

SUPREME COURT OF OHIO

Disciplinary Counsel v. Roderick

116 Ohio St. 3d 1405 (Ohio 2007) · Decided November 20, 2007

SUMMARY

The Supreme Court of Ohio entered an interim remedial suspension against Richard Clement Roderick Jr. based on alleged professional-conduct violations and a substantial threat of serious harm to clients and the public. The order immediately prohibited him from practicing law, imposed continuing legal education and reimbursement obligations, and established notice, client-protection, and compliance requirements pending final disciplinary proceedings.

CASE DETAILS

COURT	Supreme Court of Ohio
JURISDICTION	Ohio
DECIDED	November 20, 2007
DISPOSITION	other
PROCEDURAL POSTURE	The Disciplinary Counsel filed an unopposed motion for an interim remedial suspension in the Supreme Court of Ohio's attorney-discipline proceeding.
PRECEDENTIAL VALUE	Published per curiam interim disciplinary order; limited precedential value beyond the suspension and conditions imposed.

TOPICS

administrative law remedies restitution accounting

PRACTICE AREAS

attorney discipline professional responsibility remedies

QUESTIONS PRESENTED

1. Whether the Supreme Court of Ohio should impose an immediate interim remedial suspension based on the Disciplinary Counsel's allegations that respondent violated professional-responsibility rules and posed a substantial threat of serious harm.
2. What interim obligations should accompany the suspension, including client notification, transfer of client property, fee refunds, trust-accounting, notice to opposing parties, and reimbursement of Clients'

Security Fund awards.

HOLDINGS

1. The court granted the Disciplinary Counsel's unopposed motion and immediately suspended Roderick from the practice of law pending final disposition of disciplinary proceedings based on the alleged conduct threatening serious harm.
2. The suspended attorney was required to cease all legal practice and comply with specified reinstatement, continuing-legal-education, client-notification, client-property, fee-refund, trust-accounting, notice, recordkeeping, filing, and Clients' Security Fund reimbursement requirements.

KEY QUOTATIONS

“Upon consideration thereof and pursuant to Gov.Bar R. V(5a)(B), it is ordered and decreed that an interim remedial suspension be immediately entered against respondent 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.” (116 Ohio St. 3d at 1405-06)

“It is further ordered that respondent immediately cease and desist from the practice of law in any form and is hereby forbidden to appear on behalf of another before any court, judge, commission, board, administrative agency, or other public authority.” (116 Ohio St. 3d at 1406)

FACTUAL BACKGROUND

The Disciplinary Counsel alleged that Richard Clement Roderick Jr. had committed numerous violations of the Code of Professional Responsibility and posed a substantial threat of serious harm to his clients and the public. Roderick had a last known business address in Gallipolis, Ohio and did not respond to the motion. The court's order did not adjudicate the underlying disciplinary allegations.

PROCEDURAL HISTORY

On October 24, 2007, the Disciplinary Counsel moved for an interim remedial suspension under Gov. Bar R. V(5a), alleging numerous professional-responsibility violations and a substantial threat of serious harm to clients and the public. Roderick filed no response. The Supreme Court of Ohio granted the motion and imposed an immediate suspension pending final disposition of disciplinary proceedings.

DISPOSITION

other

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