

SUPREME COURT OF OHIO

Columbus Bar Assn. v. Winkfield

2014 Ohio 2490 (Ohio 2014) · No. 2005-1115 · Decided June 12, 2014

SUMMARY

The Supreme Court of Ohio granted Lawrence Edward Winkfield's petition for reinstatement to the practice of law. Reinstatement was conditioned on three years of monitored probation, compliance with mental-health treatment recommendations, and refraining from illegal conduct, along with payment of costs and reimbursement obligations.

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	June 12, 2014
DOCKET	2005-1115
DISPOSITION	other
PROCEDURAL POSTURE	On a petition for reinstatement to the practice of law in Ohio following respondent's prior discipline or suspension.
PRECEDENTIAL VALUE	Published Ohio Supreme Court reinstatement order; limited precedential value outside the respondent-specific reinstatement conditions.
PARTIES	Columbus Bar Association v. Lawrence Edward Winkfield

TOPICS

costs contempt appellate procedure

PRACTICE AREAS

legal ethics and professional responsibility attorney reinstatement bar discipline

QUESTIONS PRESENTED

- Whether respondent's petition for reinstatement to the practice of law should be granted.

2. What conditions should govern respondent's reinstatement and probation.

HOLDINGS

1. The petition for reinstatement is granted, and Lawrence Edward Winkfield is reinstated to the practice of law in Ohio subject to specified conditions.
2. Reinstatement is conditioned on three years of monitored probation, compliance with mental-health practitioners' recommendations including ongoing psychotherapy or psychiatric treatment, and refraining from illegal conduct.
3. Respondent must pay the assessed proceeding costs and reimburse amounts awarded against him by the Clients' Security Fund, subject to the enforcement measures specified in the order.

KEY QUOTATIONS

“the petition of respondent for reinstatement to the practice of law in Ohio is granted and that respondent, Lawrence Edward Winkfield, last known address in Westerville, Ohio, is reinstated upon the conditions” (¶ 2)

“respondent’s probation will not be terminated until (1) respondent files an application for termination of probation in accordance with Gov.Bar R. V(9)(D), (2) relator files a report with the clerk of the Supreme Court indicating that respondent has complied with the terms and conditions of probation during the probationary period” (¶ 6)

FACTUAL BACKGROUND

Lawrence Edward Winkfield petitioned for reinstatement to the practice of law in Ohio. The Board of Commissioners on Grievances and Discipline reviewed the petition and recommended reinstatement with conditions. The Supreme Court adopted reinstatement conditions involving three years of monitored probation, compliance with mental-health treatment recommendations, and abstention from illegal conduct.

PROCEDURAL HISTORY

Respondent Lawrence Edward Winkfield filed a petition for reinstatement on October 4, 2013. The petition was referred to the Board of Commissioners on Grievances and Discipline, which recommended reinstatement with conditions in a report filed April 7, 2014; no objections were filed. The Supreme Court of Ohio granted reinstatement subject to monitored probation and additional conditions.

DISPOSITION

other