

SUPREME COURT OF OHIO

In re Resignation of Feighan

2016-Ohio-7974 (Ohio 2016) · No. 2016-1659 · Decided December 2, 2016

SUMMARY

The Supreme Court of Ohio accepted Joseph English Feighan III's resignation from the practice of law with disciplinary action pending under Gov.Bar R. VI(11). The order withdrew his practice privileges, required surrender of his admission certificate and registration card, imposed client-notification and property-return obligations, and struck his name from the roll of attorneys.

CASE DETAILS

COURT	Supreme Court of Ohio
WRITING FOR THE COURT	O'Connor, C.J.; Pfeifer, J.; O'Donnell, J.; Lanzinger, J.; Kennedy, J.; French, J.; O'Neill, J.
JURISDICTION	Ohio
DECIDED	December 2, 2016
DOCKET	2016-1659
DISPOSITION	other
PROCEDURAL POSTURE	Attorney submitted an application for retirement or resignation while disciplinary action was pending. The Supreme Court of Ohio considered disciplinary counsel's report and accepted the resignation with disciplinary action pending.
PRECEDENTIAL VALUE	Published Ohio Supreme Court attorney-discipline order

TOPICS

civil procedure

PRACTICE AREAS

legal ethics

attorney discipline

professional responsibility

QUESTIONS PRESENTED

1. Whether Feighan's application for resignation should be accepted as a resignation with disciplinary action pending under the Ohio disciplinary rules.

2. What restrictions and compliance obligations should accompany acceptance of the resignation.

HOLDINGS

1. The court accepted Feighan's resignation as a resignation with disciplinary action pending pursuant to Gov.Bar R. VI(11)(C).
2. Upon acceptance of the resignation, Feighan's rights and privileges to practice law in Ohio were withdrawn, and he was prohibited from holding himself out as an attorney, rendering legal services, or appearing as an attorney before Ohio tribunals or public authorities.
3. Feighan was required to notify clients, co-counsel, opposing counsel, and adverse parties; deliver client papers and property; refund unearned fees; account for trust property; file proof of compliance; maintain records; and surrender his attorney-registration card.

KEY QUOTATIONS

“the resignation as an attorney and counselor at law is accepted as a resignation with disciplinary action pending.” (¶ 2)

“from and after this date all rights and privileges extended to respondent to practice law in the state of Ohio be withdrawn” (¶ 3)

FACTUAL BACKGROUND

Joseph English Feighan was admitted to practice law in Ohio in 1996 and had a last known business address in Lakewood, Ohio. He submitted an application for retirement or resignation, and disciplinary counsel filed a report with the Supreme Court of Ohio. The court accepted the resignation with disciplinary action pending and ordered Feighan to cease practicing law, surrender his admission documents, notify clients and opposing parties, address client funds and property, and comply with other disciplinary requirements.

PROCEDURAL HISTORY

Joseph English Feighan submitted an application for retirement or resignation under Gov.Bar R. VI(11). The application was referred to disciplinary counsel, whose report was filed with the Supreme Court of Ohio. The court accepted Feighan's resignation with disciplinary action pending and imposed the accompanying practice restrictions and compliance obligations.

DISPOSITION

other

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