

SUPREME COURT OF OHIO

In re Stern

101 Ohio St. 3d 1495 (Ohio 2004) · Decided March 29, 2004

SUMMARY

The Supreme Court of Ohio imposed an interim suspension on Ira Sidney Stern following certification of a felony conviction. The order also referred the matter for disciplinary investigation and established requirements concerning cessation of practice, client notification, continuing legal education, reimbursement, and reinstatement.

CASE DETAILS

COURT	Supreme Court of Ohio
JURISDICTION	Ohio
DECIDED	March 29, 2004
DISPOSITION	other
PROCEDURAL POSTURE	The Supreme Court of Ohio received certification of a felony conviction judgment against an Ohio attorney and entered an interim suspension order under the Supreme Court Rules for the Government of the Bar of Ohio.
PRECEDENTIAL VALUE	published

TOPICS

- administrative law
- agency adjudication
- judicial review of agency action

PRACTICE AREAS

- legal ethics
- attorney discipline
- professional responsibility

QUESTIONS PRESENTED

- Whether certification of an attorney's felony conviction required the Supreme Court of Ohio to impose an interim suspension under Gov. Bar R. V(5)(A)(4).
- What interim restrictions and compliance obligations should accompany the suspension.

HOLDINGS

1. Upon certification of a judgment entry reflecting the attorney's felony conviction pursuant to Gov. Bar R. V(5)(A)(3), the Supreme Court of Ohio ordered the attorney suspended from the practice of law for an interim period under Gov. Bar R. V(5)(A)(4).
2. During the interim suspension, Stern was required to cease practicing law, was prohibited from appearing or providing legal services, was subject to continuing legal education and reinstatement requirements, and was required to comply with client-notification, property-transfer, fee-refund, filing, address-reporting, and client-security-fund reimbursement obligations.

KEY QUOTATIONS

“Upon consideration thereof and pursuant to Gov.Bar R. V(5)(A)(4), it is ordered and decreed that Ira Sidney Stem, Attorney Registration No. 0028725, last known business address in Columbus, Ohio, be, and hereby is, suspended from the practice of law for an interim period, effective as of the date of this entry.” (101 Ohio St. 3d at 1495)

FACTUAL BACKGROUND

Ira Sidney Stern was an attorney licensed to practice law in Ohio. The Secretary of the Board of Commissioners on Grievances and Discipline certified to the Supreme Court of Ohio a judgment entry showing Stern's felony conviction. Based on that certification, the court imposed an interim suspension and directed that disciplinary proceedings commence.

PROCEDURAL HISTORY

On February 20, 2004, the Secretary of the Board of Commissioners on Grievances and Discipline certified a copy of respondent Ira Sidney Stern's felony-conviction judgment to the Supreme Court of Ohio. The court ordered an interim suspension, referred the matter to Disciplinary Counsel for investigation and disciplinary proceedings, and imposed related compliance, notification, continuing-legal-education, and client-security-fund reimbursement requirements.

DISPOSITION

other