanction of permanent disbarment and ordered her to make restitution of \$1,500 to one client.

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

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	8.4(b) , 8.4(e) , 8.4(h)
Aggravation/Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive); M- (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Sciortino (2018); Johnson (2002)
Cited By	

undercover source to open and operate an internet café. Respondent did not deposit the money nor list the money on his campaign-finance report. Respondent was indicted and pleaded guilty to one count of Hobbs Act extortion under color of official right in exchange for the dismissal of other counts. He was sentenced to 24 months in prison, one year of supervised release, and a \$100 special assessment.

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

NOT PARTICIPATING: Justice Brunner

OVERVIEW: Respondent received an indefinite suspension with no credit for time served stemming from his conviction for Hobbs Act extortion under color of official right.

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

FINDINGS: Respondent served as a member of the Toledo City Council and often considered and voted on zoning changes and special-use permits for local business. Between April 2019 and February 2020, he voted on five requests for zoning and special-use permits for Toledo businesses in exchange for money or meals from an interested party that exceeded \$5000 in value. After an undercover law enforcement source applied for use special-use permit, Respondent called the source and said that he needed to raise \$5,000. The source and Respondent met on three occasions, with Respondent taking the funds as a “no interest” loan with repayment due by the end of 2024. Several months later, Respondent voted in favor of granting a special use permit for the

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	8.3(a), 8.4(h)
Aggravation/Mitigation	A- (1) (prior discipline), (4) (multiple offenses); M- (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	
Cited By	

OVERVIEW: Respondent was indefinitely suspended for failing to self-report his felony conviction for maintaining a drug premises in violation of federal law.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of an indefinite suspension with credit for time served under his interim felony suspension. A joint waiver of objections to the Board's report was filed with the Court.

FINDINGS: Respondent provided relator with a draft of a petition for reinstatement from his 2009 indefinite suspension. He disclosed in the petition for the first time that he had been convicted of a felony drug offense in April 2022. He pleaded guilty to a single count of maintaining a drug premises in violation of 21 USC 856(a)(1), was sentenced to a three-year term of probation and ordered to pay a special assessment of \$100. The conviction followed an investigation of people who were manufacturing and distributing crack cocaine. He admitted during the hearing that he had purchased and used crack cocaine for eight

years. He testified that he participated in two Narcotic Anonymous groups and entered into a two-year OLAP contract.

SANCTION: The Supreme Court adopted the Board's findings of fact, conclusions of law, and recommended sanction of an indefinite suspension with credit for time served under the interim felony suspension. In addition to the requirements of Gov.Bar R. V(25), Respondent's reinstatement was conditioned on proof that he had continued to participate in Narcotics Anonymous and complied with his February 2023 OLAP contract.

CONCURRING IN PART AND DISSENTING IN PART: Chief Justice Kennedy and Justice Fischer would not have awarded credit for time served under the interim felony suspension.

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	8.4(b) , 8.4(c)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (4) (multiple offenses); M- (1) (no prior discipline), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions), (8) (other rehabilitation)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	George (2020); King (2019)
Cited By	

pay a special assessment of \$400.00 and restitution in the amount of \$569,938.81. Respondent did not appeal his convictions. Respondent testified at the disciplinary hearing that his role was limited to registering one of the fictitious businesses in Ohio.

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

CONCURRING IN PART AND DISSENTING IN PART: Chief Justice Kennedy and Justice Fischer would not have granted credit for time served under the felony suspension.

NOT PARTICIPATING: Justice Brunner

OVERVIEW: Respondent was indefinitely suspended with credit for time served for misconduct arising from felony convictions related to involvement in a scheme to obtain fraudulent federal-income tax refunds.

PROCEDURE: The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of an indefinite suspension with credit for time served. A joint waiver of objections to the Board's report was filed with the Court.

FINDINGS: Respondent and codefendants created fictitious business entities and trusts, prepared and filed federal and estate tax returns falsely reported large tax withholdings, and received tax-refund checks to which they were not entitled. After a second jury trial, Respondent was convicted of some of the original charges, sentenced to 52 months' imprisonment and three years of post-release supervision, and ordered to

Sanction	One year, stayed suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(b), 4.1(a), 8.4(c)
Aggravation/Mitigation	A- (1) (prior discipline), (3) (pattern of misconduct); M-(3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Arkow (2022); Bulson (2023); Fowerbaugh (1995)
Cited By	

OVERVIEW: Respondent received a one-year, stayed suspension for neglecting two client matters and failing to reasonably communicate with the clients.

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

FINDINGS: Respondent was retained to represent the wife in a divorce. A fee agreement was executed that limited the representation to securing the divorce decree and did not include post-decree work. The decree awarded Respondent’s client with one half of the marital portion of her husband’s interest in his OPERS account. The client’s access to the account required the court to enter a division of property order (“DOPO”). Respondent did not complete

the DOPO after a separate representation was agreed upon with the client. Respondent neglected the matter for two and a half years. The client filed a grievance, but later withdrew it, after she was under the impression that Respondent could not continue to represent her unless the grievance was withdrawn. Respondent filed a motion addressing the DOPO, but as of April 2024, it was still pending before the domestic relations court. During the ensuing disciplinary investigation, Respondent refused to produce documents related to the representation. Respondent asked the client to update her letter to the Relator to include a line that she did not want to waive privilege. The client was led to believe that her refusal to waive privilege was needed to “withdraw the complaint”.

SANCTION: The Supreme Court adopted the Board’s findings of fact, conclusions of law, and recommended sanction of a one-year, stayed suspension on conditions that she serve a one-year period of monitored probation focused on law-practice management, completed 12 additional hours of CLE focused on law-practice management and/or law-office technology within one year of the disciplinary order, and engage in no further misconduct.

NOT PARTICIPATING: Justice Brunner

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	8.4(d)
Aggravation/Mitigation	A- none; M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Bulson (2022)
Cited By	

the activity disrupted the court proceedings. Respondent admitted his past alcohol abuse. The judges explained they would report their discussion to relator and to expect to be referred to OLAP.

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

NOT PARTICIPATING: Justice Brunner

OVERVIEW: Respondent was publicly reprimanded for reports from court staff that he smelled of alcohol and acted erratically and allegations that he had disrupted court proceedings.

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

FINDINGS: Respondent entered a courtroom during an oral probable cause hearing through a rear door with permission from the bailiff. Upon entering the courtroom, Respondent dropped a stack of documents. On the same afternoon, Respondent entered the courtroom through a public entrance and spoke with an assistant prosecutor. He later entered and exited the courtroom through a restricted rear door on two occasions, causing the door to "click" each time. The next day, the judge and a colleague met with Respondent to discuss reports from court staff that he "smelled of alcohol and was acting erratically." There was no indication that any of

Sanction	Two-year suspension, eighteen months stayed
Court Modified Sanction	Yes
Rules Violated	1.15(a), 1.15(a)(2), 1.15(a)(5), 1.15(d), 1.4(c), 1.5(c)(1), 8.4(c)
Aggravation/Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses); M- (3) (restitution or rectified consequences), (4) (cooperative attitude), (5) (good character), (7) (disorder)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	
Cited By	

OVERVIEW: Respondent was suspended for two years with eighteen months stayed for misappropriating client funds, failing to maintain trust-account records, failing to reduce a contingent fee agreement to writing, and failing to inform a client of his lack of professional-liability insurance.

PROCEDURE: The parties' consent-to-discipline agreement was rejected by the hearing panel. The Board adopted the panel's recommended findings of fact, conclusions of law, and recommended sanction of a two-year suspension. The parties waived oral argument.

FINDINGS: Respondent agreed to settle a client's claim for \$12,000, deposited the check

[Table of Cases](#)

[Index](#)

into his IOLTA, and sent a settlement statement showing deductions for his fees and expense. The client disputed \$1,000 of his fee, but Respondent did not give any portion of the proceeds to the client for a period of more than two years. Respondent waived his fee and gave the client the full settlement. During the time he held the funds in his IOLTA, the account had dropped below the undisputed amount he owed the client. Respondent was charged with grand theft and pleaded guilty. He admitted that he spent the client's funds on his own personal and business expenses. Respondent frequently referred personal-injury clients to a medical center and executed medical liens on behalf of his clients. Instead of paying the liens for four clients, he paid the clients their share of the settlement proceeds. Respondent failed to obtain written consent for a contingent-fee agreement in one matter and failed to disclose that he did not carry malpractice insurance.

SANCTION: The Supreme Court adopted the Board's findings of fact, conclusions of law, but imposed a two-year suspension with eighteen months stayed. Respondent was ordered to complete six hours of CLE focused on law-office and client-trust-account management in addition to the requirements of Gov.Bar R. X and serve an 18-month period of monitored probation.

NOT PARTICIPATING: Justice Brunner

Sanction	One-year suspension, six-months stayed
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(2), 1.4(a)(3), 1.4(a)(4), 1.4(c), 1.15(a)
Aggravation/Mitigation	A- (1) (prior discipline), (4) (multiple offenses); (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim), (9) (no restitution); M- (2) (no dishonest or selfish motive)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	Sabol (2008); Weir (2019); Johnson (2010)
Cited By	

OVERVIEW: Respondent received a one-year suspension with six months stayed for neglecting a single client matter, failing to reasonably communicate with the client, and failing to inform the client that he did not maintain professional-liability insurance.

PROCEDURE: Respondent failed to initially answer the complaint. After Respondent timely answered the Court's show cause order, the matter was remanded to the Board. The Board adopted the panel's findings of fact, conclusions of law, and recommended sanction of a one-year suspension with six months stayed.

FINDINGS: In one client matter, Respondent was retained to assist with the administration of an estate. Respondent was paid a retainer of \$1,500 using an electronic-payment application

that deposited the payment into one of two operating accounts maintained by Respondent. An application to administer the estate was filed without a bond causing the letters of appointment to not be issued until the bond was filed. Multiple delinquency notices and orders were issued for Respondent and his client to appear before the probate court. Respondent did not meet an extended deadline for filing the final account. The client hired new counsel. In a second matter Respondent was hired to represent a client who suffered a fall at a department store. An offer to settle was made but rejected by the client. A timely complaint was not filed on behalf of the client.

SANCTION: The Supreme Court adopted the Board's findings of fact, conclusions of law and recommended sanction of a one-year suspension with six months stayed. Respondent's reinstatement to the practice of law was conditioned on proof that he had completed six hours of CLE focused on law-office management, in addition to the requirements of Gov.Bar R. X(2), completed a client-trust-account training program, submitted to an assessment conducted by OLAP, and complied with any treatment recommendations. Upon reinstatement the Respondent was required to serve a one-year period of monitored probation focused on law-office management and compliance with client-trust-account regulations.

NOT PARTICIPATING: Justice Brunner

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	3.3(a)(1)
Aggravation/Mitigation	A- none; M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5)(good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Hoague (2020); Agopian (2006); Thomas (2010)
Cited By	

Respondent. Respondent later accepted unsolicited payments from the client for future work outside of the court appointments. The payments were returned after Relator initiated the grievance investigation.

SANCTION: The Supreme Court adopted the parties' consent-to-discipline agreement and publicly reprimanded Respondent. The Court ordered that Respondent reimburse the Lawyer's Fund for Client Protection within 90 days for any award made against Respondent.

DISSENTING: Chief Justice Kennedy would have rejected the agreement and remanded the matter to the Board.

NOT PARTICIPATING: Justices Donnelly and Brunner

OVERVIEW: Respondent received public reprimand for accepting unsolicited payments outside the scope of a court appointment.

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

FINDINGS: Respondent was appointed to represent a defendant in two criminal matters. Subsequent to the appointment in the first case, Respondent received three unsolicited payments from the client totaling \$650. He accepted other payments on two additional occasions. The payments were accepted even though Respondent knew he would be entitled to apply for and receive court-appointed counsel fees and expenses. When Respondent filed his motion seeking payment of fees he certified that he had received no other compensation in connection with the representation. The court ordered payment of \$2,340 in fees as requested by

Sanction	Six-month, stayed suspension
Court Modified Sanction	No
Rules Violated	8.4(c)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (7) (refusal to acknowledge wrongdoing); M- (1) (no prior discipline), (6) (other penalties/sanctions)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent received a six-month, stayed suspension for misconduct stemming from his failure to give truthful answers regarding his identity, lawsuits, and prior investigations on an application he submitted to the State Medical Board to obtain a physical-assistant license.

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

FINDINGS: Respondent was an expert witness on behalf of a defendant charged with knowingly possessing or attempting to possess computer images containing sexually explicit depictions of minors. In an evidentiary hearing, it was asserted that Respondent would testify about whether it was possible when viewing digital images to know whether they portrayed actual children. Respondent then displayed images of several children that he had obtained on the Internet and altered the images to depict the children engaging in sexually explicit conduct with adults. Respondent was directed by the court to purge the

images from his hard drive after they were preserved for the court's record. He deleted the images, and then mailed the computer's hard drive from Oklahoma to Ohio. An FBI investigation was later conducted, and several devices were seized containing files of images of child pornography which were produced with the exhibits he created as an expert witness or defense attorney. He executed a pretrial diversion agreement with the United States attorney's office and no prosecution was initiated. Several years later, two minors, whose images were used in the court exhibits, filed a civil action against Respondent. He was eventually ordered to pay each of the minors \$150,000 and their attorney fees. Respondent filed a bankruptcy petition to discharge the civil judgments that was ultimately unsuccessful. Relator initially opened an investigation concerning the images, but never filed a complaint. Relator's complaint in this case alleged that Respondent failed to provide accurate responses to questions on an application to the medical board about: other aliases, appearing before other bodies concerning allegations against him, and being notified about investigations or lawsuits filed against him. The Board rejected his explanations at hearing, finding that the answers to the questions on the application were false.

SANCTION: The Supreme Court adopted the Board's findings of fact, conclusions of law and recommended sanction of a fully stayed six-month suspension.

CONCURRING AND DISSENTING IN PART: Chief Justice Kennedy and Justice Fischer with separate opinions.

NOT PARTICIPATING: Justice Brunner

Sanction	Two-year suspension
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 1.4(b), 1.15(c), 1.16(d), 1.16(e), 8.1(b), 8.4(d)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses),(5) (lack of cooperation), (8) (harm to vulnerable victim), (9) (no restitution); M- (1) (no prior discipline), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Parkin (2018); Berling (2020); Ludwig (2021)
Cited By	

OVERVIEW: Respondent was suspended for two years based on violations arising from his neglect of five separate matters, failure to reasonably communicate with the clients, failure to properly handle retainers, and a failure to cooperate in the ensuing disciplinary investigation.

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

FINDINGS: Respondent was retained to pursue a wrongful-death action against the nursing home where the clients’ mother died. The estate case

was dismissed for failure to prosecute, and Respondent never filed a complaint in the wrongful death action. He was retained to pursue a wrongful death action against a hospital but stopped responding to the clients’ text messages and emails. The clients hired new counsel and were informed that the statute of limitations had expired. He represented another client in a medical-malpractice matter, met with the client once, but never answered her certified letters and never filed a lawsuit on the client’s behalf. He was retained to open an estate for a client’s father who died intestate. The purpose of opening the estate was to obtain court approval to distribute the proceeds of a wrongful death settlement that had been previously negotiated. He was paid a retainer of \$2,500 to be drawn from at the rate of \$250 an hour. He paid himself from the retainer without earning the fee or receiving probate court approval. He later failed to file paperwork to acknowledge a holdback to satisfy any Medicare liens and another lawyer was hired to complete the estate administration. In a different matter, failed to file a complaint with the Ohio Civil Rights Commission, stopped communicating with the client, and did not refund any portion of a \$2,250 retainer.

SANCTION: The Supreme Court adopted the Board’s findings of fact, conclusions of law and recommended sanction of a two-year suspension and ordered restitution of \$2,500 and \$2,250 to be paid to two clients 90 days from the date of the court’s order. The Court also ordered Respondent to serve a one-year period of monitored probation upon reinstatement.

CONCURRING IN PART AND DISSENTING IN PART: Chief Justice Kennedy, and Justice Deters

NOT PARTICIPATING: Justice Brunner

Sanction	Two-year, stayed suspension
Court Modified Sanction	No
Rules Violated	1.15(a), 1.15(a)(2), 1.15(a)(3), 1.15(a)(5), 3.4(c), 8.1(b), 8.4(c), 8.4(h)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses),(5) (lack of cooperation), (6) (false or deceptive practices during investigation); M- (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent received a two-year, stayed suspension for misconduct related to multiple traffic violations, failure to comply with court orders, mismanagement of his IOLTA, and failure to cooperate in the ensuing disciplinary investigation.

PROCEDURE: The Board adopted the panel’s findings of fact, conclusions of law, and recommended sanction of a fully stayed two-year suspension. The parties jointly waived objections.

FINDINGS: Over a period of nearly four- and one-half years, Respondent was convicted of several traffic offenses. In one traffic case he continued to drive after a financial responsibility suspension remained in effect. In another traffic

matter he was charged with possession of marijuana, driving in marked lanes, and driving under suspension. He pleaded guilty to an amended charge, could not show proof of insurance and did not pay a resulting fine and court costs or appear in court to show cause. By failing to comply with the court’s order, his vehicle registration and transfer privileges were blocked. Subsequent traffic violations occurred while his license was suspended including leading police on a pursuit that resulted in him pleading guilty to reckless operation and speeding. In two traffic stops he lied to the officer, stating that he had recently purchased the vehicle as an explanation for why he had expired plates or had not transferred the title. He was charged in 2022 with disorderly conduct for repeatedly knocking on a neighbor’s door while intoxicated. Respondent self-reported his November 2021 traffic conviction. In a separate count, Respondent had commingled personal and client funds in his IOLTA by failing to timely withdraw his earned fees, paid personal and business expenses from the account, had not maintained client or general ledgers, or performed required monthly reconciliations.

SANCTION: The Supreme Court adopted the Board’s findings of fact, conclusions of law, and recommended sanction of a two-year stayed suspension on conditions that he contact OLAP for a substance-abuse evaluation, serve a two-year term of monitored probation focusing on client-trust account management and stay in compliance with any OLAP recommendations, and engage in no further misconduct.

CONCURRING IN PART AND DISSENTING IN PART: Chief Justice Kennedy and Justice Fischer

NOT PARTICIPATING: Justice Brunner

Sanction	Disbarment
Court Modified Sanction	No
Rules Violated	1.3, 1.4(a)(2), 1.4(a)(3), 1.4(a)(4), 1.15(a), 1.15(c), 1.16(d), 1.16(e), 3.4(d), 8.1(b), 8.4(c), 8.4(d)
Aggravation/Mitigation	A- (1) (prior discipline), (2) (dishonest or selfish motive), (4) (multiple offenses),(5) (lack of cooperation), (7) (refusal to acknowledge wrongdoing), (9) (no restitution); M- none
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	Yes
Case Authority	Freeman (2011)
Cited By	

OVERVIEW: Respondent was permanently disbarred for neglecting client matters, failing to reasonably communicate with clients, misappropriating fees, and failing to cooperate in the ensuing disciplinary investigations for which he had been previously disciplined.

PROCEDURE: The matter was remanded to the Board after Respondent's failure to answer the complaint. The Board adopted the attorney-commissioner's findings of fact, conclusions of law, and recommended sanction of disbarment.

FINDINGS: Respondent agreed to represent two clients in different matters. In both representations he did not complete all the work requested by the clients and subsequently did not respond to reasonable requests for updates or information about the status of cases. In both matters he deposited client fees into his business

[Table of Cases](#) [Index](#)

checking account and misappropriated the funds by paying for various personal purchases. In another client matter, Respondent was retained to pursue a civil action involving an automobile accident and filed a civil complaint. Because discovery deadlines and a pretrial hearing were approaching, he filed a notice of voluntary dismissal but refiled the case later the same day. Once the case was refiled, he failed to inform his client that the client was ordered to appear and be deposed and that an unopposed motion to dismiss had been granted. Respondent unsuccessfully attempted to refile the complaint a second time. Upon termination of the representation, he failed to respond to the client's request for a copy of his case file. Respondent failed to respond to letters from the Relator and a personally served subpoena for a deposition.

SANCTION: The Supreme Court adopted the Board's findings of fact, conclusions of law, and recommendation of permanent disbarment. The Court ordered Respondent to make restitution of \$5,000 to the Lawyers' Fund for Client Protection.

NOT PARTICIPATING: Justice Brunner

Sanction	Eighteen-month, stayed suspension
Court Modified Sanction	Yes
Rules Violated	1.1, 1.3, 1.4(b), 3.1, 3.3(a)(1), 3.3(a)(3), 3.4(d), 4.1(a), 8.4(c)
Aggravation/Mitigation	A- (2) (dishonest or selfish motive), (3) (pattern of misconduct), (4) (multiple offenses); M- (1) (no prior discipline), (3)(restitution or rectified consequences), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	
Cited By	

OVERVIEW: Respondent received an eighteen-month, stayed suspension for filing frivolous mechanic’s liens and her lack of diligence and communication in representing a client in a domestic-relations matter.

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

FINDINGS: Respondent was retained by a subcontractor that had not received payment for the construction of a driveway. Upon his client’s request, Respondent filed a mechanic’s lien without the proper fees resulting in the filing being rejected. He later successfully filed the lien, but after the statutory deadline had passed. The contractor and the owner of the property filed a declaratory judgment invalidating the lien and for

fraud, for slander of title, and to quiet title, and injunctive relief requiring Respondent’s client to file a release of the lien. Respondent filed an answer, counterclaims, and cross-claims on behalf of his client. The trial court granted a motion to dismiss and ordered the lien to be released. The Court determined that Respondent and his client had engaged in frivolous conduct and held them in contempt for failing to comply with the order to release the mechanic’s lien. The court ordered the payment of the opposing party’s attorney fees and expenses, later totaled at the disciplinary hearing in the amount of \$48,000. In two other matters involving mechanic’s liens, Respondent proceeded to file a complaint on one lien that had been released resulting in a violation of Civ.R. 11 and failed to timely respond to a motion for default judgment in another matter. In an unrelated matter, Respondent was retained in a custody and child-support matter and the client was falsely told by Respondent’s staff that the court was in receipt of her new address. Subsequently, the child’s father filed a contempt motion on the grounds that the client had not provided an updated address to the court.

SANCTION: The Supreme Court adopted the Board’s findings of fact, conclusions of law, but imposed an eighteen-month stayed suspension, on condition that Respondent complete an additional six hours of CLE focused on law-office management serve a one-year term of monitored probation focused on law office management and client communications.

Sanction	Eighteen-month, stayed suspension
Court Modified Sanction	No
Rules Violated	1.4(c), 1.5(d)(3), 1.15(a), 1.15(c)
Aggravation/Mitigation	A- (1) (prior discipline), (4) (multiple offenses); M- (2) (no dishonest or selfish motive), (4) (cooperative attitude)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	Yes
Case Authority	
Cited By	

condition that Respondent completes a one-year term of monitored probation focused on law-practice and trust-account management and commits no further misconduct. The Court ordered the suspension to commence after Respondent had satisfied all the requirements for the termination of his suspension for failure to comply with CLE requirements and his license was restored to active status.

NOT PARTICIPATING: Justice Brunner

OVERVIEW: Respondent received an eighteen-month, stayed suspension for violations arising out of his representation of a husband and wife in a civil matter.

PROCEDURE: The parties waived a formal hearing. The Board adopted the panel’s findings of fact, conclusions of law, and recommended sanction of an eighteen-month fully stayed suspension.

FINDINGS: Respondent represented a couple in a matter involving a roofing company. He sent the wife a letter of engagement requesting a \$1,500 ‘non-refundable retainer’, but the letter did not inform the client that she may be entitled to a refund of all or part of the fee if Respondent did not complete the work. Respondent did not inform his client that he did not maintain professional-liability insurance and failed to deposit the advance fee into his IOLTA.

SANCTION: The Supreme Court adopted the Board’s findings of fact, conclusions of law, and recommended 18-month stayed suspension, on

Sanction	Indefinite suspension
Court Modified Sanction	No
Rules Violated	JCR 1.1, 1.2; Prof.Cond.R. 8.4(b), 8.4(d), 8.4(h)
Aggravation/ Mitigation	A- (2) (dishonest or selfish motive), (4) (multiple offenses), (7) (refusal to acknowledge wrongdoing), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (3)(restitution or rectified consequences), (4) (cooperative attitude), (5) (good character), (6) (other penalties/sanctions)
Criminal Conduct	Yes
Public Official	Yes
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Hunter (2023)
Cited By	

OVERVIEW: Respondent received an indefinite suspension for misconduct arising from his conviction on two counts of complicity to leaving the scene of an accident and tampering with evidence.

PROCEDURE: The Board adopted the panel’s findings of fact, conclusions of law, and recommended sanction of an indefinite suspension with no credit for time served under the interim felony suspension.

FINDINGS: Respondent, a judge on the Marion County Court of Common Pleas, and his wife were returning from social gatherings where they both had consumed alcohol. Respondent’s wife was driving and failed to yield to an oncoming

vehicle – striking the vehicle and causing it to go off the road and hit a utility pole. A witness reported seeing a man and woman walk around the crash site, look into the other vehicle, and drive away without calling 911 or waiting for first responders to arrive. The other driver suffered serious injuries. Respondent and his wife waited approximately nine hours before contacting law enforcement. Respondent’s wife admitted that she was driving the vehicle. Respondent lost an appeal of his conviction and the Supreme Court declined to hear a further appeal.

SANCTION: The Supreme Court adopted the Board’s findings of fact, conclusions of law, and recommended sanction of an indefinite suspension with no credit for time served.

CONCURRING WITH OPINION: Justice Fischer

NOT PARTICIPATING: Justice Brunner

Sanction	Eighteen-month, stayed suspension
Court Modified Sanction	Yes
Rules Violated	1.3, 1.4(a)(3), 1.4(a)(4), 1.4(c), 1.5(c)(2), 1.15(a), 1.15(a)(2), 1.15(a)(5), 1.15(c), 1.15(d), 1.15(e)
Aggravation/Mitigation	A- (3) (pattern of misconduct), (4) (multiple offenses), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Keating (2018)
Cited By	

OVERVIEW: Respondent received an eighteen-month, stayed suspension for failing to honor “letters of protection”, failing to reasonably communicate with a client, and improper handling of settlement proceeds.

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

FINDINGS: Respondent and a client signed a letter of protection that the client would pay a treating physician for medical treatment rendered out of the proceeds of any settlement or judgment. When the case settled, Respondent did not pay the doctor and instead directed the doctor to his client for payment of the fees. After the doctor filed a grievance, Respondent issued a check as a discounted payment for the medical treatment.

The doctor denied having received the check and the check was never cashed. In another matter, Respondent agreed that the same doctor would be paid from the proceeds of any settlement or judgment for services rendered. When the case was settled, the settlement statement indicated that Respondent was holding an amount less than that charged by the doctor to pay the medical bills. In a different matter, Respondent settled a case for a client for \$100,000 and deposited the proceeds in his IOLTA. The client began to receive communications from creditors asserting liens for the medical care. The client eventually sought the assistance of another lawyer who had difficulty contacting Respondent and obtaining the client’s file and proceeds of the settlement. Respondent did not maintain professional-liability insurance and did not inform his clients in writing of that fact.

SANCTION: The Supreme Court adopted the Board’s findings of fact, conclusions of law, but imposed and 18-month, stayed suspension on conditions that he commit no further misconduct, complete four additional hours of CLE focused on trust-account management and two additional hours of CLE focused on law-office management, serve a one-year term of monitored probation, with the monitoring lawyer supervising Respondent’s practice, including his compliance with client-trust-account rules.

NOT PARTICIPATING: Justice Brunner

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	8.4(d), 8.4(h)
Aggravation/Mitigation	A- (8) (harm to vulnerable victim); M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	Yes
Prior Discipline	No
Case Authority	Thomas (2020); Schuman (2017)
Cited By	

OVERVIEW: Respondent received a public reprimand for failing to fulfill the obligations of a guardian *ad litem* provided by court rule.

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

FINDINGS: Respondent was appointed as guardian *ad litem* for four minor children who were the subject of abuse, neglect, and dependency proceedings. As GAL he was required to follow certain obligations in Sup.R. 48.03. The parties agreed that the pending complaints would be resolved by a finding that the four children were neglected and dependent and would remain the temporary custody of the county jobs and family services. A case plan was developed for the children's mother, BF. Respondent noticed BF's vehicle parked outside of an adult entertainment club where she worked as a dancer. He sat at her table and bought her a beer knowing that she had substance abuse issues. After talking to her for an hour, Respondent gave

her \$40. Several months later, Respondent visited the residence of BF's boyfriend. He provided BF with two draft GAL reports that set forth two alternative recommendations. Each alternative contained unsupported allegations that required BF to admit that she used illegal substances before Respondent would consider recommending the return of her children. During a review hearing, while questioned by BF's court-appointed lawyer, Respondent admitted that he did not have evidence to support some statements in his report. At the conclusion of the hearing, BF's lawyer moved to have Respondent removed as GAL, but the motion was denied. During later permanent custody hearings, a motion to disqualify Respondent was granted by the court.

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

DISSENTING: Chief Justice Kennedy would have rejected the agreement and remanded the matter to the Board.

NOT PARTICIPATING: Justice Brunner

Sanction	Public reprimand
Court Modified Sanction	No
Rules Violated	JCR 1.2, 2.8(B), 2.10(A), 2.10(C)
Aggravation/Mitigation	A- (4) (multiple offenses), (8) (harm to vulnerable victim); M- (1) (no prior discipline), (2) (no dishonest or selfish motive), (4) (cooperative attitude), (5) (good character)
Criminal Conduct	No
Public Official	No
Procedure/Process Issues	No
Prior Discipline	No
Case Authority	Berry (2021)
Cited By	

OVERVIEW: Respondent received a public reprimand for posting inaccurate comments on the court Facebook page and permitting staff to make similar comments to the press about a pending guardianship case.

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

FINDINGS: Respondent served as a probate judge and presided over a conservatorship and guardianship for an 83-year-old widow with three adult children. Two of the adult children, Rob McCulloch and Kathleen Bosse, sent numerous letters and emails accusing the guardian of misconduct. On one occasion, Respondent denied a motion from Rob to set aside a magistrate’s ruling. Respondent later learned that three websites had been created using the names of the guardian and two probate-court magistrates, the content of which resembled complaints that Rob and Kathleen had filed with the court. A reporter

contacted the court about the case and Respondent authorized his assistant court administrator to address the reporter’s questions. The administrator stated to the reporter that the removal of the widow from the home was due to poor living conditions. The court later received a letter that the assistant’s statements were incorrect. On the court’s Facebook page, Respondent posted an interview titled “14 questions with Kendal M. Cowes”, one of the magistrates. Two years later, Rob made a comment in response to the post that was critical of the magistrate. Respondent, in turn, posted a response raising issues of elder abuse and accusing Rob of not taking care his mother, missing hearings, and reeking of alcohol when he appeared before the court. Respondent later stipulated that the comments about the removal from the home were incorrect, misleading, and unsupported by the record in the case. He also admitted that several other items in the responses to Rob on Facebook were inaccurate. The posts were deleted within a couple hours of posting the comments. On Relator’s suggestion, Respondent recused himself from the guardianship proceeding.

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

NOT PARTICIPATING: Justices Fischer, Brunner, and Deters

INDEX
Aggravating & Mitigating Factors
(Gov. Bar R. V, Section 13(B)(C))
Effective January 1, 2015)

Aggravation (Gov. Bar R. V, Section 13(B))

(3) (pattern of misconduct)

(1) (prior discipline)

Alexander
Brown
Driftmyer
Dugan
Glover
Port
Ranke
Riley
Robinson
Ryan
Smith
Stenson
Vick
Walton

Adams
Brown-O'Neal
Driftmyer
Gernert
Goodman
Hartley
Hoover
McCarty
Port
Ranke
Ryan
Smith
Tregre
VanBibber
Villarreal
Westmeyer

(2) (dishonest or selfish motive)

Alexander
Bell
Bissell
Burkett
Byron
Dugan
Glover
Goodman
Kaiser
Macala
Moore
Perrico
Port
Ranke
Riley
Rohrbaugh
Smith
Taylor
Tregre
VanBibber
Vick
Villarreal
Warner

(4) (multiple offenses)

Adams
Bissell
Brown-O'Neal
Gernert
Glover
Goodman
Hartley
Hoover
Kaiser
Macala
McCarty
McClain
Miller
Moore
Port
Ranke
Robinson
Rohrbaugh
Smith
Stenson
Tregre
VanBibber
Vick
Villarreal

Walton
 Warner
 Westmeyer
 Winkler

(5) (lack of cooperation)

Adams
 Kaiser
 Port
 Ranke
 Tregre
 VanBibber
 Vick

(6) (false or deceptive practices during investigation)

Driftmyer
 Glover
 Kaiser
 Ranke
 VanBibber

(7) (refusal to acknowledge wrongdoing)

Adams
 Byron
 Kaiser
 Perrico
 Port
 Stenson
 Taylor
 Vick
 Warner

(8) (harm to vulnerable victim)

Adams
 Billingsley
 Bissell
 Brown-O'Neal
 Driftmyer
 Dugan
 Goodman
 Hartley
 Hoover
 Kaiser
 Moore
 Perrico
 Port
 Ranke
 Stenson
 Tregre
 Warner
 Westmeyer
 Wilkinson

Winkler

(9) (no restitution)

Adams
 Driftmyer
 Kaiser
 Port
 Ranke
 Stenson
 Tregre
 Vick

Mitigation (Gov. Bar R. V, Section 13(C))

(1) (no prior discipline)

Adams
 Bell
 Billingsley
 Bissell
 Brown-O'Neal
 Burkett
 Byron
 Gernert
 Goodman
 Hartley
 Haven
 Hoover
 Kaiser
 Macala
 McCarty
 McClain
 Miller
 Moore
 Perrico
 Rohrbaugh
 Smith
 Taubman
 Taylor
 Tregre
 Villarreal
 Warner
 Westmeyer
 Wilkinson
 Winkler

(2) (no dishonest or selfish motive)

Billingsley
 Brown
 Driftmyer
 Hoover
 McCarty
 McClain
 Smith
 Stenson

Taubman
Walton
Wilkinson
Winkler

(3) (restitution or rectified consequences)

Glover
McCarty
Ryan
Smith
Smith
Taubman
Villarreal
Warner

(4) (full and free disclosure)

Alexander
Bell
Billingsley
Bissell
Brown
Brown-O’Neal
Burkett
Driftmyer
Dugan
Gernert
Glover
Goodman
Hoover
Macala
McCarty
McClain
Miller
Moore
Perrico
Riley
Robinson
Rohrbaugh
Ryan
Smith
Smith
Taubman
Tregre
Villarreal
Walton
Warner
Wilkinson
Winkler

(5) (good character)

Alexander
Bell
Billingsley
Bissell

Brown
Brown-O’Neal
Dugan
Gernert
Glover
Goodman
Hoover
Kaiser
Macala
McClain
Miller
Moore
Riley
Robinson
Rohrbaugh
Ryan
Smith
Smith
Taubman
VanBibber
Warner
Westmeyer
Wilkinson
Winkler

(6) (other penalties / sanctions)

Alexander
Bell
Bissell
Burkett
Gernert
Goodman
Hartley
Haven
McClain
Perrico
Riley
Robinson
Rohrbaugh
Taylor
VanBibber
Warner

(7) (chemical/ mental disorder)

Alexander
Miller
Smith

(8) (other rehabilitation)

Bissell
Burkett
Dugan
Gernert
McClain

[Rohrbaugh](#)

[Return to Table of Contents](#)

Code of Judicial Conduct Violations

Jud.Cond.R. 1.1 (compliance with the law)

[Warner](#)

Jud.Cond.R. 1.2 (promoting confidence in the judiciary)

[Hoover](#)
[Warner](#)
[Winkler](#)

Jud.Cond.R. 2.2 (impartiality and fairness)

[Hoover](#)

Jud.Cond.R. 2.3(B) (bias, prejudice, and harassment based on race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation)

[Hoover](#)

Jud.Cond.R. 2.8(B) (patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others)

[Winkler](#)

Jud.Cond.R. 2.10(A) (judicial statements on pending and impending cases)

[Winkler](#)

Jud.Cond.R. 2.10(C) (statements made by court staff on pending or impending cases)

[Winkler](#)

[Return to Table of Contents](#)

Rules of Professional Conduct Violations

Rule 1.1 (providing competent representation)

[Driftmyer](#)
[Port](#)
[Villarreal](#)

Rule 1.3 (acting with reasonable diligence and promptness)

[Adams](#)
[Brown](#)
[Glover](#)
[Kaiser](#)
[McCarty](#)
[Miller](#)
[Moore](#)
[Ranke](#)
[Ryan](#)
[Stenson](#)
[Tregre](#)
[Vick](#)
[Villarreal](#)
[Westmeyer](#)

Rule 1.4(a)(1) (promptly informing the client of any circumstance with respect to which the client's informed consent is required)

[Adams](#)
[Miller](#)
[Moore](#)

Rule 1.4(a)(2) (reasonably consulting with client about means to accomplish objectives)

[Miller](#)
[Stenson](#)
[Vick](#)

Rule 1.4(a)(3) (keeping client reasonably informed about status of matter)

[Adams](#)
[Brown](#)
[Driftmyer](#)
[Macala](#)
[McCarty](#)

[Table of Cases](#)

[Index](#)

[Miller](#)
[Moore](#)
[Ranke](#)
[Ryan](#)
[Stenson](#)
[Tregre](#)
[Vick](#)
[Westmeyer](#)

Rule 1.4(a)(4) (complying as soon as practicable with client’s reasonable requests for information)

[Adams](#)
[Brown](#)
[Driftmyer](#)
[Glover](#)
[Miller](#)
[Moore](#)
[Ranke](#)
[Stenson](#)
[Tregre](#)
[Vick](#)
[Villarreal](#)
[Westmeyer](#)

Rule 1.4(b) (explaining matters for clients to make informed decisions)

[Ryan](#)
[Tregre](#)
[Villarreal](#)

Rule 1.4(c) (informing clients if professional-liability insurance is terminated)

[Driftmyer](#)
[Smith](#)
[Stenson](#)
[Walton](#)
[Westmeyer](#)

Rule 1.5(a) (charging or collecting an illegal or clearly excessive fee)

[Port](#)

Rule 1.5(c)(1) (contingent fee agreement in writing signed by the client)

[Smith](#)

Rule 1.5(c)(2) (preparing closing statement in contingent fee matter)

[Westmeyer](#)

Rule 1.5(d)(3) (“Earned upon Receipt” or “non-refundable” fee)

[Driftmyer](#)
[Walton](#)

Rule 1.7(a)(2) (conflict of interest arising from lawyer’s responsibilities to another client, a former client, a third person, or lawyer’s own personal interests)

[Port](#)

Rule 1.8 (conflict of interest, current clients)

[Port](#)

Rule 1.8(j) (soliciting or engaging in sexual activity with a client when no previous consensual sexual relationship existed)

[Dugan](#)

Rule 1.15(a) (property of clients in an interest-bearing client trust account)

[Byron](#)
[Glover](#)
[Port](#)
[Smith](#)
[Stenson](#)
[VanBibber](#)
[Vick](#)
[Walton](#)
[Westmeyer](#)

Rule 1.15(a)(2) (maintaining a record for each client)

[Smith](#)
[VanBibber](#)
[Westmeyer](#)

Rule 1.15(a)(3) (maintaining a record for each bank account)

[VanBibber](#)

Rule 1.15(a)(5) (performing and maintaining a monthly reconciliation)

[Smith](#)
[VanBibber](#)
[Westmeyer](#)

Rule 1.15(b) (depositing own funds in client trust account for bank service charges)

[Byron](#)
[McCarty](#)

Rule 1.15(c) (depositing unearned/ advanced fees into a trust account)

[Adams](#)
[Byron](#)
[Driftmyer](#)
[Kaiser](#)
[McCarty](#)
[Ranke](#)
[Tregre](#)
[Vick](#)
[Walton](#)
[Westmeyer](#)

Rule 1.15(d) (promptly delivering funds or property to client or third party)

[Adams](#)
[McCarty](#)
[Smith](#)
[Westmeyer](#)

Rule 1.15(e) (improperly holding funds in dispute)

[Driftmyer](#)
[Westmeyer](#)

Rule 1.16(d) (taking steps to protect a client's interest as part of termination of representation)

[Adams](#)
[Brown](#)
[Glover](#)
[McCarty](#)
[Moore](#)
[Ranke](#)
[Tregre](#)
[Vick](#)

Rule 1.16(e) (promptly refunding fee paid in advance that is not earned)

[Glover](#)
[Kaiser](#)
[Port](#)
[Ranke](#)
[Tregre](#)
[Vick](#)

Rule 3.1 (not bringing or defending a proceeding, or asserting or controverting an issue in a proceeding, unless there is a basis in law and fact for doing so that is not frivolous)

[Table of Cases](#)

[Index](#)

[Villarreal](#)

Rule 3.3(a)(1) (knowingly make or fail to correct a false statement of fact to a tribunal)

[Brown-O'Neal](#)
[Byron](#)
[Driftmyer](#)
[Macala](#)
[Port](#)
[Ranke](#)
[Taubman](#)
[Villarreal](#)

Rule 3.3(a)(3) (knowingly offering false evidence)

[Villarreal](#)

Rule 3.4(c) (knowingly disobey the rules of a tribunal)

[VanBibber](#)

Rule 3.4(d) (intentionally or habitually failing to make reasonably diligent effort to comply with a legally proper discovery request by opposing party)

[Ranke](#)
[Vick](#)
[Villarreal](#)

Rule 4.1(a) (making false statement to third person during representation)

[Ryan](#)
[Villarreal](#)

Rule 4.2 (prohibiting a lawyer from communicating about the subject of his representation of a client with a person known to be represented by another lawyer in the matter)

[Brown-O'Neal](#)

Rule 4.3 (prohibiting a lawyer from giving legal advice to an unrepresented person)

[Driftmyer](#)

Rule 5.3(b) (supervisory lawyer must make reasonable efforts to ensure conduct is compatible with professional obligations)

[Villarreal](#)

Rule 8.1 (bar admission and disciplinary matters)

Rule 8.1(a) (knowingly making a false statement of material fact in connection with a disciplinary matter)

[Glover](#)
[Kaiser](#)
[Moore](#)
[Ranke](#)

[Moore](#)
[Port](#)
[Ranke](#)
[Rohrbaugh](#)
[Ryan](#)
[Smith](#)
[Taylor](#)
[VanBibber](#)
[Vick](#)
[Villarreal](#)

Rule 8.1(b) (failing to disclose fact or failing to respond to demand for information from a disciplinary authority)

[Adams](#)
[Driftmyer](#)
[Ranke](#)
[Tregre](#)
[VanBibber](#)
[Vick](#)

Rule 8.4(d) (conduct prejudicial to the administration of justice)

[Adams](#)
[Brown-O’Neal](#)
[Byron](#)
[Gernert](#)
[Haven](#)
[Hoover](#)
[Moore](#)
[Port](#)
[Ranke](#)
[Smith](#)
[Tregre](#)
[Vick](#)
[Warner](#)
[Wilkinson](#)

Rule 8.3(a) (requiring an attorney to report to disciplinary authority violations of the Rules)

[Robinson](#)

Rule 8.4(a) (violating, attempting to violate, knowingly assisting or inducing another to violate the Rules)

[Brown-O’Neal](#)

Rule 8.4(e) (state or imply an ability to influence improperly a government agency or official)

[Riley](#)

Rule 8.4(b) (committing illegal act that reflects adversely on honesty or trustworthiness)

[Alexander](#)
[Bell](#)
[Burkett](#)
[Goodman](#)
[Hartley](#)
[Perrico](#)
[Riley](#)
[Rohrbaugh](#)
[Warner](#)

Rule 8.4(h) (conduct adversely reflecting on lawyer’s fitness to practice)

[Bell](#)
[Bissell](#)
[Gernert](#)
[Hartley](#)
[Haven](#)
[Goodman](#)
[McClain](#)
[Perrico](#)
[Port](#)
[Riley](#)
[Robinson](#)
[VanBibber](#)
[Warner](#)
[Wilkinson](#)

Rule 8.4(c) (conduct involving dishonesty, fraud, deceit, or misrepresentation)

[Adams](#)
[Billingsley](#)
[Bissell](#)
[Brown-O’Neal](#)
[Burkett](#)
[Driftmyer](#)
[Macala](#)
[Miller](#)

[Return to Table of Contents](#)

Prior Disciplinary Record

Attorney Registration

[Glover](#)

CLE Suspension

[Riley](#)

Board Discipline

[Alexander](#)
[Brown](#)
[Driftmyer](#)
[Dugan](#)

[Port](#)
[Ranke](#)
[Robinson](#)
[Ryan](#)
[Smith](#)
[Stenson](#)
[Vick](#)
[Walton](#)

Other

[Return to Table of Contents](#)

Public Employee Discipline

Judges/ Former Judges/ Magistrates

[Brown-O'Neal](#)
[Hoover](#)
[Warner](#)
[Winkler](#)

Public Officials/ Former Public Officials

[Bell](#)
[Bissell](#)
[Burkett](#)
[Gernert](#)
[Riley](#)

[Return to Table of Contents](#)

Criminal Conduct

Felony Conduct

[Alexander](#)
[Bell](#)
[Goodman](#)
[McClain](#)
[Riley](#)
[Robinson](#)
[Rohrbaugh](#)
[Smith](#)
[Warner](#)

Misdemeanor Conduct

[Bissell](#)
[Burkett](#)
[Gernert](#)
[Hartley](#)
[Haven](#)
[Perrico](#)
[VanBibber](#)

Treatment in Lieu of Conviction

[Table of Cases](#)

[Index](#)

[Return to Table of Contents](#)

Disciplinary Procedural Issues

Aggravation/ Mitigation

Consent-to-Discipline

[Bissell](#)
[Burkett](#)
[Glover](#)
[Smith](#)
[Taubman](#)
[Wilkinson](#)

Default Proceeding

[Adams](#)
[Port](#)
[Vick](#)

Mental Health Suspension

Sanction Increase/ Decrease

[Bell](#) +
[Goodman](#) +
[Hoover](#) -
[Macala](#) +
[Smith](#) -
[Villarreal](#) -
[Westmeyer](#) +

Other

Remanded by Court

[Return to Table of Contents](#)

Sanction

Court Dismissal on Merits

[Wilkinson](#)
[Winkler](#)

Disbarment

[Adams](#)
[Goodman](#)
[Port](#)
[Ranke](#)
[Vick](#)

Term Suspension

[Alexander](#)
[Burkett](#)
[Bissell](#)
[Brown](#)
[Brown-O'Neal](#)
[Byron](#)
[Driftmyer](#)
[Dugan](#)
[Gernert](#)
[Glover](#)
[Haven](#)
[Hoover](#)
[Kaiser](#)
[Macala](#)
[McCarty](#)
[McClain](#)
[Miller](#)
[Moore](#)
[Perrico](#)
[Ryan](#)

Indefinite Suspension

[Bell](#)
[Hartley](#)
[Riley](#)
[Robinson](#)
[Rohrbaugh](#)
[Warner](#)

Public Reprimand

[Billingsley](#)
[Smith](#)
[Taubman](#)

[Table of Cases](#)

[Index](#)

[Smith](#)
[Stenson](#)
[Taylor](#)
[Tregre](#)
[VanBibber](#)

[Villarreal](#)
[Walton](#)
[Westmeyer](#)

[Return to Table of Contents](#)



Ohio Board of Professional Conduct

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