

SUPREME COURT OF OHIO

In re Toohig

127 Ohio St. 3d 1496 (Ohio 2011) · Decided January 7, 2011

SUMMARY

The Supreme Court of Ohio imposed an interim suspension from the practice of law on Kevin Thomas Toohig after receiving a certified copy of a felony conviction. The court referred the matter for disciplinary investigation and specified obligations concerning cessation of practice, client notification, continuing legal education, reinstatement, and reimbursement of Clients' Security Fund awards.

CASE DETAILS

COURT	Supreme Court of Ohio
JURISDICTION	Ohio
DECIDED	January 7, 2011
DISPOSITION	other
PROCEDURAL POSTURE	The secretary of the Board of Commissioners on Grievances and Discipline certified to the Supreme Court of Ohio a judgment entry showing that respondent Kevin Thomas Toohig, an Ohio attorney, had been convicted of a felony. The Supreme Court entered an interim suspension and referred the matter for investigation and disciplinary proceedings.
PRECEDENTIAL VALUE	Published disciplinary order

TOPICS

administrative law

agency adjudication

PRACTICE AREAS

legal ethics and attorney discipline

administrative law

QUESTIONS PRESENTED

1. Whether certification of an attorney's felony conviction required the Supreme Court of Ohio to impose an interim suspension under Gov.Bar R. V(5)(A)(4).

2. What restrictions, compliance obligations, and disciplinary referral should accompany the interim suspension.

HOLDINGS

1. Upon certification of a judgment entry showing the attorney's felony conviction, the Supreme Court of Ohio imposed an interim suspension from the practice of law pursuant to Gov.Bar R. V(5)(A)(4).
2. During the interim suspension, Toohig was required to cease and desist from practicing law, was prohibited from performing legal services or appearing on behalf of others, and was subject to reinstatement, continuing-legal-education, client-notification, property-transfer, reimbursement, filing, and reporting requirements.

KEY QUOTATIONS

“Upon consideration thereof and pursuant to Gov.Bar R. V(5)(A)(4), it is ordered and decreed that Kevin Thomas Toohig, Attorney Registration No. 0067447, last known business address in Beachwood, Ohio, is suspended from the practice of law for an interim period, effective as of the date of this entry.” (1496)

“It is further ordered that this matter is referred to the Cleveland Metropolitan Bar Association for investigation and commencement of disciplinary proceedings.” (1496)

FACTUAL BACKGROUND

Kevin Thomas Toohig was an attorney licensed to practice law in Ohio. A felony judgment of conviction had been entered against him, and that judgment was certified to the Supreme Court of Ohio by the secretary of the Board of Commissioners on Grievances and Discipline.

PROCEDURAL HISTORY

On December 30, 2010, the secretary of the Board of Commissioners on Grievances and Discipline certified a copy of Toohig's felony-conviction judgment entry to the Supreme Court of Ohio. The court acted pursuant to the Supreme Court Rules for the Government of the Bar of Ohio, imposed an interim suspension, and referred the matter to the Cleveland Metropolitan Bar Association.

DISPOSITION

other