

BEFORE THE BOARD OF PROFESSIONAL CONDUCT
OF
THE SUPREME COURT OF OHIO

FILED
AUG 06 2015

In re:

Complaint against

Terence Joseph Fairfax, Esq.
401 Church St.
Nashville, TN 37219

Attorney Registration No. (0068358)

Respondent,

Disciplinary Counsel
250 Civic Center Drive, Suite 325
Columbus, Ohio 43215-7411

Relator.

No. 15 - 050

COMPLAINT AND CERTIFICATE

(Rule V of the Supreme Court Rules for
the Government of the Bar of Ohio.)

Now comes the relator and alleges that Terence Joseph Fairfax, an Attorney at Law, duly admitted to the practice of law in the state of Ohio, is guilty of the following misconduct:

1. Respondent, Terence Joseph Fairfax, was admitted to the practice of law in the state of Ohio on November 10, 1997.
2. Respondent was admitted to the practice of law in the state of Tennessee in 2000. On August 8, 2012, his Tennessee license was administratively suspended for non-payment of registration fees and for failing to comply with IOLTA reporting requirements.
3. At all times relevant to the following allegations, respondent was subject to the Ohio Rules of Professional Conduct, and the Supreme Court Rules for the Government of the Bar of Ohio.

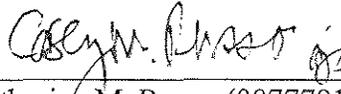
4. In 2010, respondent established two irrevocable trusts on behalf of Jeffrey Neal Douglas (“Douglas Trust”) and Tracy Lynn Cisco (“Cisco Trust”). Respondent was the trustee on both trusts.
5. At this point in time, respondent suffered from severe depression and alcoholism. His marriage also began to deteriorate.
6. Starting in December 2010, respondent began to misappropriate monies for his personal use from the Douglas Trust. Between December 2010 and November 2014, respondent misappropriated a total of \$105,812.51 from the Douglas Trust.
7. Starting in December 2010, respondent began to misappropriate monies for his personal use from the Cisco Trust. Between December 2010 and April 2014, respondent misappropriated a total of \$59,854.11 from the Cisco Trust.
8. Since August 2014, respondent has repaid \$3,676.17 to the Douglas Trust. Respondent still owes the Douglas Trust \$102,136.34.
9. Since April 2014, respondent has repaid \$22,020.00 to the Cisco Trust. Respondent still owes the Cisco Trust \$37,834.11.
10. Respondent’s conduct violates the Ohio Rules of Professional Conduct: Prof. Cond. R. 1.5(a) [a lawyer shall not charge or collect an illegal or clearly excessive fee]; Prof. Cond. R. 8.4(b) [a lawyer shall not commit an illegal act that reflects adversely on the lawyer’s honesty or trustworthiness]; Prof. Cond. R. 8.4(c) [a lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation]; and Rule 8.4(d) [a lawyer shall not engage in conduct that is prejudicial to the administration of justice].

CONCLUSION

Wherefore, pursuant to Gov. Bar R. V and the Ohio Rules of Professional Conduct, relator alleges that respondent is chargeable with misconduct; therefore, relator requests that respondent be disciplined pursuant to Rule V of the Rules of the Government of the Bar of Ohio.



Scott J. Drexel (0091467)
Disciplinary Counsel

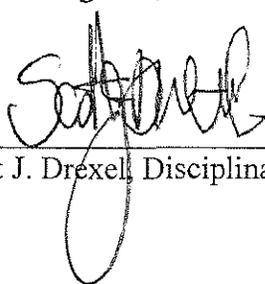


Catherine M. Russo (0077791)
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CERTIFICATE

The undersigned, Scott J. Drexel, Disciplinary Counsel, of the Office of Disciplinary Counsel of the Supreme Court of Ohio hereby certifies that Catherine M. Russo is duly authorized to represent relator in the premises and has accepted the responsibility of prosecuting the complaint to its conclusion. After investigation, relator believes reasonable cause exists to warrant a hearing on such complaint.

Dated: August 6, 2015

A handwritten signature in black ink, appearing to read "Scott J. Drexel", written over a horizontal line.

Scott J. Drexel, Disciplinary Counsel

**BEFORE THE BOARD OF PROFESSIONAL CONDUCT
OF
THE SUPREME COURT OF OHIO**

In re:

Complaint against

**Terence Joseph Fairfax, Esq.
401 Church Street
Nashville, Tennessee 37219**

Case No. B4-1458

Attorney Registration No. 0068358

**WAIVER OF DETERMINATION
OF PROBABLE CAUSE**

Respondent,

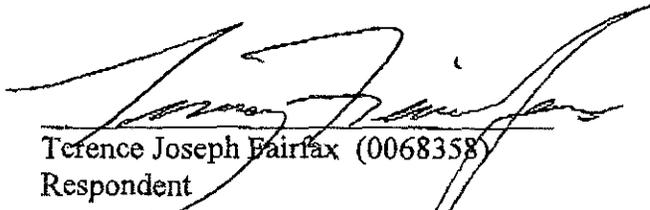
**(Rule V(11)(B) of the Supreme Court
Rules for the Government of the
Bar of Ohio)**

**Disciplinary Counsel
250 Civic Center Drive, Suite 325
Columbus, Ohio 43215-7411**

Relator.

Pursuant to the provisions of Rule V(11)(B) of the Supreme Court Rules for the Government of the Bar of Ohio, respondent, **Terence Joseph Fairfax**, and his undersigned counsel stipulate that there is probable cause for the filing of a Complaint in the above-referenced proceeding and hereby waive the determination of probable cause by a Probable Cause Panel of the Board of Professional Conduct.

Dated: July __, 2015


Terence Joseph Fairfax (0068358)
Respondent


Harvey B. Bryner, Esq. (0004829)
Counsel for Respondent