

SUPREME COURT OF OHIO

Disciplinary Counsel v. McCord

144 Ohio St. 3d 1219, 2015-Ohio-3910 (Ohio 2015) · No. 2008-1785 · Decided September 28, 2015

SUMMARY

The Supreme Court of Ohio granted Michael McCord’s petition for reinstatement to the practice of law. The court ordered him to pay proceeding costs, reimburse qualifying Lawyers’ Fund for Client Protection awards, and comply with related filing and publication requirements.

CASE DETAILS

COURT	Supreme Court of Ohio
WRITING FOR THE COURT	Maureen O'Connor, C.J.; Paul E. Pfeifer, J.; William M. O'Donnell, J.; L. A. Lanzinger, J.; Judith L. French, J.; Sharon L. Kennedy, J.; Eileen T. O'Neill, J.
JURISDICTION	Ohio
DECIDED	September 28, 2015
DOCKET	2008-1785
DISPOSITION	other
PROCEDURAL POSTURE	Respondent attorney petitioned the Supreme Court of Ohio for reinstatement to the practice of law after disciplinary suspension. The petition was referred to the Board of Commissioners on Grievances and Discipline, which recommended reinstatement, and no objections were filed.
PRECEDENTIAL VALUE	Published but fact-specific reinstatement order with limited value as precedent
PARTIES	Disciplinary Counsel v. Michael McCord

TOPICS

appellate procedure

remedies

PRACTICE AREAS

legal ethics

attorney discipline

professional licensing

QUESTIONS PRESENTED

1. Whether Michael McCord should be reinstated to the practice of law in Ohio.
2. What costs and reimbursement obligations should accompany reinstatement.

HOLDINGS

1. The petition for reinstatement is granted, and Michael McCord is reinstated to the practice of law in Ohio.
2. McCord is responsible for the specified proceeding costs and must reimburse amounts awarded against him by the Lawyers' Fund for Client Protection, subject to the conditions stated in the order.

KEY QUOTATIONS

“Upon consideration thereof, it is ordered by this court that the petition for reinstatement of respondent is granted and that respondent, Michael McCord, last known address in Columbus, Ohio, is reinstated to the practice of law in Ohio.” (¶ 2)

FACTUAL BACKGROUND

Michael McCord, an Ohio attorney, sought reinstatement to the practice of law. The Board of Commissioners on Grievances and Discipline reviewed his petition and recommended reinstatement. No objections to the board's final report were filed.

PROCEDURAL HISTORY

Michael McCord filed a petition for reinstatement on November 26, 2014. The petition was referred to the Board of Commissioners on Grievances and Discipline, which submitted a final report recommending reinstatement on August 10, 2015. The Supreme Court of Ohio granted the petition and reinstated McCord, subject to payment of proceeding costs and reimbursement obligations to the Lawyers' Fund for Client Protection.

DISPOSITION

other

OPINION

PER CURIAM.

[Cite as Disciplinary Counsel v. McCord, 2015-Ohio-3910.] DISCIPLINARY COUNSEL v. MCCORD. [Cite as Disciplinary Counsel v. McCord, ___ Ohio St.3d ___, 2015-Ohio-3910.] (No. 2008-1785—Submitted September 15, 2015—Decided September 28, 2015.) ON PETITION FOR REINSTATEMENT. _____ {¶ 1} This cause came on for further consideration upon the filing on November 26, 2014, of a petition for reinstatement by respondent, Michael McCord, Attorney Registration No. 0020304.

In accordance with former Gov.Bar R. V(10)(F), respondent's petition for reinstatement was referred to the Board of Commissioners on Grievances and Discipline.¹ The board filed its final report in this court on August 10, 2015, recommending that respondent be reinstated to the practice of law in Ohio. No objections to the final report were filed, and this cause was considered by the court. {¶ 2} Upon consideration thereof, it is ordered by this court that the petition for reinstatement of respondent is granted and that respondent, Michael McCord, last known address in Columbus, Ohio, is reinstated to the practice of law in Ohio. {¶ 3} It is further ordered by the court that respondent be taxed the costs of these proceedings in the amount of \$2,872.90, less the deposit of \$500.00, for a total balance due of \$2,372.90 payable, by cashier's check or money order, by respondent on or before 90 days from the date of this order.

If costs are not paid on or before 90 days from the date of this order, interest at the rate 1 Effective January 1, 2015, the Board of Commissioners on Grievances and Discipline was renamed the Board of Professional Conduct. See, Gov.Bar R. V(1)(A), 140 Ohio St.3d, CII. SUPREME COURT OF OHIO of 10% per annum will accrue until costs are paid in full. It is further ordered that if costs are not paid in full on or before 90 days from the date of this order, the matter may be referred to the Attorney General for collection and respondent may be found in contempt and suspended until all costs and accrued interest are paid in full.

It is further ordered that respondent is liable for all collections costs pursuant to R.C. 131.02 if the debt is certified to the Attorney General for collection. {¶ 4} It is further ordered by the court that within 90 days of the date of this order respondent shall reimburse any amounts that have been awarded against respondent by the Lawyers' Fund for Client Protection pursuant to Gov.Bar R. VIII(7)(F).

It is further ordered by the court that if after the date of this order the Lawyers' Fund for Client Protection awards any amount against respondent pursuant to Gov.Bar R. VIII(7)(F), respondent shall reimburse that amount to the Lawyers' Fund for Client Protection within 90 days of the notice of such award. {¶ 5} It is further ordered 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.

All case documents are subject to Sup.R. 44 through 47 which govern access to court records. {¶ 6} It is further ordered that the clerk of this court issue certified copies of this order as provided for in Gov.Bar R. V(17)(D)(1) and that publication be made as provided for in Gov.Bar R. V(17)(D)(2). O'CONNOR, C.J., and PFEIFER, O'DONNELL, LANZINGER, KENNEDY, FRENCH, and O'NEILL, JJ., concur. _____ 2