

SUPREME COURT OF OHIO

In re Application of Worthy

136 Ohio St. 3d 142, 2013-Ohio-3018 (2013) · No. 2013-0421 · Decided July 16, 2013

SUMMARY

The Supreme Court of Ohio disapproved Michele Yulana Worthy's application to take the bar examination after finding that she had a recent felony-theft conviction and had failed to disclose academic misconduct on her law-school and bar-admission applications. The court permitted her to reapply for the July 2014 bar examination, subject to a new character-and-fitness investigation.

CASE DETAILS

COURT	Supreme Court of Ohio
WRITING FOR THE COURT	O'Connor, C.J.; Pfeifer, J.; O'Donnell, J.; Lanzinger, J.; Kennedy, J.; French, J.; O'Neill, J.
JURISDICTION	Ohio
DECIDED	July 16, 2013
DOCKET	2013-0421
DISPOSITION	disapproved
PROCEDURAL POSTURE	The Supreme Court of Ohio reviewed a report of its Board of Commissioners on Character and Fitness concerning Worthy's application to register as a candidate to take the Ohio bar examination.
STANDARD OF REVIEW	The applicant bears the burden of proving by clear and convincing evidence that she possesses the requisite character, fitness, and moral qualifications for admission to the practice of law.
PRECEDENTIAL VALUE	Published Ohio Supreme Court opinion; precedential
PARTIES	Michele Yulana Worthy v. Supreme Court of Ohio Board of Commissioners on Character and Fitness

TOPICS

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PRACTICE AREAS

[bar admission](#) [professional licensing](#) [character and fitness](#) [administrative law](#)

QUESTIONS PRESENTED

1. Whether Worthy demonstrated by clear and convincing evidence that she currently possessed the requisite character, fitness, and moral qualifications for admission to the Ohio bar.
2. Whether Worthy's recent felony-theft conviction and failure to disclose academic misconduct on her law-school and bar-admission applications constituted a significant deficiency in honesty, trustworthiness, diligence, or reliability warranting disapproval of her application.

HOLDINGS

1. Worthy failed to sustain her burden of proving by clear and convincing evidence that she currently possessed the requisite character, fitness, and moral qualifications for admission to the practice of law in Ohio.
2. The court disapproved Worthy's pending application to take the February 2013 bar examination but permitted her to reapply for the July 2014 examination, subject to a new character-and-fitness investigation.

KEY QUOTATIONS

“An applicant to the Ohio bar must prove by clear and convincing evidence that he or she “possesses the requisite character, fitness, and moral qualifications for admission to the practice of law.”” (§ 12)

“Based upon Worthy’s failure to disclose her academic misconduct on both her law-school and bar-admission applications and her relatively recent felony-theft conviction, we agree that she has failed to sustain her burden at this time.” (§ 14)

FACTUAL BACKGROUND

During her senior year at Ohio State University, Worthy participated in shoplifting designer jeans after experiencing financial difficulties; she entered a diversion program, completed community service, paid restitution, and was released from community control. She later committed academic misconduct by submitting a paper containing plagiarized material. Although she disclosed the felony conviction, she failed to disclose the academic misconduct on both her law-school application and her application to register for the Ohio bar examination. The conviction was later expunged, and she presented evidence of subsequent employment, volunteer work, and community service.

PROCEDURAL HISTORY

The Greene County Bar Association admissions committee initially recommended approval of Worthy's application. Because she had been convicted of a felony, the matter was referred to the Board of Commissioners on Character and Fitness. After a panel hearing, the board found that Worthy had not demonstrated the requisite character, fitness, and moral qualifications because of her recent felony-theft conviction and failure to disclose academic misconduct on her law-school and bar-admission applications. The Supreme Court adopted the board's findings, disapproved the pending application, and permitted Worthy to reapply for the July 2014 bar examination.

DISPOSITION

disapproved

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