

BEFORE THE BOARD OF COMMISSIONERS
ON GRIEVANCES AND DISCIPLINE OF THE
SUPREME COURT OF OHIO

RECEIVED

AUG 25 2016

BOARD OF PROFESSIONAL CONDUCT

IN RE: COMPLAINT AGAINST
Timothy Eric Bellew
225 Shaffer Drive NE
Warren, Ohio 44484
Attorney Registration No. 0067573

CASE NO.

16 - 039

COMPLAINT AND CERTIFICATE

Respondent

TRUMBULL COUNTY BAR ASSOCIATION
CERTIFIED GRIEVANCE COMMITTEE
120 High Street, N.W.
P. O. Box 4222
Warren, Ohio 44482

(RULE V OF THE SUPREME COURT
RULES FOR THE GOVERNMENT
OF THE BAR OF OHIO)

FILED

OCT 04 2016

Relator

CLERK

COPY

1. Now comes the Relator and says that Respondent, Timothy Eric Bellew, Ohio Supreme Court Registration No. 0067573, was admitted to the practice of law in the State of Ohio on May 12, 1997.
2. Respondent is subject to the Ohio Rules of Professional Conduct and the Rules for the Government of the Bar of Ohio and has heretofore been given notice of the allegations of this Complaint and the opportunity to respond thereto.
3. This Complaint is filed as a result of an investigation conducted by the Trumbull County Bar Association Certified Grievance Committee and a majority of the Committee members constituting a quorum determining that this Complaint is warranted.

4. Respondent is a solo practitioner whose last known address was 225 Shaffer Drive NE, Warren, Ohio 44484.
5. Respondent is currently indefinitely suspended from the practice of law as the result of the September 14, 2015 order in Supreme Court Case No. 2014-2175, which resulted from the case that Relator filed against Respondent with this board previously, Board of Professional Conduct Case No. 2014-057.
6. Respondent is also currently indefinitely suspended from the practice of law as the result of the April 15, 2016 order in Supreme Court Case No. 2015-1197, which resulted from a case that the Office of Disciplinary Counsel filed against Respondent with this board previously.
7. The Supreme Court of Ohio issued an additional interim order of suspension against Respondent on February 12, 2016 in Supreme Court Case No. 2016-0032, which resulted from the case that Relator filed against Respondent with this board previously, Board of Professional Conduct Case No. 2015-062.

COUNT ONE

DAWN HALLOCK MATTER

8. During December 2015, Dawn Hallock ("Ms. Hallock") was seeking legal counsel for a dissolution in Portage County.
9. On January 7, 2015, Ms. Hallock contacted Respondent to represent her.
10. Ms. Hallock then filled out the forms that Respondent had e-mailed to her.
11. On January 15, 2015, Ms. Hallock met with Respondent in Warren, Ohio to hire him.
12. She paid him \$550.00 at that consultation, and Respondent gave her a receipt for her payment.
13. Ms. Hallock signed a fee agreement in which she and respondent agreed that his time would be billed at \$75.00 an hour.

14. Respondent indicated to Ms. Hallock at the initial appointment that he expected the \$550.00 payment to be enough to cover court costs and his fees.
15. Ms. Hallock and Respondent did agree, though, that further payments may be required.
16. On January 21, 2015, Ms. Hallock texted Respondent to ask some questions about the dissolution.
17. Respondent answered the questions set forth in Ms. Hallock's text.
18. On January 27, 2015, Ms. Hallock e-mailed Respondent regarding what to do if Mr. Hallock would not agree to a dissolution.
19. Respondent did not reply to Ms. Hallock's e-mail of January 27, 2015.
20. Mr. Hallock's attorney sent documents to Respondent during February 2015, but they were returned to that attorney by the U.S. Postal Service.
21. On February 20, 2015, Ms. Hallock texted Respondent to ask if everything was all right and to further request that the respond to her.
22. Respondent did not reply to Ms. Hallock's text of February 20, 2015.
23. On February 23, 2015, Ms. Hallock left a voicemail for Respondent.
24. Respondent did not return Ms. Hallock's call of February 23, 2015.
25. On February 25, 2015, Ms. Hallock sent a message to Respondent on Facebook.
26. Respondent did not reply to Ms. Hallock's February 25, 2015 Facebook message.
27. On March 9, 2015, Ms. Hallock sent Respondent an e-mail requesting a full refund of her \$550.00 payment due to Respondent's failure to communicate with her since January 21, 2015.
28. Respondent did not reply to Ms. Hallock's March 9, 2015 e-mail.
29. Respondent has not communicated with Ms. Hallock in any way since he texted her on January 21, 2015.

30. Respondent's conduct as described in Count One herein violates the Ohio Rules of Professional Conduct, to-wit:

- (A) Rule 1.3: Diligence - A lawyer shall act with *reasonable* diligence and promptness in representing a client.
- (B) Rule 1.4: Communication – (a) A lawyer shall do all of the following... (3) Keep the client reasonably informed about the status of the matter; (4) Comply as soon as practicable with reasonable requests for information from the client.
- (C) 8.4(c): Misconduct – A lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation.

CONCLUSION

WHEREFORE, pursuant to Gov. Bar R. V and the Rules of Professional Conduct, Relator says that Respondent is chargeable with misconduct and requests that the Respondent be disciplined pursuant to Rule V of the Rules for the Government of the Bar of Ohio.

TRUMBULL COUNTY BAR ASSOCIATION

By 
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BAR COUNSEL FOR RELATOR TRUMBULL
COUNTY BAR ASSOCIATION CERTIFIED
GRIEVANCE COMMITTEE

CERTIFICATION

The undersigned, Kevin P. Murphy, Chairman of the Trumbull County Bar Association Certified Grievance Committee, hereby certifies that William M. Flevaris and Randil J. Rudloff are authorized to represent the Relator in the premises and have accepted the responsibility of prosecuting the Complaint herein to its conclusion. After investigation, Relator believes reasonable cause exists to warrant a hearing on such Complaint.

Dated: June 16, 2016



KEVIN P. MURPHY, #0029747, CHAIRMAN,
TRUMBULL COUNTY BAR ASSOCIATION
CERTIFIED GRIEVANCE COMMITTEE

CERTIFICATE OF SERVICE

A copy of the foregoing Complaint was served upon Respondent by certified mail and ordinary U.S. Mail the 17th day of June, 2016 at the address set forth above.



William M. Flevaris #0059960
Trumbull County Bar Counsel