

SUPREME COURT OF KENTUCKY

Timothy Michael Longmeyer v. Kentucky Bar Association

2017-SC-000025-KB · No. 2017-SC-000025-KB · Decided April 4, 2017

SUMMARY

The Supreme Court of Kentucky granted Timothy Michael Longmeyer’s motion to resign from the Kentucky Bar Association under terms of permanent disbarment. The order followed his guilty plea to federal bribery charges and directed him to comply with applicable client-notification requirements and pay \$64.80 in costs.

CASE DETAILS

COURT	Supreme Court of Kentucky
WRITING FOR THE COURT	All sitting
JURISDICTION	Kentucky
DECIDED	April 4, 2017
DOCKET	2017-SC-000025-KB
DISPOSITION	other
PROCEDURAL POSTURE	Longmeyer moved for leave to resign from the Kentucky Bar Association under terms of permanent disbarment. The Kentucky Bar Association did not object.
STANDARD OF REVIEW	The court reviewed the record, the severity of Longmeyer's conduct, and Kentucky disciplinary precedent.
PRECEDENTIAL VALUE	published
PARTIES	Timothy Michael Longmeyer v. Kentucky Bar Association

TOPICS

remedies

appellate procedure

PRACTICE AREAS

legal ethics

attorney discipline

professional responsibility

QUESTIONS PRESENTED

1. Whether Longmeyer should be permitted to resign from the Kentucky Bar Association under terms of permanent disbarment.

HOLDINGS

1. Longmeyer was permitted to resign from the Kentucky Bar Association under terms of permanent disbarment because the severity of his bribery-related conduct and the disciplinary record warranted permanent disbarment.

FACTUAL BACKGROUND

Longmeyer pleaded guilty to bribery arising from his conduct while serving as Secretary of the Kentucky Personnel Cabinet and administering the Kentucky Employees' Health Plan. He received \$212,500 in illegal kickbacks from a consultant providing services through the plan. The federal court sentenced him to 70 months of incarceration and ordered him to pay \$203,500 in restitution.

PROCEDURAL HISTORY

Longmeyer pleaded guilty in federal court to one count of bribery under 18 U.S.C. § 666(a)(1)(B), received a 70-month sentence, and was ordered to pay restitution. The Kentucky Bar Association temporarily suspended him under SCR 3.166, and the Inquiry Commission issued a complaint alleging professional misconduct under SCR 3.130(8.4)(b), although formal charges had not been issued. Longmeyer acknowledged that sufficient evidence supported formal charges and sought resignation under terms of permanent disbarment; the Supreme Court of Kentucky granted the motion.

DISPOSITION

other

OPINION

Timothy Michael Longmeyer v. Kentucky Bar Association

PER CURIAM.

TO BE PUBLISHED

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TIMOTHY MICHAEL LONGMEYER MOVANT

V. IN SUPREME COURT

KENTUCKY BAR ASSOCIATION - RESPONDENT

OPINION AND ORDER

Timothy Michael Longmeyer, Kentucky Bar-Association Member No. 847 87 , in person and through counsel, moves this Court for leave to resign under terms of permanent disbarment. The Kentucky Bar Association has no objection to Longmeyer’s motion. I. BACKGROUND.

Longmeyer was charged with and pled guilty to one count of bribery in Violation of 18 U.S.C. § 666(a)(1)(B). Following Longmeyer's April 2016 guilty plea, the KBA temporarily suspended him from the practice of law pursuant to Supreme Court Rule (SCR) 3.166. That suspension remains in effect. Longmeyer's federal charge arose from actions he took while serving as Secretary of the Personnel Cabinet. According to the Information and Plea Agreement in the federal criminal case, Longmeyer, who was responsible for administration of the Kentucky Employees' Health Plan (KEHP), received \$212,500 in illegal "kickbacks" from a consultant who provided services to Humana and Anthem through KEHP. In September 2016, the federal court accepted Longmeyer's plea, sentenced him to 70 months incarceration, and ordered him to pay \$203,500 in restitution. Approximately one month after Longmeyer entered into the plea agreement, the Inquiry Commission issued a complaint stating that Longmeyer violated SCR 3.130(8.4)(b) ("It is professional misconduct for a lawyer to: commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects"). No formal charges have been issued. However, Longmeyer acknowledges that there is sufficient evidence to support formal charges and to support a finding that he violated at least SCR 3.130(8.4)(b). Therefore, Longmeyer seeks leave to resign under terms of permanent disbarment II. ANALYSIS. Based on our review of the record, the severity of the conduct in which Longmeyer engaged, and our disciplinary precedent, we agree that permanent disbarment is appropriate. Therefore, we grant Longmeyer's motion to resign from the KBA under terms of permanent disbarment. It is therefore, ORDERED that: 1. Movant, Timothy Michael Longmeyer, KBA No. 847 87 is permanently disbarred from the practice of law in the Commonwealth of Kentucky. Disbarment shall commence on the date of this order.

2. Pursuant to SCR 3.390, Respondent, if he has not already done so, shall, ' within ten days from the entry of this Opinion and Order, notify all 2 clients in writing of his inability to represent them, and notify all courts in which he has matters pending of his suspension from the practice of law, and furnish copies of said letters of notice to the Office of Bar Counsel, assuming that this is necessary given that he is currently suspended from the practice of law and given his statement that he was not practicing law at the time the events in question took place; Pursuant to SCR 3.390, Respondent shall, to the extent possible and necessary, immediately cancel and cease any advertising activities in which he is engaged, assuming that this is necessary given that he is currently suspended from the practice of law and given his statement that he was not practicing law at the time the events in question took place; In accordance with SCR 3.450, Respondent is directed to pay the costs of this action in the amount of \$64.80, for which execution may issue from this Court upon finality of this Opinion and Order.

CHI JUSTICE

All sitting. All concur. ENTERED: March 23, 2017.

