

SUPREME COURT OF OHIO

In re Resignation of Burt

128 Ohio St. 3d 1214 (Ohio 2011) · No. 2011-0461 · Decided April 14, 2011

SUMMARY

The Supreme Court of Ohio accepted Lindsey Taylor Burt's resignation from the practice of law as a resignation with disciplinary action pending under Gov.Bar R. VI(6)(C). The order withdrew Burt's rights and privileges to practice law, required surrender of her certificate of admission, imposed client-notification and related compliance obligations, and directed that her name be stricken from the roll of attorneys.

CASE DETAILS

COURT	Supreme Court of Ohio
WRITING FOR THE COURT	Maureen O'Connor, Chief Justice; Evelyn Lundberg Stratton, Justice; Terrence O'Donnell, Justice; Lance E. Lanzinger, Justice; Paul E. Pfeifer, Justice; William M. O'Neill, Justice; Robert R. Cupp, Justice; Judith L. French, Justice
JURISDICTION	Ohio
DECIDED	April 14, 2011
DOCKET	2011-0461
DISPOSITION	other
PROCEDURAL POSTURE	An Ohio attorney submitted an application for retirement or resignation under Gov.Bar R. VI(6) while disciplinary action was pending. After referral to Disciplinary Counsel and receipt of its report, the Supreme Court of Ohio entered an order accepting the resignation with disciplinary action pending.
PRECEDENTIAL VALUE	Published Ohio Supreme Court opinion and order

TOPICS

civil procedure

PRACTICE AREAS

legal ethics

attorney discipline

professional responsibility

QUESTIONS PRESENTED

1. Whether the court should accept Burt's application for resignation under Gov.Bar R. VI(6) as a resignation with disciplinary action pending.
2. What restrictions, duties, and compliance requirements follow from acceptance of the resignation.

HOLDINGS

1. Pursuant to Gov.Bar R. VI(6)(C), the court accepted Burt's resignation as an attorney and counselor at law with disciplinary action pending.
2. Upon acceptance, Burt's rights and privileges to practice law in Ohio were withdrawn, her name was ordered stricken from the roll of attorneys, and she was prohibited from practicing law or holding herself out as authorized to practice.
3. Burt was required to reimburse qualifying Clients' Security Fund awards and comply with specified client-notification, file-transfer, fee-accounting, notice, affidavit, recordkeeping, address, filing, service, and publication requirements.

FACTUAL BACKGROUND

Lindsey Taylor Burt was admitted to practice law in Ohio in 1980 and had attorney registration number 0079255. She submitted an application for retirement or resignation while disciplinary action was pending. Disciplinary Counsel filed a report under seal after the application was referred under Gov.Bar R. VI(6)(B).

PROCEDURAL HISTORY

Lindsey Taylor Burt applied for retirement or resignation pursuant to Gov.Bar R. VI(6). The application was referred to Disciplinary Counsel, which filed a report under seal. The Supreme Court of Ohio accepted the resignation with disciplinary action pending and imposed the consequences and compliance requirements specified in its order.

DISPOSITION

other