

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

RECEIVED

SEP 30 2015

In Re:
Complaint Against

BOARD OF PROFESSIONAL CONDUCT

KRISTINA M. LINDNER, ESQ.
(0088516)

336 S. High St
Columbus, OH 43215

RESPONDENT,

by

COLUMBUS BAR ASSOCIATION

175 South Third Street, S-1100
Columbus, OH 43215-5134

RELATOR.

No. 15 - 058 a 2

COMPLAINT
and CERTIFICATE

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

FILED

NOV 09 2015

BOARD OF PROFESSIONAL CONDUCT

Now comes the Relator and alleges that Kristina M. Lindner, Esq. (Registration No. 0088516), an Attorney at Law, duly admitted to the practice of law in this State of Ohio is guilty of the following misconduct:

Background

1. Respondent is a solo practitioner in Franklin County, Columbus, Ohio.
2. On November 29, 2013, Kristina M. Lindner ("Respondent") was arrested in Columbus, Ohio, and charged with the following offenses:
 - a) Domestic Violence, in violation of Ohio Revised Code 2919.25(A);
 - b) Assault, in violation of Ohio Revised Code 2903.13(A).
3. On January 29, 2014, Respondent plead Guilty to a lesser minor misdemeanor charge of Disorderly Conduct, in violation of Columbus City Code 2317.01(A), and was placed on community control/probation for one (1) year. Terms of her probation included that Respondent commit no same or similar offense, no new offenses of any kind, no further acts or threats of violence, and that she stay away from the victim.

4. On June 29, 2014, Respondent was arrested in Columbus, Ohio, and charged again with the following offenses:

a) Domestic Violence, in violation of Ohio Revised Code 2919.25(A);

b) Assault, in violation of Ohio Revised Code 2903.13(A).

5. Respondent's additional charges demonstrate a clear violation of her probation.

6. On July 1, 2014, Respondent was arrested and charged with two (2) counts of Endangering Children, in violation of Ohio Revised Code 2919.22(A), stemming from an alleged incident occurring on February 3, 2014.

7. On July 16, 2014, the Columbus City Attorney's Office made disclosures of the charges to Relator pursuant to Rule 8.3 of the Ohio Rules of Professional Conduct.

8. On July 31, 2014, Relator conducted Respondent's deposition to investigate concerns surrounding Respondent's professional career and personal life. Respondent disclosed that she had contacted Ohio Lawyer's Assistance Program ("OLAP") beginning in January 2014, for professional advice and for a history of substance abuse.

9. On November 13, 2014, Respondent plead Guilty to a lesser minor misdemeanor charge of Disorderly Conduct, in violation of Columbus City Code 2317.01(A). Additionally, Respondent plead Guilty to two (2) lesser amended charges of Attempted Endangering Children, in violation of Ohio Revised Code 2923.02(A). For these crimes, Respondent was given a suspended jail sentence and was placed on probation. As part of her probation, Respondent was to remain drug and crime free.

10. As a result of a December 13, 2014, incident, Respondent was charged with the following offenses:

a) Hit Skip on a public street, in violation of Ohio Revised Code 4549.02;

- b) Starting and Backing Vehicles, in violation of Ohio Revised Code 4511.38(A);
- c) Failure to Stop - Accident, in violation of Columbus City Code 2135.12(A);
- d) Backing without Safety, in violation of Columbus City Code 2131.13(A)
- e) Falsification, in violation of Columbus City Code 2321.13.

11. Respondent's charges stemming from December 13, 2014, are still open and pending in Franklin County Municipal Court.

12. On December 17, 2014, the Columbus City Attorney's Office disclosed Respondent's July 1, 2014 charges to Relator, pursuant to Rule 8.3 of the Ohio Rules of Professional Conduct.

13. In April, 2015, OLAP disclosed to Relator that Respondent had relapsed and failed a drug test.

14. Respondent has demonstrated an inability to manage her substance abuse problem, and is in violation of the terms of her November 13, 2014, probation to remain drug free.

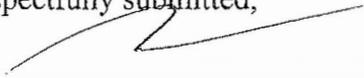
15. Respondent, by her acts and failures to act, has violated the following provisions of the Rules of Professional Conduct:

- Prof.Cond.R. 1.1 [Competence reasonably necessary for representation];
- Prof.Cond.R. 8.4(b) [Commission of an act that reflects adversely on the lawyer's honesty or trustworthiness];
- Prof.Cond.R. 8.4(c) [Engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation];
- Prof.Cond.R. 8.4(h) [Engaging in any other conduct that adversely reflects on the lawyer's fitness to practice law].

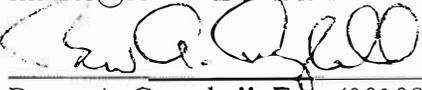
Wherefore, Relator prays that Respondent be found to have committed professional

misconduct and that she be given appropriate sanctions.

Respectfully submitted,



Robert P. Miller, Esq. (0073037)
Rourke & Blumenthal, LLP
495 S. High Street, Suite 450
Columbus, Ohio 43215
Ph: (614) 229-4546/ Fax: (614) 220-7900
rmiller@RandBLLP.com



Bruce A. Campbell, Esq. (0010802)
Bar Counsel
Columbus Bar Association
175 South Third Street, Suite 1100
Columbus, Ohio 43215-5134
(614) 304-2053/ (614) 221-4850 (fax)
bruce@cbalaw.org



A. Alysha Clous, Esq. (0070627)
Assistant Bar Counsel
Columbus Bar Association
175 South Third Street, Suite 1100
Columbus, Ohio 43215-5134
(614) 304-2034/ (614) 221-4850 (fax)
alysha@cbalaw.org

COUNSEL FOR RELATOR

CERTIFICATE

The undersigned Chair of the Certified Grievance Committee of the Columbus Bar Association hereby certifies that Robert P. Miller, Esq., Bruce A. Campbell, Esq. and A. Alysha Clous, Esq. are duly authorized to represent Relator in the premises and have 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: 9/30/15

Signed: 

*Lisa Pierce-Reisz, Esq.
Chair of the Certified Griev. Committee*