

## SUPREME COURT OF OHIO

### Cleveland Bar Ass'n v. Reed

94 Ohio St. 3d 139 (Ohio 2002) · Decided January 16, 2002

#### SUMMARY

The Ohio Supreme Court held that Tyrone E. Reed aided Cornell Moore in the unauthorized practice of law by associating Moore with Reed's law office, advertising Moore as an associate, and sharing legal fees with him. The court adopted the disciplinary board's findings and publicly reprimanded Reed, taxing costs to him.

#### CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Supreme Court of Ohio                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| WRITING FOR THE COURT | Per Curiam; Moyer, C.J.; Douglas, J.; Resnick, J.; F.E. Sweeney, J.; Pfeifer, J.; Cook, J.; Lundberg Stratton, J.                                                                                                                                                                                                                                                                                                                                                          |
| JURISDICTION          | Ohio                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| DECIDED               | January 16, 2002                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| PROCEDURAL POSTURE    | Attorney-discipline proceeding initiated by the Cleveland Bar Association against Tyrone E. Reed for allegedly aiding Cornell Moore in the unauthorized practice of law. After a hearing, a panel of the Board of Commissioners on Grievances and Discipline found violations, recommended a public reprimand, and the board adopted that recommendation. The Supreme Court of Ohio reviewed the record and adopted the board's findings, conclusions, and recommendation. |
| STANDARD OF REVIEW    | Review of the record and adoption of the board's findings, conclusions, and recommendation.                                                                                                                                                                                                                                                                                                                                                                                |
| PRECEDENTIAL VALUE    | Published Ohio Supreme Court opinion; binding precedent in Ohio to the extent of its legal rules.                                                                                                                                                                                                                                                                                                                                                                          |

#### TOPICS

administrative law   agency adjudication   judicial review of agency action

#### PRACTICE AREAS

legal ethics   attorney discipline   unauthorized practice of law

## QUESTIONS PRESENTED

1. Whether Reed aided Moore in the unauthorized practice of law.
2. Whether Reed improperly shared legal fees with a nonlawyer.
3. Whether Reed engaged in conduct prejudicial to the administration of justice.
4. What disciplinary sanction was appropriate in light of the violations and mitigating circumstances.

## HOLDINGS

1. Reed violated DR 3-101(A) by aiding Moore in the unauthorized practice of law, DR 3-102 by sharing legal fees with a nonlawyer, and DR 1-102(A)(5) by engaging in conduct prejudicial to the administration of justice.
2. A public reprimand was the appropriate sanction.

## FACTUAL BACKGROUND

Tyrone E. Reed leased office space to Cornell Moore, a Pennsylvania lawyer who was not authorized to practice law in Ohio. Moore negotiated with insurance companies and settled personal-injury cases from Reed's office, while Reed listed Moore on his letterhead and in a Yellow Pages advertisement in a manner suggesting that Moore was associated with Reed's law practice. Reed also split legal fees with Moore on cases Moore referred to him, although Reed later terminated the relationship after discovering a potential ethical problem.

## PROCEDURAL HISTORY

The Cleveland Bar Association filed its complaint on August 14, 2000. The matter was referred to a panel of the Board of Commissioners on Grievances and Discipline, which found that Reed aided Moore's unauthorized practice of law, shared legal fees with a nonlawyer, and engaged in conduct prejudicial to the administration of justice. The board adopted the panel's recommendation of a public reprimand, and the Supreme Court of Ohio affirmed the board's findings and imposed the reprimand.

## DISPOSITION

other

## CASES CITED

- Cleveland Bar Assn. v. Moore, 87 Ohio St. 3d 583, 722 N.E.2d 514 (2000)