

SUPREME COURT OF OHIO

In re Report of the Commission on Continuing Legal Education

98 Ohio St. 3d 1497 (Ohio 2003) · Decided March 20, 2003

SUMMARY

The Supreme Court of Ohio adopts the Commission on Continuing Legal Education's recommendation concerning attorneys' and judges' noncompliance with continuing legal education requirements. The order imposes sanctions, suspends the listed attorneys from practicing law until reinstatement, and establishes related notification, compliance, and filing obligations.

CASE DETAILS

COURT	Supreme Court of Ohio
JURISDICTION	Ohio
DECIDED	March 20, 2003
DISPOSITION	other
PROCEDURAL POSTURE	Original disciplinary proceeding arising from the Commission on Continuing Legal Education's report recommending sanctions and suspension of an attorney for continuing-legal-education noncompliance.
PRECEDENTIAL VALUE	Published per curiam disciplinary order; binding as to the disposition and conditions imposed on the respondent.

TOPICS

administrative law

agency adjudication

remedies

PRACTICE AREAS

administrative law

professional discipline

legal ethics

continuing legal education

QUESTIONS PRESENTED

1. Whether the Supreme Court should adopt the Commission on Continuing Legal Education's recommendation of sanctions for the respondent's continuing-legal-education noncompliance.
2. Whether the respondent should be suspended from the practice of law and required to satisfy specified reinstatement, notice, client-protection, and continuing-education conditions.

HOLDINGS

1. The court adopted the Commission on Continuing Legal Education's recommendation and imposed the recommended monetary sanction for the respondent's noncompliance during the 2000-2001 reporting period.
2. The respondent was immediately suspended from the practice of law until reinstated by order of the Supreme Court of Ohio, based on violation of Gov.Bar R. X for a third consecutive reporting period and continuous and ongoing noncompliance.
3. The respondent was prohibited from practicing law, required to surrender specified credentials and provide notices and client-related protections, and could not be reinstated until complying with Gov.Bar R. X(7), the Supreme Court Rules for the Government of the Bar of Ohio, the court's orders, and a subsequent reinstatement order.

KEY QUOTATIONS

"IT IS ORDERED by the court that the recommendation of the commission be adopted and respondent, [Name of Attorney], is immediately suspended from the practice of law pursuant to Gov.Bar R. X(6)(B)(3), and Gov.Bar R. X(5)(A)(4), until respondent is reinstated by order of this court pursuant to Gov.Bar R. X(7)." (98 Ohio St. 3d at 1497)

"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 Gov.Bar R. X(7), (2) respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio, (3) respondent complies with this and all other orders of the court, and (4) this court orders respondent reinstated." (98 Ohio St. 3d at 1498)

FACTUAL BACKGROUND

The Commission on Continuing Legal Education determined that the respondent failed to comply with applicable continuing-legal-education requirements during the 2000-2001 reporting period. It recommended a monetary sanction and suspension from the practice of law based on a third consecutive reporting-period violation and continuing noncompliance. After the respondent filed objections to the recommendation, the Supreme Court adopted it and imposed suspension and related obligations.

PROCEDURAL HISTORY

The Commission on Continuing Legal Education filed a report under Gov.Bar R. X recommending sanctions and suspension for noncompliance during the 2000-2001 reporting period and for violations across three consecutive reporting periods. The Supreme Court of Ohio issued an order to show cause, received the respondent's objections and the commission's answer brief, and then adopted the commission's recommendation.

DISPOSITION

other

