

SUPREME COURT OF OHIO

Cuyahoga County Bar Ass'n v. Rockmael

92 Ohio St. 3d 20 (Ohio 2001) · Decided May 30, 2001

SUMMARY

The Ohio Supreme Court reviewed consolidated attorney-discipline proceedings against Les Evan Rockmael. The court adopted findings that Rockmael neglected client matters, misappropriated approximately \$206,686.09 from client accounts, failed to return unearned fees, and failed to cooperate with bar investigations. The court permanently disbarred him from practicing law in Ohio and taxed costs to him.

CASE DETAILS

COURT	Supreme Court of Ohio
WRITING FOR THE COURT	Moyer, C.J.; Douglas, J.; Resnick, J.; F.E. Sweeney, J.; Pfeifer, J.; Cook, J.; Lundberg Stratton, J.
JURISDICTION	Ohio
DECIDED	May 30, 2001
DISPOSITION	other
PROCEDURAL POSTURE	Attorney-discipline proceeding in which the Supreme Court of Ohio reviewed and adopted the disciplinary board's findings, conclusions, and recommendation of disbarment.
STANDARD OF REVIEW	Review of the disciplinary record and adoption of the board's findings, conclusions, and recommendation.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Cuyahoga County Bar Association, Cleveland Bar Association v. Les Evan Rockmael

TOPICS

probate

bankruptcy

remedies

PRACTICE AREAS

legal ethics and professional discipline

probate

bankruptcy

attorney misconduct

QUESTIONS PRESENTED

1. Whether respondent violated the cited Ohio Code of Professional Responsibility provisions and Gov.Bar R. V(4)(G) through neglect, failure to perform contracted legal services, misappropriation of client funds, improper limitation of malpractice liability, and failure to cooperate with disciplinary investigations.
2. Whether permanent disbarment was the appropriate sanction for respondent's misconduct.

HOLDINGS

1. Respondent violated DR 1-102(A)(3), DR 1-102(A)(4), DR 1-102(A)(6), DR 2-110(A)(3), DR 6-101(A)(3), DR 6-102(A), DR 7-101(A)(2), DR 7-101(A)(3), DR 9-102(B)(3), DR 9-102(B)(4), and Gov.Bar R. V(4)(G).
2. Permanent disbarment from the practice of law in Ohio was warranted.

KEY QUOTATIONS

“Respondent is hereby permanently disbarred from the practice of law in Ohio.” (22)

FACTUAL BACKGROUND

Respondent accepted representation in several matters, including probate, investment, bankruptcy, and litigation matters, but failed to perform promised legal services and failed to communicate with clients. He misappropriated approximately \$216,000 from Grace family accounts and failed to return \$206,686.09, while conditioning return of the funds on a release of liability. He also failed to respond to multiple bar-association inquiries and did not answer either disciplinary complaint.

PROCEDURAL HISTORY

The Cuyahoga County Bar Association and Cleveland Bar Association filed separate disciplinary complaints against respondent. The complaints were consolidated and referred to a panel of the Board of Commissioners on Grievances and Discipline, which found multiple violations and recommended disbarment. The board adopted the panel's findings and recommendation, and the Supreme Court of Ohio adopted them on review and permanently disbarred respondent.

DISPOSITION

other