

SUPREME COURT OF OHIO

In re Resignation of Slagle

121 Ohio St. 3d 1216 (Ohio 2009) · Decided February 25, 2009

SUMMARY

The Supreme Court of Ohio accepted John Wesley Slagle’s resignation from the practice of law as a resignation with disciplinary action pending. The order withdrew his practice privileges, required compliance with client-notification and recordkeeping obligations, and imposed related restrictions and reimbursement duties.

CASE DETAILS

COURT	Supreme Court of Ohio
WRITING FOR THE COURT	Moyer, C.J.; Pfeifer; Lundberg Stratton; O'Connor; O'Donnell; Lanzinger; Cupp
JURISDICTION	Ohio
DECIDED	February 25, 2009
DISPOSITION	approved
PROCEDURAL POSTURE	The Supreme Court of Ohio considered an attorney’s application to retire or resign under Gov.Bar R. VI(6), following referral of the application to Disciplinary Counsel and submission of Disciplinary Counsel's report.
PRECEDENTIAL VALUE	Published Ohio Supreme Court order concerning acceptance of an attorney resignation with disciplinary action pending.

TOPICS

administrative law

agency adjudication

PRACTICE AREAS

attorney discipline

legal ethics

professional responsibility

QUESTIONS PRESENTED

1. Whether Slagle's application for resignation should be accepted pursuant to Gov.Bar R. VI(6) while disciplinary action was pending.
2. What restrictions and compliance obligations should accompany acceptance of the resignation.

HOLDINGS

1. The court accepted Slagle's resignation as an attorney and counselor at law with disciplinary action pending.
2. Upon acceptance, Slagle's rights and privileges to practice law in Ohio were withdrawn, his name was ordered stricken from the roll of attorneys, and he was prohibited from practicing law or holding himself out as authorized to practice.
3. Slagle was required to comply with specified obligations concerning employment with attorneys or law firms, client and opposing-party notices, delivery of client property, refunds and trust-accounting, filing an affidavit of compliance, surrender of his registration card, address reporting, and reimbursement of Clients' Security Fund awards.

KEY QUOTATIONS

"It is ordered by the court that pursuant to Gov.Bar R. VI(6)(C) the resignation as an attorney and counselor at law is accepted as a resignation with disciplinary action pending." (121 Ohio St. 3d at 1216)

"It is further ordered and adjudged that from and after this date all rights and privileges extended to respondent to practice law in the state of Ohio be withdrawn; that henceforth respondent shall cease to hold himself forth as an attorney authorized to appear in the courts of this state" (121 Ohio St. 3d at 1216-1217)

FACTUAL BACKGROUND

John Wesley Slagle was an Ohio attorney admitted to practice in 1976. He submitted an application for retirement or resignation, and the application was referred to Disciplinary Counsel under the governing bar rule. After receiving Disciplinary Counsel's report, the Supreme Court of Ohio accepted the resignation with disciplinary action pending.

PROCEDURAL HISTORY

John Wesley Slagle submitted an application for retirement or resignation pursuant to Gov.Bar R. VI(6). The application was referred to Disciplinary Counsel, whose report was filed with the Supreme Court of Ohio. The court accepted Slagle's resignation with disciplinary action pending and imposed the stated restrictions and compliance obligations.

DISPOSITION

approved