

SUPREME COURT OF OHIO

Disciplinary Counsel v. Meyer

134 Ohio St. 3d 180, 2012-Ohio-5487 (2012) · No. 2012-1001 · Decided November 29, 2012

SUMMARY

The Supreme Court of Ohio disciplined Rebecca Christine Meyer for practicing law while suspended, making false and misleading statements to disciplinary counsel, and failing to update her attorney-registration information after changing her name. The court imposed an 18-month suspension, with six months stayed on the condition that Meyer comply with her Ohio Lawyers Assistance Program contract.

CASE DETAILS

COURT	Supreme Court of Ohio
WRITING FOR THE COURT	Per Curiam; Maureen O'Connor, C.J.; Evelyn Lundberg Stratton; Terrence O'Donnell; Maureen O'Connor; William M. O'Neill; William M. Cupp; Patrick F. McGee Brown
JURISDICTION	Ohio
DECIDED	November 29, 2012
DOCKET	2012-1001
DISPOSITION	other
PROCEDURAL POSTURE	Attorney-discipline proceeding on a certified report from the Board of Commissioners on Grievances and Discipline of the Supreme Court of Ohio.
STANDARD OF REVIEW	The Supreme Court independently considered the evidence and reviewed the board's findings and recommended sanction.
PRECEDENTIAL VALUE	Published opinion of the Supreme Court of Ohio; precedential attorney-discipline decision.
PARTIES	Disciplinary Counsel v. Rebecca Christine Meyer, f.k.a. Gee

TOPICS

administrative law

agency adjudication

judicial review of agency action

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Meyer's stipulated conduct violated the Ohio Rules of Professional Conduct.
2. What disciplinary sanction was appropriate for practicing law while suspended, making false and misleading statements in a disciplinary matter, and failing to update attorney-registration information.

HOLDINGS

1. Meyer's continued practice of law during her suspension violated Prof.Cond.R. 1.16(a)(1), 5.5(a), 8.4(c), and 8.4(h).
2. Meyer violated Prof.Cond.R. 8.1(a), 8.1(b), and 8.4(h) by making false and misleading statements and failing to disclose a material fact in response to a disciplinary investigation.
3. Meyer's failure to update the Supreme Court's Office of Attorney Services with the professional name she had used since 2004 violated Gov.Bar R. VI(1)(D) and Prof.Cond.R. 8.4(h).
4. An eighteen-month suspension from the practice of law, with six months stayed on the condition that Meyer comply with her Ohio Lawyers Assistance Program contract, was appropriate.

KEY QUOTATIONS

"Accordingly, we suspend Meyer from the practice of law in Ohio for 18 months, with six months stayed on the condition that she comply with her OLAP contract. Costs are taxed to Meyer." (§ 14)

FACTUAL BACKGROUND

Meyer was suspended from practicing law on December 17, 2010, for continuing-legal-education noncompliance and was reinstated on June 14, 2011. The parties stipulated that she continued to practice law during the suspension and later falsely stated in a letter to disciplinary counsel that she had not practiced during that period. Meyer also failed to update her attorney-registration information after changing her surname, although she used the Meyer name professionally for years.

PROCEDURAL HISTORY

Disciplinary counsel filed a three-count complaint alleging that Meyer practiced law while suspended, made false and misleading statements to disciplinary counsel, and failed to update her attorney-registration information. After a hearing, a panel recommended an eighteen-month suspension with twelve months stayed; the board adopted the findings and recommended an eighteen-month suspension with only six months stayed. The Supreme Court of Ohio independently reviewed the matter and adopted the board's findings and sanction.

DISPOSITION

other

CASES CITED

- In re Gee, 127 Ohio St. 3d 1467, 2010-Ohio-6302, 938 N.E.2d 368
- In re Gee, 128 Ohio St. 3d 1521, 2011-Ohio-2877, 948 N.E.2d 963
- Disciplinary Counsel v. Gee, 132 Ohio St. 3d 1229, 2012-Ohio-2754, 971 N.E.2d 952
- Kentucky Bar Assn. v. Gee, 363 S.W.3d 343 (Ky. 2012)
- Disciplinary Counsel v. Higgins, 117 Ohio St. 3d 473, 2008-Ohio-1509, 884 N.E.2d 1070
- Disciplinary Counsel v. MacLean, 106 Ohio St. 3d 50, 2005-Ohio-3672, 831 N.E.2d 423
- Toledo Bar Assn. v. Crandall, 98 Ohio St. 3d 444, 2003-Ohio-1637, 786 N.E.2d 872
- Disciplinary Counsel v. Fowerbaugh, 74 Ohio St. 3d 187, 191, 658 N.E.2d 237 (1995)

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