

SUPREME COURT OF OHIO

Office of Disciplinary Counsel v. Mount

97 Ohio St. 3d 1201 (Ohio 2002) · Decided September 26, 2002

SUMMARY

The Supreme Court of Ohio imposed reciprocal discipline on Dick Wilson Mount Jr. based on a Florida disciplinary order placing him on probation for one year. The court suspended Mount for one year, stayed the suspension, placed him on probation for one year, and imposed related reimbursement and compliance requirements.

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	September 26, 2002
DISPOSITION	other
PROCEDURAL POSTURE	Reciprocal attorney-discipline proceeding under Gov.Bar R. V(11)(F), initiated after the relator filed a certified copy of a Florida disciplinary order.
PRECEDENTIAL VALUE	Published Ohio Supreme Court disciplinary opinion
PARTIES	Office of Disciplinary Counsel v. Dick Wilson Mount, Jr.

TOPICS

appellate procedure

administrative law

PRACTICE AREAS

legal ethics

attorney discipline

professional responsibility

reciprocal discipline

QUESTIONS PRESENTED

1. Whether the Supreme Court of Ohio should impose identical or comparable discipline under the reciprocal-discipline provisions of Gov.Bar R. V(11)(F) based on the Florida disciplinary order.

HOLDINGS

1. Under Gov.Bar R. V(11)(F)(4), the Supreme Court of Ohio imposed a one-year suspension from the practice of law, stayed the suspension, and placed respondent on probation for one year, subject to specified conditions.
2. Respondent may not apply for termination of probation in Ohio until he satisfies the specified Ohio and Florida probation requirements, files evidence showing termination of Florida probation, complies with the court's orders and governing bar rules, and obtains an order from the Supreme Court of Ohio terminating probation.

KEY QUOTATIONS

“respondent, Dick Wilson Mount, Jr., Attorney Registration No. 0037553, last known business address in Minerva, Ohio, be suspended for a period of one year, that the suspension be stayed, that respondent be placed on probation for a period of one year” (§ 3)

FACTUAL BACKGROUND

The Supreme Court of Florida entered an order placing respondent Dick Wilson Mount, Jr. on probation for one year. Ohio Disciplinary Counsel filed a certified copy of that order in the Supreme Court of Ohio under the reciprocal-discipline provisions of Gov.Bar R. V(11)(F). After Ohio ordered respondent to show cause why comparable discipline should not be imposed, respondent filed no response.

PROCEDURAL HISTORY

The Supreme Court of Florida placed respondent Dick Wilson Mount, Jr. on probation for one year. Ohio Disciplinary Counsel filed the certified Florida order with the Supreme Court of Ohio, which ordered respondent to show cause why identical or comparable discipline should not be imposed in Ohio. Respondent filed no response, and the Ohio Supreme Court imposed a stayed one-year suspension and one year of probation, with additional conditions.

DISPOSITION

other

CASES CITED

- Florida Bar v. Dick Wilson Mount, Jr., case No. SC01-1900 (Fla. May 2, 2002)

OPINION

PER CURIAM.

{¶ 1} This cause is pending before the Supreme Court of Ohio in accordance with the reciprocal discipline provisions of Gov.Bar R. V(11)(F). {¶ 2} On July 25, 2002, relator, Disciplinary Counsel, filed with this court a certified copy of an order of the Supreme Court of Florida entered May 2, 2002, in Florida Bar v. Dick Wilson Mount, Jr., in case No. SC01-1900, in which

respondent, Dick Wilson Mount, Jr., was placed on probation for one year under the terms and conditions set forth in the report.

On August 6, 2002, this court ordered respondent to show cause why identical or comparable discipline should not be imposed in this state. Respondent filed no response to the show cause order. This cause was considered by the court and on consideration thereof, {¶ 3} IT IS ORDERED AND ADJUDGED by this court that pursuant to Gov.Bar R. V(11)(F)(4), respondent, Dick Wilson Mount, Jr., Attorney Registration No. 0037553, last known business address in Minerva, Ohio, be suspended for a period of one year, that the suspension be stayed, that respondent be placed on probation for a period of one year, and that he may not apply for termination of probation in Ohio until such time as his probation is terminated in the state of Florida. {¶ 4} IT IS FURTHER ORDERED, sua sponte, by the court, that within 90 days of the date of this order, respondent shall reimburse any amounts that have been awarded against the respondent by the Clients' Security Fund pursuant to Gov.Bar R. VIII(7)(F).

It is further ordered, sua sponte, by the court that if, after the date of this order, the Clients' Security Fund awards any amount against the respondent pursuant to Gov.Bar R. VHI(7)(F), the respondent shall reimburse that amount to the Clients' Security Fund within 90 days of the notice of such award. {¶ 5} IT IS FURTHER ORDERED that respondent may not apply for termination of probation in Ohio until (1) respondent complies with the requirements for termination of probation set forth in the Supreme Court Rules for the Government of the Bar of Ohio; (2) respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio; (3) respondent files evidence with *1202the Clerk of this court and with Disciplinary Counsel demonstrating his termination of probation in Florida; (4) respondent complies with this and all other orders issued by this court; and (5) this court orders the probation of respondent terminated. {¶ 6} IT IS FURTHER ORDERED that until such time as he fully complies with this order, respondent shall keep the Clerk and the Disciplinary Counsel advised of any change of address where respondent may receive communications. {¶ 7} IT IS FURTHER ORDERED, sua sponte, that all documents filed with this court in this case shall meet the filing requirements set forth in the Rules of Practice of the Supreme Court of Ohio, including requirements as to form, number, and timeliness of filings. {¶ 8} IT IS FURTHER ORDERED, sua sponte, that service shall be deemed made on respondent by sending this order, and all other orders in this case, by certified mail to the most recent address respondent has given to the Attorney Registration Office. {¶ 9} IT IS FURTHER ORDERED that the Clerk of this court issue certified copies of this order as provided for in Gov.Bar R. V(8)(D)(1), that publication be made as provided for in Gov.Bar R. V(8)(D)(2), and that respondent bear the costs of publication.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

