

SUPREME COURT OF OHIO

Disciplinary Counsel v. Walkden

116 Ohio St. 3d 1214, 2007-Ohio-7183 (Ohio 2007) · No. 2007-2053 · Decided December 27, 2007

SUMMARY

The Supreme Court of Ohio imposed reciprocal discipline on John Louis Walkden based on a five-year disbarment order from the Supreme Court of Florida. The court indefinitely suspended Walkden from practicing law in Ohio, subject to conditions including Florida reinstatement, continuing legal education, client-protection fund reimbursement, and compliance with Ohio reinstatement requirements.

CASE DETAILS

COURT	Supreme Court of Ohio
WRITING FOR THE COURT	Moyer, C.J.; Pfeifer, J.; Lundberg Stratton, J.; O'Connor, J.; O'Donnell, J.; Lanzinger, J.; Cupp, J.
JURISDICTION	Ohio
DECIDED	December 27, 2007
DOCKET	2007-2053
DISPOSITION	other
PROCEDURAL POSTURE	Reciprocal attorney-discipline proceeding initiated upon the certified order of the Supreme Court of Florida disbarring respondent for five years.
PRECEDENTIAL VALUE	Published Ohio Supreme Court disciplinary order; establishes and applies reciprocal-discipline consequences under the Ohio Rules for the Government of the Bar.

TOPICS

appellate procedure

administrative law

PRACTICE AREAS

legal ethics

attorney discipline

professional responsibility

QUESTIONS PRESENTED

1. What reciprocal discipline should the Supreme Court of Ohio impose after receiving a certified Florida disciplinary order disbarring the respondent for five years?
2. What conditions should govern the respondent's suspension and any future reinstatement to the practice of law in Ohio?

HOLDINGS

1. Pursuant to Gov.Bar R. V(11)(F)(4), the respondent must be indefinitely suspended from the practice of law in Ohio, may not petition for reinstatement for five years, and may not seek reinstatement until reinstated to practice law in Florida.
2. The respondent must cease practicing law, comply with continuing-legal-education and Clients' Security Fund reimbursement requirements, satisfy Ohio reinstatement rules and the order's other conditions, demonstrate reinstatement in Florida, and obtain an order of reinstatement from the Supreme Court of Ohio before practicing in Ohio.

KEY QUOTATIONS

“It is ordered and adjudged by this court that pursuant to Gov.Bar R. V(11)(F)(4), respondent, John Louis Walkden, Attorney Registration No. 0055041, last known business address in Toledo, Ohio, be indefinitely suspended.” (¶ 3)

“It is further ordered that respondent shall not be reinstated to the practice of law in Ohio until (1) respondent complies with the requirements for reinstatement set forth in the Supreme Court Rules for the Government of the Bar of Ohio, (2) respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio, (3) respondent files evidence with the Clerk of this court and with Disciplinary Counsel demonstrating his reinstatement to the practice of law in Florida, (4) respondent complies with this and all other orders issued by this court, and (5) this court orders respondent reinstated.” (¶ 9)

FACTUAL BACKGROUND

The Supreme Court of Florida entered an order disbarring John Louis Walkden for five years. Ohio Disciplinary Counsel submitted a certified copy of that order to the Supreme Court of Ohio under Ohio's reciprocal-discipline provisions. Walkden did not respond to Ohio's show-cause order.

PROCEDURAL HISTORY

Disciplinary Counsel filed a certified copy of the Supreme Court of Florida's February 22, 2007 order disbarring John Louis Walkden for five years. The Supreme Court of Ohio ordered Walkden to show cause why identical or comparable discipline should not be imposed, but he filed no response. The Ohio Supreme Court then imposed an indefinite suspension with conditions governing reinstatement and compliance.

DISPOSITION

other

CASES CITED

- The Florida Bar v. John Louis Walkden, 950 So. 2d 407 (Fla. 2006)

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