



Office of Disciplinary Counsel
2018 ANNUAL REPORT

TABLE OF CONTENTS

2	Staff Overview
3	Significant Office Developments
6	Grievances and Other Matters
6	Formal Complaints and Dismissals
7	Appeals
7	Unauthorized Practice of Law (UPL)
7	Reciprocals
7	Child Support
8	Resignations and Retirements
8	Interim Suspensions
8	Hearings and Oral Arguments
9	TABLE 1: A Five-Year Comparison (2014-2018)
10	TABLE 2: Grievances Received and Opened for Investigation: A Five-Year Comparison (2014-2018)
11	TABLE 3: Sanctions Issued in 2018 by the Supreme Court of Ohio Pursuant to Cases Filed by Disciplinary Counsel
13	TABLE 4: Status of Formal Matters Pending as of Dec. 31, 2018
14	TABLE 5: Matters Received by ODC in 2018 based on County of Respondents' Principal Ohio Office Locations
15	TABLE 6: Operational Expenses for 2018-2019 Budget (Expenditures as of Dec. 31, 2018)



A MESSAGE FROM DISCIPLINARY COUNSEL

Dear Chief Justice O'Connor and Honorable Justices of the Supreme Court:

In accordance with Rule V, Section 4(D) of the Supreme Court Rules for the Government of the Bar of Ohio, I respectfully submit the 2018 Annual Report of the Office of Disciplinary Counsel.

In 2018, the Office of Disciplinary Counsel filed 40 complaints that were certified by the Board of Professional Conduct. These 40 certified complaints involved 70 separate client matters. The Office also processed the retirements or resignations with disciplinary charges pending of an additional 39 Ohio lawyers and disposed of 2,401 grievances during 2018. The number of grievances dispositions in 2018 was nearly 1,350, more than the number of dispositions in 2017. The Office's investigative caseload at the end of 2018 was 642 cases.

Additionally, in further implementation of the Court's amendment to Gov.Bar R. V(5)(D)(1)(e), the Office continued to present training programs for bar counsel and volunteer grievance committee members who are designated trial counsel of record in cases prosecuted before the Board of Professional Conduct. Since 2017, the Office has provided advanced training to bar counsel and certified grievance committee members in four separate one and one-half hour segments on the topics of (a) complaint drafting; (b) defaults, consent agreements and, stipulations; (c) aggravating and mitigating circumstances; and (d) determination of the appropriate sanction. New topics for the advanced training seminars will be addressed in 2019. Moreover, it is likely that the Office will implement a more extensive training program for bar counsel of the certified grievance committees in 2019.

Finally, the Office of Disciplinary Counsel has developed and prepared a video presentation relating to IOLTA/Client Trust Account obligations and compliance.

The 26-member staff of the Office of Disciplinary Counsel is committed to its public protection mission and its service to the Supreme Court, the legal profession, and the public in ensuring that judges and lawyers are competent and ethical in the performance of their duties.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott J. Drexel". The signature is written in a cursive, somewhat stylized font.

Scott J. Drexel
Disciplinary Counsel



The Office of Disciplinary Counsel presents its case during a disciplinary hearing.

OFFICE OF DISCIPLINARY COUNSEL

The position of Disciplinary Counsel and the Office of Disciplinary Counsel (“ODC”) were established by the Supreme Court of Ohio. The duties and responsibilities of the Disciplinary Counsel and of the Office of Disciplinary Counsel are set forth in Gov.Bar R. V(3)(B). In accordance with that rule, Disciplinary Counsel is authorized to investigate allegations of misconduct, mental illness, or substance abuse by lawyers and judges under the Ohio Rules of Professional Conduct, the Code of Judicial Conduct and rules governing the unauthorized practice of law (UPL).

Disciplinary Counsel also has the authority, among other things, to (a) initiate complaints with the Board of Professional Conduct (“Board”) based upon its investigations; (b) certify bar counsel designated by certified grievance committees; (c) review the dismissals of grievances by certified grievance committees for abuse of discretion or error of law; (d) develop and offer an education curriculum for bar counsel and certified grievance committee members; (e) review registration forms for the employment of suspended or disqualified lawyers; and (f) investigate the applications of Ohio lawyers to retire or resign from the practice of law and file a confidential sealed report with the Supreme Court recommending whether the application should be granted and, if so, whether it should be approved by the Court as a retirement or as a resignation with disciplinary action pending.

STAFF OVERVIEW

The 26-person staff of the Office of Disciplinary Counsel is comprised of the following positions, including the incumbents in those positions during 2018:

Disciplinary Counsel

Scott J. Drexel

Chief Assistant Disciplinary Counsel

Joseph M. Caligiuri

Senior Assistant Disciplinary Counsel

Amy C. Stone

Donald M. Scheetz

Assistant Disciplinary Counsel

Stacy Beckman¹

Jennifer Bondurant

Michelle Bowman

Lia Meehan

Karen Osmond

Casey Russo

Resigned, effective Oct. 26, 2018

Adam Bessler

Commenced employment, effective Jan. 7, 2019

Audrey Varwig

Administrative Officer

Jennifer Dennis

Administrative Supervisor

Christine McKrimmon

Legal Research Analysts

Paula Adams

Brent Small

Linda Gilbert

Investigators

Donald Holtz

Charles Bower

Administrative Assistant

Laura Johnston

Legal/Administrative Secretaries

Karen Loy

Cassandra Kilgore

Lori Luttrell

Jonathan Herr

Resigned, effective Nov. 2, 2018

Katherine Stillman

Commenced employment, effective Feb. 19, 2019

Receptionist

Elizabeth Reynolds

Clerical Support Staff

Thern Osborne

Sam Simms

The Office of Disciplinary Counsel also contracts with one part-time field investigator who provides investigative services as needed in the southwestern portion of Ohio.

¹ Ms. Beckman is part-time and works a four-day-per-week schedule.

SIGNIFICANT OFFICE DEVELOPMENTS

A. Continuing ODC Training Program for Bar Counsel and Members of Certified Grievance Committees Designated as Trial Counsel of Record

Effective Jan. 1, 2015, the Supreme Court adopted Gov.Bar R. V(5)(D)(1)(e), which provides that, on or after Jan. 1, 2016, any bar counsel or volunteer certified grievance committee member who is designated as trial counsel of record in a case prosecuted before the Board of Professional Conduct must have attended and completed a training program offered by Disciplinary Counsel that relates to the preparation and prosecution of formal complaints.

During 2018, the Office of Disciplinary Counsel conducted five advanced training programs for bar counsel and members of certified grievance committees throughout Ohio on the topics that included (a) complaints and summaries of investigation; (b) defaults, consent agreements, and stipulations; (c) mitigation and aggravation; (d) determining the appropriate sanction; and (e) best practices. Each topic was presented in 90-minute segments, with bar counsel and certified grievance committee members permitted to attend each segment or only those segments of interest to them. The advanced training sessions were held in Columbus, Cincinnati, Lima, Akron, and Elyria.

B. Electronic Document Management

In the Fall of 2016, the Office of Disciplinary Counsel formed a committee to formulate and implement a plan to modify the Office's Case Management software and internal processes to support a "paperless" system utilizing Adobe Acrobat Professional software.

The committee analyzed the workflow throughout the intake process, which uncovered inefficiencies, inconsistencies and disorganization that have now been eliminated.

All incoming and outgoing intake material now is scanned and saved electronically in searchable format. Certain tasks, such as applications for retirement or resignation, reciprocal discipline, and appeals from certified grievance committee dismissals are successfully converted to a paperless format and are now managed electronically. All administrative personnel are trained to use Adobe Acrobat Professional software. A new process for cataloging all incoming mail was developed to provide a more accurate account of the volume of material handled at the intake stage.

The intake process now is essentially a paperless format and the case management software was, and will continue to be, enhanced accordingly. The Office has experienced a significant reduction in the amount of paper and file folders that are used. Moreover, the processing of new grievances is accelerated by the changed work flow. The "paperless" conversion process also resulted in a significant reduction of required physical storage space and greater availability and searchability of information has occurred.

The review and approval process for dismissals of grievances at the intake level and the assignment of cases for investigation also was made paperless through the Case Management system.

The electronic document management process has now proceeded to the investigative and complaint stage. Currently, all pleadings are filed electronically with the Board of Professional Conduct and most documents are filed electronically with the Supreme Court Clerk's Office. At this point in the "paperless" conversion process, the committee is planning for the conversion of investigation and litigation procedures as well. This includes designing an approval process for a variety of documents and an interface that enables management to prioritize its review and approval of work product, ensuring that deadlines are met, and valuable feedback is provided. Another aspect of this process involves the creation of a docketing system for deadlines and reminders to replace utilization of paper and other software with a cohesive platform. The docketing system will enable employees to manage their work flow, fostering conditions for quality and productivity. The docketing system also will allow for smooth transitions and maintenance of deadlines in the event of employee absence and turnover.

The committee also developed metrics focusing on workload and performance throughout the entire disciplinary process that will be available in real time. The metrics are intended to engage all employees in meeting and improving upon institutional goals and to promote a team environment.

C. Educational Outreach

In Disciplinary Counsel's view, the education of Ohio lawyers and judges on the requirements and obligations imposed by the Rules of Professional Conduct and the Code of Judicial Conduct serves an important and valuable part of the work of the Office of Disciplinary Counsel. The purpose of lawyer and judicial disciplinary proceedings is not to punish the particular lawyer or judge but, rather, to protect the public and the legal profession. Disciplinary Counsel believes there are many circumstances in which education can be as effective in preventing future misconduct as a disciplinary prosecution.

Therefore, the Office of Disciplinary Counsel attempts to accommodate all requests for a member of the Office to address groups of lawyers and/or judges on issues relating to legal ethics and the requirements of the Rules of Professional Conduct and the Code of Judicial Conduct.

In addition to the 10 bar counsel and certified grievance committee training sessions conducted throughout Ohio in 2018, the Office made presentations at more than 40 other meetings and events. The undersigned Disciplinary Counsel participated in 12 speaking engagements and the Chief Assistant Disciplinary Counsel Joe Caligiuri participated in 22 speaking engagements during 2018.

Further, the Office of Disciplinary Counsel answers ethics inquiries from lawyers and judicial officers on a daily basis, providing ethical guidance and resource information. Assistant Disciplinary Counsel provide telephonic advice to lawyers on a rotating basis, with each lawyer having "ethics duty" approximately three times per month. Disciplinary Counsel and Chief Assistant Disciplinary Counsel provide ethics advice and guidance to judicial officers on a daily basis. During 2018, Assistant Disciplinary Counsel had 778 ethics calls from Ohio lawyers. Disciplinary Counsel and Assistant Disciplinary Counsel handled an additional 240 calls from judicial officers.

D. IOLTA/Client Trust Accounting School

From the Office of Disciplinary Counsel's investigations, including overdraft reports received from financial institutions, and from speaking engagements throughout Ohio, it is apparent that a significant percentage of the lawyers admitted to the practice of law in Ohio are not familiar with their IOLTA/client trust account recordkeeping requirements under Prof.Cond.R. 1.15(a) or of their obligations in the handling of advanced attorney fees and costs under Prof.Cond.R. 1.5 and 1.15.

As a result, the Office of Disciplinary Counsel has prepared and videotaped a 30-minute instructional video on IOLTA/client trust accounting obligations. The tape is being edited and will be made available for viewing on the Office of Disciplinary Counsel's website.

Additionally, work is continuing on a proposed IOLTA/Client Trust Accounting School program. Once completed, we may require respondent lawyers who overdraft their IOLTAs and/or who are discovered during our investigations to have recordkeeping deficiencies relating to their IOLTAs to take and pass the IOLTA/Client Trust Accounting School as a condition of closing our investigations without the filing of a formal disciplinary complaint against them.²

If the IOLTA/Client Trust Accounting School is as successful as we hope and expect it to be, it is our goal to seek the Board of Professional Conduct's and this Court's approval of imposing attendance at the course as a condition attached to the discipline imposed against lawyers for violations of their IOLTA and client trust account obligations.

E. Supreme Court Disciplinary System Task Force

In June 2018, Chief Justice Maureen O'Connor commissioned a task force to undertake an analysis of Ohio's disciplinary system. Paul DeMarco, Esq., the former chair of the Board of Professional Conduct, was appointed as chair. Chief Assistant Disciplinary Counsel Joe Caligiuri was designated as the Office of Disciplinary Counsel's representative on the task force. He also served on two of the task force's subcommittees. To date, the task force has met on seven occasions to analyze aspects of the disciplinary system, including, but not limited to, its unique structure, the timeliness of cases progressing through the system, and public confidence in the system. The task force hopes to complete its work by Summer 2019.

F. Abandoned Attorney Files

In accordance with Gov.Bar R. V(26), when a lawyer dies, is suspended or disbarred, or otherwise abandons his or her client files and there is no partner, executor, or other responsible party who is available and willing to assume responsibility, the Office of Disciplinary Counsel may take possession of the lawyer's files, inventory the files, and take such action as is necessary to protect the interests of clients.

During 2018, the Office of Disciplinary Counsel took possession of approximately 47 boxes of files from three lawyers. Although the number of client files contained

² In the exercise of our prosecutorial discretion, we frequently close IOLTA investigations in those cases in which there was no dishonesty or theft of funds by the lawyer, no client was harmed or lost money as a result of the IOLTA issues, and the lawyer has no prior history of IOLTA overdrafts or recordkeeping problems. Requiring these lawyers to complete our proposed IOLTA/Client Trust Accounting School will, in our view, contribute to educating the lawyer and avoiding recordkeeping problems in the future.

in each box may vary significantly, there are an average of about 20-25 client files per box. Therefore, during 2018, the Office of Disciplinary Counsel took possession of approximately 1,100 client files.

Upon receipt of the abandoned files, personnel of the Office of Disciplinary Counsel inventory the files and make efforts to locate and contact the lawyer's former clients to determine whether the client wants ODC to forward the file to him or her or, alternatively, to destroy the file.

In addition, Gov.Bar R. V(26) permits ODC to destroy abandoned client files after a period of seven years, provided that ODC has an inventory of the abandoned files and made reasonable efforts to locate and contact the lawyers' former clients. Pursuant to this criteria, as of the date of the filing of this annual report, the Office of Disciplinary Counsel did not have any client files that are eligible for destruction.

GRIEVANCES AND OTHER MATTERS

In 2018, the Office of Disciplinary Counsel received a total of 2,693 new matters. This figure includes all relevant categories, such as grievances filed against lawyers, judges, magistrates and justices, appeals from dismissals by the Certified Grievance Committees, felony convictions, board cases, unauthorized practice of law investigations, UPL board cases, child support, contempt, reciprocal discipline, retirements, and resignations. Of that total, 1,856 represented grievances originally filed with ODC against lawyers and 561 grievances originally filed against judicial officers.

A total of 1,229 grievances were dismissed at intake or after initial review, of which 822 were against lawyers and 407 were against judicial officers. For administrative reasons, 87 grievances initially received by ODC were transferred to local bar associations for investigation. For the same reason, another 42 grievances were forwarded to the Board for reassignment, and four grievances were forwarded for Jud.R. 11(2)(B)(1) investigations. The remaining 1,331 grievances were opened for investigation. For a detailed analysis of grievances received in 2018 and opened for investigation, refer to Table 2 (p. 10). The data identifies the alleged primary violation and also includes data from the prior four calendar years to assist in tracking grievances and reporting trends in the state. Table 5 (p. 14) represents the geographic distribution of the grievances filed with ODC in 2018, organized by Ohio county based upon the location of the respondent lawyers' principal Ohio law offices.

At the beginning of 2018, there were 624 grievances pending with ODC. As of Dec. 31, 2018, there were 642 grievances pending or under investigation.

FORMAL COMPLAINTS AND DISPOSITIONS

In 2018, Office of Disciplinary Counsel filed 40 formal complaints with the Board of Professional Conduct, three of which alleged judicial misconduct. This figure represented 56 percent of all the formal disciplinary complaints certified by the Board in 2018.

Thirty-eight cases previously filed with the Board by the Office of Disciplinary Counsel received final dispositions from the Board or the Supreme Court in 2018. The Supreme Court imposed final discipline in 28 cases. In addition, five cases were closed following acceptance of the respondent lawyer's resignation and five cases were closed following the entry of an interim default suspension due to the lawyer's failure to participate in the Board proceedings.

APPEALS FROM CERTIFIED GRIEVANCE COMMITTEE DISMISSALS

In Ohio, both the Office of Disciplinary Counsel and its 32 certified grievance committees (which are associated with local bar associations across the state) are authorized to receive, investigate, and prosecute grievances against Ohio lawyers. If a grievance is initially submitted to and dismissed by any of the certified grievance committees, then the grievant has 14 days within which to appeal that dismissal to the director of the Board, who then refers the request for review to ODC. The Office of Disciplinary Counsel is authorized to open a new case and to conduct a separate investigation.

In 2018, ODC received 110 appeals, a decrease of 40 from 2017. During the year, 122 appeals were closed. One appeal resulted in ODC filing a formal complaint with the Board. As of Dec. 31, 2018, there were 27 appeals pending.

UNAUTHORIZED PRACTICE OF LAW

The Office of Disciplinary Counsel is authorized to receive grievances against an individual or organization who/that is not authorized to engage in the practice of law in Ohio (see Gov. Bar R. VII). The respondent may be a former lawyer who no longer is licensed under Ohio rules, a lawyer licensed in another jurisdiction but not Ohio, or someone who was never been admitted to the practice of law in any jurisdiction. Also subject to ODC's investigative powers are businesses or other entities that offer legal services without the authority to do so.

The number of UPL grievances received in 2018 totaled 45, a decrease of 10 from last year. During the year, 57 UPLs were closed and, as of Dec. 31, 2018, there were 25 UPL investigations pending. In 2018, two UPL Board cases were filed. One UPL Board case was closed in 2018.

RECIPROCAL DISCIPLINE

Lawyers may be licensed to practice law in multiple state jurisdictions. When a lawyer admitted to the practice of law in Ohio is sanctioned by another state, the attorney is required to notify both the Office of Disciplinary Counsel and the clerk of the Ohio Supreme Court of the action. In addition, ODC frequently learns of the imposition of discipline in another jurisdiction from the disciplinary agency itself. Once a certified copy of the original disciplinary order is received, the Court may impose a sanction upon the lawyer with either identical or comparable discipline (see Gov.Bar R. V (20)). ODC received 12 reciprocal discipline matters and closed 12 such matters in 2018. The Court sanctioned 10 lawyers on reciprocal complaints in 2018. (See Table 3 on p. 11 for sanction and original state jurisdiction).

CHILD SUPPORT

If an Ohio lawyer, justice, or judicial officer is found, in a final and enforceable determination, to be in default of a child support order, then the Office of Disciplinary Counsel is authorized under Gov.Bar R. V(18) to pursue an interim suspension. No child support matters were filed by ODC in 2018 and none were pending at the close of the year.



Board members discussing a case before a disciplinary hearing.

RESIGNATIONS AND RETIREMENTS

Lawyers may submit an application to the Court to resign or retire from the practice of law. Once approved, the retirement or resignation is final and irrevocable and the lawyer is ineligible from seeking readmission or reinstatement to the practice of law in the future. The application contains both an affidavit and written waiver permitting the Disciplinary Counsel to conduct a review of the application to determine whether the application should be granted and, if so, whether it should be classified as a retirement or a resignation with disciplinary action pending.

During the investigation, the Office of Disciplinary Counsel seeks to determine whether the applicant currently is the subject of any disciplinary investigation(s) or proceeding(s) or whether the lawyer currently is on a disciplinary suspension or probation. If disciplinary action is pending or the lawyer is under a disciplinary suspension or probation, then ODC prepares a sealed report to the Office of Attorney Services indicating that the applicant may resign, but that the resignation only may be approved with the designation “with Disciplinary Action Pending”. Applicants for retirement or resignation who have no pending disciplinary investigations or proceedings are permitted to retire from the practice of law (for details, see Gov.Bar R. VI(7)).

In 2018, 36 retirement or resignation applications were received for review by the Office of Disciplinary Counsel. In 2018, the Court announced its acceptance of 14 resignations with disciplinary action pending and 20 retirements. (See Table 3, on p. 11). Additionally, one application for retirement or resignation was withdrawn during the review process and one was denied at the Supreme Court stage.

INTERIM SUSPENSIONS

There were 11 interim suspensions imposed by the Supreme Court in 2018 – five for felony convictions, five for default, one for interim remedial, and none for mental health.

HEARINGS AND ORAL ARGUMENTS

In 2018, Office of Disciplinary Counsel attorneys appeared at 31 hearings before panels of the Board. ODC attorneys participated in four oral arguments before the Ohio Supreme Court in 2018. As of Dec. 31, 2018, there were 19 cases awaiting hearing dates before the Board and one case awaiting a report from the Board. Eight cases were pending oral argument before the Court and 13 cases were pending a decision by the Court.

- TABLE 1 -
A FIVE-YEAR COMPARISON (2014-2018)

	2014	2015	2016	2017	2018
DISPOSITION OF GRIEVANCES					
Dismissed on Intake or After Investigation	2,210	2,171	2,054	1,154	2,401
Pending at End of Year	668	595	564	626	642
CASELOAD COMPARISON					
Grievances Received	2,585	2,392	2,356	2,598	2,693
Appeals Received	158	168	171	150	110
UPLs Received	45	31	47	55	45
Formal Complaints Filed	46	40	39	34	40
SANCTIONS ISSUED (SEE TABLE 3 ON P. 11 FOR DETAILS)					
Public Reprimands	5	6	2	2	1
Six-Month Suspensions	3	4	5	3	5
One-Year Suspensions	4	3	11	5	3
18-Month Suspensions	0	0	0	1	0
Two-Year Suspensions	11	3	10	3	7
Indefinite Suspensions	10	15	10	6	7
Interim Default Suspensions	6	10	8	3	5
Interim Felony Suspensions	8	11	6	6	5
Interim Remedial Suspensions	1	0	1	2	1
Mental Health Suspensions	0	0	0	0	0
Disbarments	2	1	1	4	2
Reciprocal Disciplines	7	1	6	4	10
Resignations with Disciplinary Action Pending	18	20	19	12	14
Retirements (Technically, these are not sanctions.)	19	21	19	24	21

- TABLE 2 -

GRIEVANCES RECEIVED AND OPENED FOR INVESTIGATION
A FIVE-YEAR COMPARISON (2014-2018)

Alleged Primary Violation	2014	2015	2016	2017	2018
Neglect/Failure to Protect Interests of the Client	259	211	262	255	248
Failure to Account or Turn over File	31	24	26	23	18
Improper Withdrawal (Refusal to Withdraw)	12	7	15	16	21
Excessive Fees	71	61	66	69	67
Personal Misconduct	78	80	65	51	67
Misrepresentation/False Statement/Concealment	17	15	31	17	53
Criminal Conviction	12	33	8	17	10
Failure to File Income Tax Returns	1	0	0	0	0
Commingling of Funds	0	0	0	0	0
Conversion	14	22	17	30	15
Embezzlement	5	1	1	2	3
Failure to Maintain Funds in Trust	237	256	180	182	246
Breach of Client Confidence	6	3	14	6	8
Conflict of Lawyer's Interest	26	19	41	29	21
Conflict of Client's Interest	46	37	53	36	40
Communication with Adverse Party Represented by Counsel	3	5	12	10	6
Trial Misconduct	90	72	101	112	91
Failure to Register	1	2	0	1	0
Practicing While Under Suspension	13	27	10	9	1
Assisting in the Unauthorized Practice of Law	6	4	2	4	2
Advertising/Solicitation	19	10	13	20	13
Judicial Misconduct	92	82	100	98	107
Mental Illness	1	4	2	2	1
Substance Abuse	1	4	1	8	9
Other	1	0	0	0	1
TOTAL	1,228	1,042	978	1,010	1,048

- TABLE 3 -

SANCTIONS ISSUED IN 2018 BY THE SUPREME COURT OF OHIO
PURSUANT TO CASES FILED BY DISCIPLINARY COUNSEL

1 PUBLIC REPRIMANDS

Marla R. Holben 2018-0816

5 SIX-MONTH SUSPENSIONS

Thomas Pigott 2018-0815
John Clark 2018-0808
Howard Dunn 2018-0813
Charles Wochna 2018-0814
Richard Oviatt 2018-0537

3 ONE-YEAR SUSPENSIONS

Robert Owens 2018-0257
Robert Leon 2018-0536
Clyde Bennett 2018-0252

0 18-MONTH SUSPENSIONS

7 TWO-YEAR SUSPENSIONS

Brian Maciak 2017-0492
Andrew Engle 2017-1087
Trent Turner 2018-0540
Jason Sarver 2017-1081
Harland Karp 2018-0254
Brian Benbow 2017-1734
John Gold 2017-1411

7 INDEFINITE SUSPENSIONS

Mark Deters 2018-0535
Rasheed Simmonds 2017-1823
Michelle Demasi 2016-0994
Jonathan Hull 2018-0158
Timothy Potts 2018-0422
Thomas Brown 2017-1232
Michael Marshall 2018-0809

5 INTERIM DEFAULT SUSPENSIONS

John Moore 2018-0402
Mark Thomas 2018-1256
Paula Camino 2018-1251
William Tinch 2018-1178
Daniel Bennett 2018-0527

5 INTERIM FELONY SUSPENSIONS

Anthony Polizzi 2018-0777
Christopher Mitchell 2018-0639
Gregory Plesich 2018-0821
Michael Prisley 2018-1529
Scott Atway 2018-1516

1 INTERIM REMEDIAL SUSPENSIONS

Christopher Ore 2018-0129

0 MENTAL HEALTH SUSPENSIONS

2 DISBARMENTS

Guy Rutherford 2017-0010
Brian Harter 2018-0249

10 RECIPROCAL DISCIPLINES

Thomas McDaniel III 2018-0041
Thomas McDaniel III 2018-0687
David Hoff 2018-0696
Nathaniel Speights 2018-1287
Leicester Stovell 2018-1231
Christopher Pooley 2018-1282
Raymond Clutts 2018-1227
Mark Thomas 2018-0553
Scott Baldwin 2018-1087
Harold Brazil 2018-0453

**14 RESIGNATIONS WITH
DISCIPLINARY ACTION PENDING**

Mark Chuparkoff 2018-1135
Benjamin Joltin 2018-0056
John Beckley 2018-1454
Christopher Ore 2018-0407
Christi Brown 2017-1669
Lawrence Thomas 2018-1151
Gregory Moore 2017-1820
Tobias Elsass 2018-0266
David Lynch 2018-1484
Frederick Green 2017-1826
James Skelton 2018-0924
Joan Crosser 2018-0784
Mark Verkhlin 2018-1147
Steven Schudder 2018-1138

- TABLE 3 -

SANCTIONS ISSUED IN 2018 BY THE SUPREME COURT OF OHIO
PURSUANT TO CASES FILED BY DISCIPLINARY COUNSEL

20 RETIREMENTS

Daniel Batista
Lloyd Bright
Jack Brown
Richard Dimit
Craig Hilborn
James London
Thomas Lynett

Howard Mentzer
Linda Mentzer
Robert Mishler
James Moennich
Gregory Novak
Rex Payne
Frank Quirk

Arnold Schulberg
James Skelton
Christopher Sove
Leo Talikka
Dennis Varnau
David Williams

- TABLE 4 -
STATUS OF FORMAL MATTERS PENDING
 AS OF DEC. 31, 2018

Reinstatements	1
<hr/>	
BEFORE THE PROBABLE CAUSE PANEL	
Awaiting Certification to Board	0
Appeal of Panel Dismissal to Full Board	0
<hr/>	
BEFORE THE BOARD OF PROFESSIONAL CONDUCT	
Awaiting Hearing	19
Awaiting Board Report	1
<hr/>	
BEFORE THE SUPREME COURT OF OHIO	
Awaiting Oral Argument	8
Awaiting Supreme Court Decision	13
<hr/>	
TOTAL PENDING	42

- TABLE 5 -

MATTERS RECEIVED BY ODC IN 2018

BASED ON COUNTY OF RESPONDENT'S PRINCIPAL OHIO OFFICE LOCATION

Adams	1	Hamilton	171	Noble	0
Allen	28	Hancock	6	Ottawa	12
Ashland	5	Hardin	3	Paulding	3
Ashtabula	8	Harrison	13	Perry	5
Athens	4	Henry	0	Pickaway	3
Auglaize	2	Highland	1	Pike	6
Belmont	7	Hocking	20	Portage	19
Brown	2	Holmes	0	Preble	4
Butler	29	Huron	7	Putnam	6
Carroll	18	Jackson	3	Richland	16
Champaign	0	Jefferson	6	Ross	4
Clark	29	Knox	3	Sandusky	22
Clermont	26	Lake	37	Scioto	22
Clinton	9	Lawrence	1	Seneca	3
Columbiana	14	Licking	16	Shelby	6
Coshocton	0	Logan	5	Stark	68
Crawford	9	Lorain	70	Summit	123
Cuyahoga	491	Lucas	90	Trumbull	13
Darke	5	Madison	1	Tuscarawas	8
Defiance	2	Mahoning	67	Union	17
Delaware	43	Marion	1	Van Wert	2
Erie	30	Medina	10	Vinton	4
Fairfield	5	Meigs	2	Warren	28
Fayette	6	Mercer	1	Washington	23
Franklin	335	Miami	12	Wayne	18
Fulton	0	Monroe	2	Williams	0
Gallia	1	Montgomery	80	Wood	15
Geauga	24	Morgan	3	Wyandot	1
Greene	9	Morrow	2		
Guernsey	5	Muskingum	26	TOTAL	2,257

- TABLE 6 -

OPERATIONAL EXPENSES FOR 2018-2019 BUDGET

(EXPENDITURES AS OF DEC. 31, 2018)

Category	2018-2019 Budget	Expenses BYTD ¹	% Budget Spent
Payroll	\$ 2,644,580	\$ 1,395,932.87	53%
Operating Expenses	\$ 387,500	\$ 238,566.97	62%
Purchased Services	\$ 125,000	\$ 25,021.33	20%
Travel	\$ 66,500	\$ 16,340.84	25%
Furniture, Equipment & Vehicle	\$ 45,000	\$ 673.00	1%
Hospitality Hosting	\$ 2,500	\$ 368.04	15%
TOTAL	\$ 3,271,080	\$ 1,676,903.05	51%

¹ Budget Year to Date (i.e., July 1, 2018 through Dec. 31, 2018)

OFFICE OF DISCIPLINARY COUNSEL
250 Civic Center Drive, Ste. 325
Columbus, Ohio 43215-7411