

SUPREME COURT OF OHIO

Columbus Bar Assn. v. Armengau

2014-Ohio-3023 (Ohio 2014) · No. 2014-0997 · Decided July 8, 2014

SUMMARY

The Supreme Court of Ohio entered an immediate interim remedial suspension against attorney Javier Horacio Armengau on the motion of the Columbus Bar Association. The order prohibited Armengau from practicing law, required steps to protect clients and reimburse Clients' Security Fund awards, and imposed conditions for reinstatement.

CASE DETAILS

COURT	Supreme Court of Ohio
WRITING FOR THE COURT	Maureen O'Connor, Chief Justice; William M. O'Neill, Justice; Paul E. Pfeifer, Justice; Terrence O'Donnell, Justice; Lynn Slaby, Justice; Judith Ann Lanzinger, Justice; Sharon L. Kennedy, Justice; William A. Klatt, Justice
JURISDICTION	Ohio
DECIDED	July 8, 2014
DOCKET	2014-0997
DISPOSITION	other
PROCEDURAL POSTURE	The Columbus Bar Association moved for an immediate interim remedial suspension of respondent attorney under Gov.Bar R. V(5a), alleging violations of the Ohio Rules of Professional Conduct and a substantial threat of serious harm to the public.
STANDARD OF REVIEW	The court considered the motion under the procedures and requirements of Gov.Bar R. V(5a), including whether the alleged conduct warranted immediate interim remedial suspension because it posed a substantial threat of serious harm to the public.
PRECEDENTIAL VALUE	Published Supreme Court of Ohio per curiam disciplinary order
PARTIES	Columbus Bar Association v. Javier Horacio Armengau

TOPICS

remedies

civil procedure

PRACTICE AREAS

legal ethics

attorney discipline

professional responsibility

QUESTIONS PRESENTED

1. Whether the court should impose an immediate interim remedial suspension under Gov.Bar R. V(5a) based on alleged professional misconduct posing a substantial threat of serious harm to the public.
2. What protective and administrative measures should accompany the interim suspension.

HOLDINGS

1. The court imposed an immediate interim remedial suspension against Armengau, effective immediately and continuing pending final disposition of disciplinary proceedings predicated on the conduct alleged to threaten serious harm to the public.
2. The court ordered Armengau to cease practicing law, prohibited him from performing legal services and handling client matters except as permitted by the governing rules, and required inventory, notice, file-transfer, refund, accounting, continuing-education, reinstatement, and Clients' Security Fund obligations.

KEY QUOTATIONS

“Upon consideration thereof and pursuant to Gov.Bar R. V(5a)(B), it is ordered and decreed that an interim remedial suspension is immediately entered against Javier Horacio Armengau, Attorney Registration No. 0069776, last known business address in Columbus, Ohio, and that the suspension be effective as of the date of this entry, pending final disposition of disciplinary proceedings predicated on the conduct threatening the serious harm.” (¶ 2)

“It is further ordered that respondent immediately cease and desist from the practice of law in any form and that respondent is hereby forbidden to appear on behalf of another before any court, judge, commission, board, administrative agency, or other public authority.” (¶ 3)

FACTUAL BACKGROUND

The Columbus Bar Association alleged that Javier Horacio Armengau engaged in conduct violating the Ohio Rules of Professional Conduct and posing a substantial threat of serious harm to the public. Armengau responded to the motion, but the court ordered an immediate interim suspension and related client-protection measures pending final disciplinary proceedings.

PROCEDURAL HISTORY

The relator filed its motion on June 16, 2014. Respondent filed a response, and the Supreme Court of Ohio granted the motion, imposing an immediate interim remedial suspension pending final disposition of disciplinary proceedings.

DISPOSITION

other

