

SUPREME COURT OF OHIO

In re Resignation of Lockhart

110 Ohio St. 3d 1245 (Ohio 2006) · Decided August 3, 2006

SUMMARY

The Supreme Court of Ohio accepted John Dallas Lockhart’s resignation from the practice of law with disciplinary action pending. The order withdrew his law-practice privileges, required him to comply with client-notification and related obligations, and directed that his name be stricken from the roll of attorneys.

CASE DETAILS

COURT	Supreme Court of Ohio
WRITING FOR THE COURT	Moyer, C.J.; Resnick, J.; Pfeifer, J.; Lundberg Stratton, J.; O’Connor, J.; O’Donnell, J.; Lanzinger, J.
JURISDICTION	Ohio
DECIDED	August 3, 2006
DISPOSITION	other
PROCEDURAL POSTURE	Respondent attorney submitted an affidavit of resignation and waiver under Gov.Bar R. V(11)(G)(1). After referral and sealed reports from Disciplinary Counsel, the Supreme Court of Ohio entered an order accepting the resignation with disciplinary action pending.
PRECEDENTIAL VALUE	Published Ohio Supreme Court per curiam order

TOPICS

civil procedure

PRACTICE AREAS

legal ethics

attorney discipline

professional responsibility

QUESTIONS PRESENTED

1. Whether the court should accept respondent's affidavit of resignation and waiver pursuant to Gov.Bar R. V(11)(G).
2. What restrictions and compliance obligations should accompany acceptance of the resignation while disciplinary action is pending.

HOLDINGS

1. The court accepted respondent's resignation as an attorney and counselor at law with disciplinary action pending pursuant to Gov.Bar R. V(11)(G)(3).
2. Upon acceptance of the resignation, respondent's rights and privileges to practice law in Ohio were withdrawn, respondent was prohibited from holding himself out as an attorney or performing legal services, and his name was ordered stricken from the roll of attorneys.
3. Respondent was required to reimburse applicable Clients' Security Fund awards and notify clients, co-counsel, opposing counsel, and tribunals; transfer client property; refund unearned fees; file proof of compliance; and maintain current contact information.

KEY QUOTATIONS

“the resignation as an attorney and counselor at law is accepted as a resignation with disciplinary action pending.” (1245)

“all rights and privileges extended to respondent to practice law in the state of Ohio be withdrawn” (1245-1246)

FACTUAL BACKGROUND

John Dallas Lockhart was an Ohio attorney admitted to practice in 2001. He submitted an affidavit resigning from the practice of law and waiving rights under Ohio's attorney-discipline rules. Disciplinary Counsel filed sealed reports, after which the Supreme Court acted on the resignation and associated obligations.

PROCEDURAL HISTORY

John Dallas Lockhart submitted an Affidavit of Resignation and Waiver on February 28, 2006. The affidavit was referred to Disciplinary Counsel, which filed reports with the court on April 10 and June 16, 2006. The court then accepted the resignation with disciplinary action pending and imposed related practice, notice, reimbursement, and compliance requirements.

DISPOSITION

other