

SUPREME COURT OF OHIO

In re Resignation of Mayer

115 Ohio St. 3d 1217 (Ohio 2007) · Decided October 23, 2007

SUMMARY

The Supreme Court of Ohio accepts Wallace James Mayer’s resignation from the practice of law with disciplinary action pending. The order withdraws his practice privileges, strikes his name from the roll of attorneys, and imposes client-notification, property-return, fee-refund, recordkeeping, and Clients’ Security Fund reimbursement obligations.

CASE DETAILS

COURT	Supreme Court of Ohio
WRITING FOR THE COURT	Moyer, C.J.; Pfeifer; Lundberg Stratton; O'Connor; O'Donnell; Lanzinger; Cupp
JURISDICTION	Ohio
DECIDED	October 23, 2007
DISPOSITION	other
PROCEDURAL POSTURE	An Ohio attorney submitted an affidavit of resignation and waiver pursuant to Gov.Bar R. V(11)(G)(1). After Disciplinary Counsel filed its report, the Supreme Court of Ohio considered and accepted the resignation.
PRECEDENTIAL VALUE	Published per curiam disciplinary order; primarily binding as to the respondent and the obligations imposed by the order.

TOPICS

civil procedure

PRACTICE AREAS

attorney discipline

legal ethics

professional responsibility

QUESTIONS PRESENTED

1. Whether the Supreme Court of Ohio should accept the respondent's affidavit of resignation and waiver with disciplinary action pending.
2. What restrictions and compliance obligations should accompany acceptance of the resignation.

HOLDINGS

1. The court accepted Mayer's resignation as an attorney and counselor at law with disciplinary action pending.
2. Upon acceptance of the resignation, Mayer's rights and privileges to practice law in Ohio were withdrawn, his name was ordered stricken from the roll of attorneys, and he was prohibited from practicing law or holding himself out as authorized to practice.
3. Mayer was required to reimburse applicable Clients' Security Fund awards and complete specified client-notification, property-return, fee-accounting, notice-filing, affidavit, recordkeeping, and address-maintenance obligations.

KEY QUOTATIONS

“It is ordered by the court that pursuant to Gov.Bar R. V(11)(G)(3) the resignation as an attorney and counselor at law is accepted as a resignation with disciplinary action pending.” (¶ 2)

“It is further ordered and adjudged that from and after this date all rights and privileges extended to respondent to practice law in the state of Ohio be withdrawn” (¶ 3)

FACTUAL BACKGROUND

Wallace James Mayer was an Ohio attorney admitted to practice in 1970. He submitted an affidavit resigning from the bar and waiving proceedings under the applicable disciplinary rule. Following Disciplinary Counsel's report, the Supreme Court ordered that his resignation be accepted with disciplinary action pending and withdrew his authority to practice law.

PROCEDURAL HISTORY

Wallace James Mayer submitted an Affidavit of Resignation and Waiver on July 24, 2007. The affidavit was referred to Disciplinary Counsel, which filed a report under seal on September 13, 2007. The Supreme Court of Ohio accepted the resignation with disciplinary action pending and entered related practice restrictions and compliance orders.

DISPOSITION

other