

SUPREME COURT OF OHIO

Disciplinary Counsel v. Niehaus

2017 Ohio 7685 (Ohio 2017) · No. 2017-0052 · Decided September 20, 2017

SUMMARY

The Supreme Court of Ohio indefinitely suspended Daniel Alan Niehaus from the practice of law based on a certification of default. The order imposes requirements concerning cessation of legal practice, client and court notifications, continuing legal education, reimbursement to the Lawyers' Fund for Client Protection, and reinstatement.

CASE DETAILS

COURT	Supreme Court of Ohio
WRITING FOR THE COURT	Maureen O'Connor, C.J.; Terrence O'Donnell, J.; Maureen O'Connor, J.; Mary DeGenaro Kennedy, J.; Judith L. French, J.; William M. O'Neill, J.; Patrick F. Fischer, J.; Patrick DeWine, J.
JURISDICTION	Ohio
DECIDED	September 20, 2017
DOCKET	2017-0052
DISPOSITION	other
PROCEDURAL POSTURE	On certification of default in an attorney-discipline proceeding.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Disciplinary Counsel v. Daniel Alan Niehaus

TOPICS

remedies

administrative law

PRACTICE AREAS

professional responsibility

attorney discipline

QUESTIONS PRESENTED

1. Whether the respondent's interim default suspension should be converted into an indefinite suspension under the Supreme Court Rules for the Government of the Bar of Ohio.

HOLDINGS

1. Upon certification of default and the absence of objections, the court converted respondent's interim default suspension into an indefinite suspension from the practice of law.

KEY QUOTATIONS

“respondent, Daniel Alan Niehaus, Attorney Registration No. 0078682, last known address in Independence, Kentucky, is indefinitely suspended from the practice of law.” (¶ 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 Board of Professional Conduct certified respondent Daniel Alan Niehaus's default to the Supreme Court of Ohio. The court had previously imposed an interim default suspension under Gov.Bar R. V(14)(B)(1). Niehaus did not object to conversion of the interim suspension into an indefinite suspension.

PROCEDURAL HISTORY

The Board of Professional Conduct filed a certification of default with the Supreme Court of Ohio. The court imposed an interim default suspension and ordered the parties to show cause why it should not be converted into an indefinite suspension. No objections were filed, and the court converted the interim suspension into an indefinite suspension.

DISPOSITION

other