



Office of Disciplinary Counsel

2024 Annual Report



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A message from **Disciplinary Counsel**

Dear Chief Justice Kennedy and
Honorable Justices of the Supreme Court:

Under Rule V, Section 4(D) of the Supreme Court Rules for the Government of the Bar of Ohio, I am pleased to submit the 2024 Annual Report of the Office of Disciplinary Counsel.

In 2024, the Office of Disciplinary Counsel continued its unwavering commitment to upholding and promoting the highest standards of professional conduct for Ohio's attorneys, judges, and magistrates through education, investigation, and, in some instances, prosecution. Internally, the Office of Disciplinary Counsel advanced several key initiatives, including the development of the Proactive Management-Based Regulation ("PMBR") education curriculum, which the court approved in 2023. The first edition of PMBR will go live in April 2025. In addition to PMBR, we completed a three-phase reorganization of our intake department to streamline our process, improve case processing times, and better allocate our talented human resources. Although it is premature to measure the reorganization's success, I am confident it will lead to improved efficiencies.

From a human resource perspective, we continued to develop our newest lawyers. At the close of 2024, eight of our 13 full-time lawyers had been with the office less than two years; yet, relying on their diverse legal experience, they have displayed the discernment, enthusiasm, and work ethic necessary to excel in this unique field of practice.

One disturbing trend that continued in 2024 was the rise in grievances filed against Ohio's judicial officials. In speaking with my colleagues from around the country, this issue is not unique to Ohio. As the public discourse around the judiciary continues to devolve, judges are facing unprecedented, and often, unwarranted attacks. And while our office holds dear its responsibility to hold accountable those few judicial officials—and lawyers—who violate their ethical responsibilities, it is equally important that we educate the public on the critical role judges play in our democracy.

Of the 2,893 grievances that we received in 2024, 800 involved allegations against Ohio's judicial officers, up from 778 in 2023 and 692 in 2022. Between grievances dismissed at the intake level and cases dismissed after investigation, we disposed of 2,724 grievances during 2024, compared to 2,497 in 2023. At the end of 2024, the Office of Disciplinary Counsel had 1,063 grievance files pending at various stages of review.

During 2024, the Office of Disciplinary Counsel filed 31 complaints with the Board of Professional Conduct, compared to 28 in 2023. Twenty-five complaints involved lawyer misconduct, while six involved judicial misconduct. We participated in 19 hearings before the Board and one oral argument before the court. The Office of Disciplinary Counsel also filed 36 sealed reports in cases in which lawyers applied to retire or resign from the practice of law. During 2024, the court accepted 23 applications as retirements and 11 as resignations with disciplinary action pending. Three remained pending at the close of 2024.



In addition to the investigation and prosecution of disciplinary matters as mandated by the court in Gov.Bar R. V, the Office of Disciplinary Counsel continued its proactive efforts to educate lawyers, judges, and magistrates on ethics, professionalism, and the disciplinary process. In 2024, our lawyers fielded 474 ethical inquiries from Ohio's lawyers, while Chief Assistant Michelle Hall and I responded to 192 ethical inquiries from judges and magistrates from across the state. Moreover, the Office of Disciplinary Counsel staff participated in 44 presentations to members of the bench and bar.

Last year, 20 attorneys and two paralegals completed our IOLTA School—a 3.5-hour, CLE-accredited, interactive program designed to improve compliance with a lawyer's accounting and record-keeping responsibilities under the Ohio Rules of Professional Conduct. An additional 97 lawyers and nine non-lawyers completed the Office of Disciplinary Counsel's free, one-hour, online, and CLE-accredited video, Trust Accounting 101. We continued to utilize these IOLTA courses as diversionary tools in cases that do not warrant formal discipline.

The Office of Disciplinary Counsel enthusiastically executed its education curriculum for bar counsel of Ohio's 31 certified grievance committees by conducting a six-hour seminar in Akron. We also continued to provide bar counsel with access to tools highlighting best practices in the investigation and prosecution of grievances. These tools include the Bar Counsel Forum, a secure, online platform for bar counsel and the Office of Disciplinary Counsel lawyers and paralegals to network and share ideas, seek guidance on novel issues, and develop consistent disciplinary procedures; our quarterly newsletter, *Raising the Bar*; and monthly Zoom meetings with our senior assistants for interested bar counsel.

Finally, the Office of Disciplinary Counsel collaborated with the Board of Professional Conduct and the University of Akron School of Law to develop and present the annual Miller-Becker Seminar—a full-day program designed for the lawyers, judicial officials, and lay persons who dedicate their time and talents to enhance Ohio's disciplinary system.

The Office of Disciplinary Counsel's team is committed to protecting the public by ensuring that Ohio's lawyers, judges, and magistrates perform their duties competently and ethically. We strive to conduct our business consistent with the core principles of the Office of Disciplinary Counsel: Integrity, Respect, and Fairness.

Joseph M. Caligiuri
Disciplinary Counsel

Staff Overview

The 29-person staff of the Office of Disciplinary Counsel is comprised of the following positions, including the incumbents in those positions, during 2024¹:

DISCIPLINARY COUNSEL

Joseph Caligiuri

CHIEF ASSISTANT DISCIPLINARY COUNSEL

Michelle Hall

SENIOR ASSISTANT DISCIPLINARY COUNSEL

Matthew Kanai

Karen Osmond

Amy Stone

Retired effective

Oct. 4, 2024

ASSISTANT DISCIPLINARY COUNSEL

Martha Asseff

Cara Dawson

Commenced employment effective

April 1, 2024

Kelli Murphy

Resigned employment effective

Feb. 23, 2024

Benjamin Nelson

Marley Nelson

Ryan Sander

Audrey Varwig

Resigned employment effective

Aug. 9, 2024

Jay Wampler

Commenced employment effective

Sept. 23, 2024

Melanie Williamson

STAFF ATTORNEY

Susan Hard

Commenced employment effective

Dec. 2, 2024

Paige Melton

Commenced employment effective

Dec. 2, 2024

PMBR PROGRAM MANAGER

Elisabeth Duesler, Esq.²

Commenced employment effective

Jan. 8, 2024

ADMINISTRATIVE OFFICER

Candie Gutierrez

EXECUTIVE ASSISTANT/ LEGAL RESEARCH ANALYST

Cassandra Kilgore

LEGAL RESEARCH ANALYSTS

Paula Adams

Tarik Jackson

Brent Small

LITIGATION PARALEGAL

Phoebe Heffron

INVESTIGATORS:

Donald Holtz

Patrick McDonald

ADMINISTRATIVE ASSISTANTS

Gabrielle Hughes

Laura Johnston

Lori Luttrell

Christine McKrimmon

Katherine Sturges

RECEPTIONIST:

Mandisa Mack

Resigned employment effective

July 18, 2024

Cynthia Vaught

Commenced employment effective

Sept. 23, 2024

CLERICAL SUPPORT STAFF

Leah Edwards

1 Teshia Williams joined the Office of Disciplinary Counsel as an extern effective Aug. 16, 2024.

2 Elisabeth Duesler is part-time and works 20 hours per week.



Office of Disciplinary Counsel ("ODC")

The Supreme Court of Ohio established the disciplinary counsel position and the Office of Disciplinary Counsel ("ODC"). Gov.Bar R. V(4)(A) sets forth ODC's duties and responsibilities. That rule authorizes disciplinary counsel to investigate allegations of misconduct, mental illness, disorders, or substance abuse by lawyers and judicial officers under the Ohio Rules of Professional Conduct, the Ohio Code of Judicial Conduct, and the 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 and approve the employment of suspended or disqualified lawyers; and (f) investigate the applications of Ohio lawyers who wish to retire or resign from the practice of law. In such instances, disciplinary counsel prepares and files a sealed report with the Supreme Court recommending whether the court should grant the application and, if so, whether the court should approve it as a retirement or a resignation with disciplinary action pending.



New staff joined the ODC team in 2024. From left: Jay Wampler, Cara Dawson, Cynthia Vaught, Susan Hard, and Paige Melton. (Not pictured: Elisabeth Duesler)

Significant Office Developments

A. ODC Staff Members

In 2024, ODC welcomed six new employees to the office: two assistant disciplinary counsel, two staff attorneys, a part-time PMBR program manager, and a receptionist. Each of our new employees has positively impacted the office, and will enhance the office's reputation as a transparent, competent, responsive, and compassionate public entity. Staff retention remains a critical component to the success of the office; consequently, we strive to promote a vibrant, diverse, and professional work culture.

Elisabeth Duesler joined the office on Jan. 8, 2024, as our part-time PMBR Program Manager. In this role, Elisabeth's responsibilities include designing, developing, implementing, and administering the new PMBR education curriculum for Ohio-licensed lawyers who are engaged in the private practice of law but do not maintain professional liability insurance. Elisabeth earned her J.D. from Capital University Law School and graduated from Miami University with a B.A. in Communication. Prior to joining the office, Elisabeth practiced consumer bankruptcy, domestic relations, and estate planning law in Central Ohio for over 10 years.

Cara Dawson joined the office on April 1, 2024, as an assistant disciplinary counsel. Prior to joining the office, Cara served as a staff attorney and part-time magistrate at the Franklin County Court of Common Pleas, Domestic Relations and Juvenile Division. Before that, Cara worked for the Capital University Family Advocacy Clinic where she represented survivors of domestic violence. Cara is a 2010 graduate of Capital University Law School. She received her undergraduate degree from Marshall University.

Jay Wampler joined the office on Sept. 23, 2024, as an assistant disciplinary counsel. Prior to joining the office, Jay served as a senior hearing officer at the Ohio Board of Tax Appeals. Before that, Jay served five years as an assistant prosecuting attorney at the Hamilton County Prosecutor's Office, during which time he also maintained a private law practice. Jay is a graduate of Miami University and a 2015 graduate of the Northern Kentucky University Chase College of Law.

Cynthia Vaught joined the office on Sept. 23, 2024, as our receptionist. Prior to joining the office, Cynthia worked at Vista Packaging & Logistics as a receptionist and accounts payable clerk. She has over 23 years of experience in the customer service field.

Susan Hard joined the office on Dec. 2, 2024, as a staff attorney. Prior to joining the office, Susan concentrated her practice on civil, family, and probate matters, and also represented the best interests of children as a Guardian ad Litem in the juvenile and domestic courts in several Ohio counties. Susan attended the Ohio State University as an undergraduate where she earned a Bachelor of Arts degree with a double major in political science and women's studies. Susan then pursued her law degree and graduated in 2016 from the Ohio State University Moritz College of Law.

Paige Melton joined the office on Dec. 2, 2024, as a staff attorney. Paige spent five years at the Commonwealth's Attorneys' Office in Hampton, Virginia, leaving as a senior assistant before joining our office. In that position, Paige represented the Commonwealth of Virginia in criminal matters, specializing in commercial sex trafficking cases as a member of the Hampton Roads Human Trafficking Task Force. Paige received her J.D. from William & Mary Law School in 2018 and her B.A. in public administration from Miami University.

After 25 years of excellent service to our office and the legal profession, former Senior Assistant Disciplinary Counsel Amy Stone retired on Oct. 4, 2024. Amy left a tremendous legacy at ODC. Amy was responsible for developing and overseeing our intake department, and she also worked closely with bar counsel and the certified grievance committees to ensure consistency in their approach to disciplinary investigations and prosecutions. Amy was a tireless public servant committed to upholding the highest standards of professionalism.

Upon Amy's retirement, we promoted Senior Assistant Disciplinary Counsel Karen Osmond to replace Amy and lead the intake department. Karen brings a tireless work ethic and 18 years of investigative and trial experience to the position.

Teshia Williams, a Capital University Law School student, joined the office on Aug. 16, 2024, as our fall extern. Teshia provided support to the intake department, worked on several disciplinary cases, and assembled a brief bank for the office. We look forward to having Teshia back as an extern in 2025.

B. Office Reorganization

As stated previously, in 2024, we initiated a reorganization of our intake department aimed at improving our operational efficiency, reducing the backlog (i.e., cases over 270 days old), and better allocating our human resources. As part of the reorganization, we promoted Karen Osmond to replace Amy Stone, created two new staff attorney positions, assigned one of our administrative assistants to divide her time between the intake unit and the trial staff, and redesigned our case management system to automate the workflow. With the number of incoming grievances now surpassing our pre-COVID numbers, it is imperative that we streamline our processes to ensure the timely resolution of cases.

Under the new system, incoming grievances that have merit but appear unlikely to result in the filing of formal disciplinary charges will remain in the intake unit for an initial investigation by our staff attorneys, and paralegals acting under the supervision of Karen Osmond and the staff attorneys. If the initial investigation, which, at a minimum, includes obtaining a written response from the lawyer or judicial officer, provides sufficient evidence to resolve the matter short of discipline, the intake staff will dismiss the matter. On the other hand, if the intake staff determines that the matter is overtly serious, complex, or needs further investigation, they will forward the matter to disciplinary counsel for review and assignment to the 10 lawyer investigative trial staff, which includes Chief Assistant Michelle Hall and the undersigned, for further investigation. Under this new system, the investigative trial staff can devote more of their time to the cases that warrant the most attention.

C. Educational Outreach

In disciplinary counsel's view, educating Ohio lawyers and judges about the requirements and obligations imposed by the Ohio Rules of Professional Conduct and the Ohio Code of Judicial Conduct is an important and valuable part of ODC's work. The primary purpose of lawyer and judicial disciplinary proceedings is not to punish the lawyer or judicial official but instead, to protect the public and the legal profession. To that end, disciplinary counsel believes that there are many circumstances in which education can be just as effective as a disciplinary prosecution in preventing future misconduct.

Therefore, ODC attempts to accommodate all requests for a member of the office to address groups of lawyers and judicial officials on issues relating to legal and judicial ethics and the requirements of the Ohio Rules of Professional Conduct and the Ohio Code of Judicial Conduct. ODC staff presented at 44 meetings and events. The undersigned participated in 25 speaking engagements, while Chief Assistant Michelle Hall participated in eight. Senior Assistant Disciplinary Counsel Karen Osmond also presented to the court's externs. Several assistant disciplinary counsel presented on lawyer and judicial ethics both at the state level and nationally.

At the national level, the undersigned continued to serve as an emeritus board member and immediate past president of the Association of Judicial Disciplinary Counsel ("AJDC"), a national organization aimed at promoting judicial integrity and independence by improving the effectiveness of state judicial disciplinary organizations. Michelle Hall and Don Holtz continued their service on the AJDC board, with Don being the sole non-lawyer member. At the July 2024 Annual Meeting and Conference in Washington, D.C., Assistant Disciplinary Counsel Martha Asseff, Michelle Hall, Don Holtz, and the undersigned presented on the challenges of investigating and prosecuting judicial misconduct cases.

The National Organization of Bar Counsel ("NOBC"), founded in 1965, is a national organization committed to enhancing the professionalism and effectiveness of lawyer

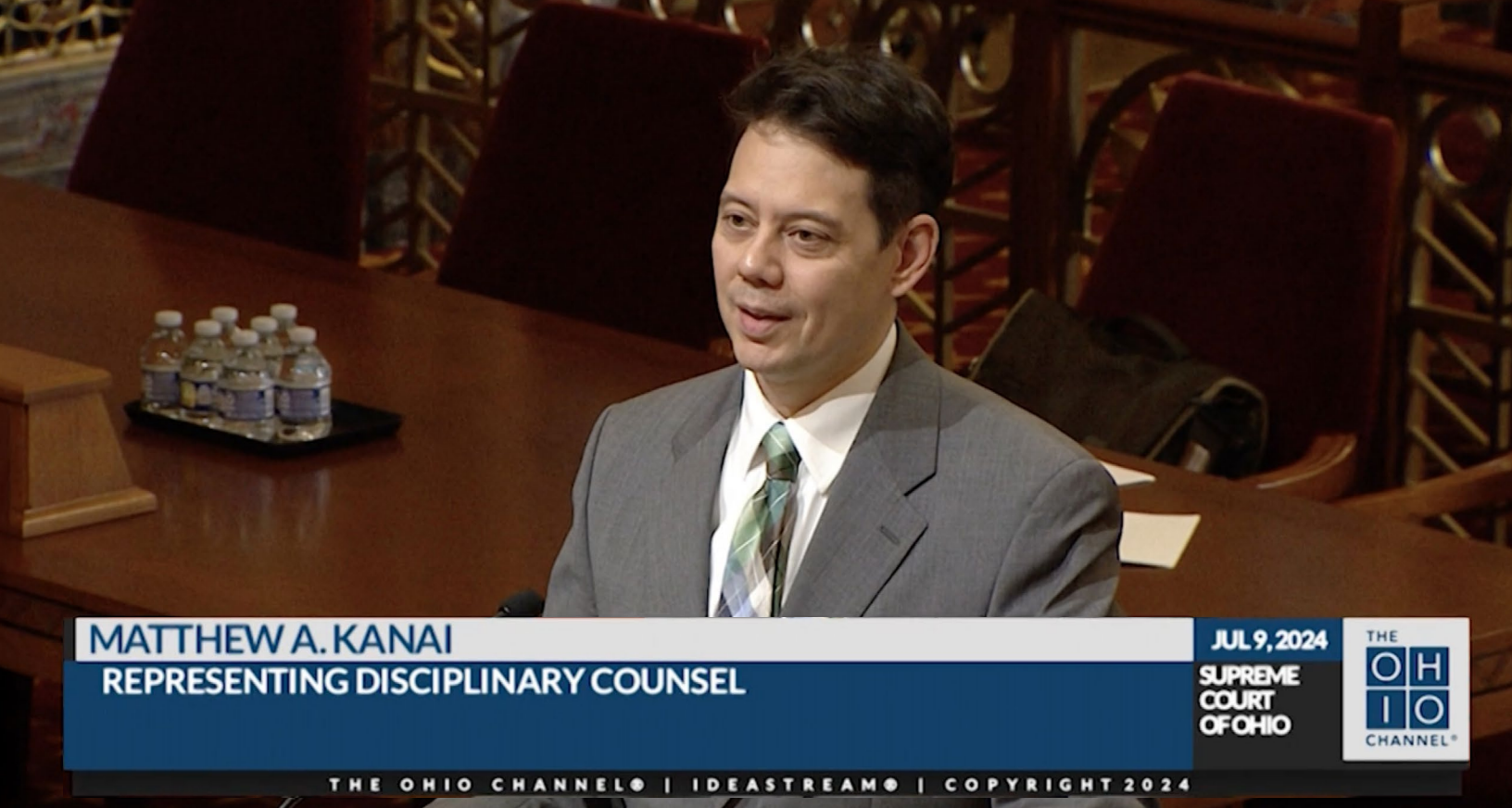
disciplinary agencies in the United States, Canada, and the United Kingdom. Senior Assistant Disciplinary Counsel Karen Osmond serves as a Director-at-Large for NOBC, and is the NOBC Liaison to the ABA Commission on IOLTA. Karen also serves on the following NOBC committees:

- Diversity, Equity, and Inclusion;
- Webinar; and
- Current Developments.

At its July 2024 Annual Meeting in Chicago, Elisabeth Duesler, Karen Osmond, and the undersigned presented on topics related to education and investigations. In February 2024, Karen Osmond presented a webinar for NOBC on building and maintaining morale in disciplinary offices.

Finally, the undersigned taught Professional Responsibility as an adjunct professor at the Ohio State University Moritz College of Law for the Spring 2024 semester. Chief Assistant Michelle Hall will be co-teaching the class in 2025.

In October 2024, ODC conducted a six-hour education and training seminar at the University of Akron School of Law for bar counsel from the 31 certified grievance committees. During the seminar, ODC staff led several break-out groups in which participants analyzed hypothetical grievances, which were provided in advance of the seminar, along with investigative materials and documentary evidence. Using the materials, each group drafted one count of a four-count formal complaint. Thereafter, each group elected one member to present the draft complaint to the audience. Chief Assistant Michelle Hall and the undersigned offered feedback during the presentations. In addition to the complaint drafting exercise, the program also included segments on Recent Disciplinary Decisions and Best Practices for Summaries of Investigations. We also invited the Director of the Board, Rick Dove, to address the group on various topics. One of the challenges with designing an effective curriculum for bar counsel is that their level of experience within the disciplinary system varies greatly. However, judging from the post-seminar evaluations, the



program proved beneficial to the attendees. In rating the “overall quality of the program,” we received a 4.78 out of 5.0.

In addition to the Bar Counsel Seminar, ODC participated with the Board in presenting the annual Miller-Becker Seminar at the University of Akron School of Law. This collaborative effort between the Board, ODC, and respondents’ counsel featured alternatives to discipline, attacks on the judiciary, a disciplinary case update, ethics and artificial intelligence, and a disciplinary process overview.

Finally, in an effort to prevent misconduct from occurring, ODC answers ethics inquiries from lawyers and judicial officers daily, providing ethical guidance and resource information. Assistant disciplinary counsel provide telephonic guidance to lawyers on a rotating basis, with each lawyer having “ethics duty” approximately three times per month. In 2020, ODC unveiled a dedicated “ethics hotline” for judges and magistrates. The dedicated line connects judges and magistrates directly to the disciplinary counsel or his chief assistant. During 2024, assistant disciplinary counsel handled 474 ethics inquiries from Ohio lawyers, while disciplinary counsel and the chief assistant handled 192 inquiries from judicial officers and candidates.

D.Proactive Management-Based Regulation

As previously reported, the court adopted our PMBR proposal at its Mar. 2, 2023 administrative conference, making Ohio the second state in the nation to adopt a mandatory PMBR program. In January 2024, Elisabeth Duesler began her employment with ODC on a part-time basis as our PMBR program manager.

In 2024, Elisabeth responded to inquiries from members of the bar regarding the PMBR requirements, designed the course curriculum, obtained CLE approval for the course, met with the PMBR committee, vendors and court staff, and identified solo and small firm practitioners for appearances in the video modules. Throughout the year, Elisabeth worked in conjunction with the Ohio Judicial College, The Ohio Channel, the Office of Attorney Services, and the court’s IT Department to bring the course closer to fruition. ODC plans to launch the course in April 2025.



An in-person IOLTA School session in Columbus.

E. Document Management

The Case Management Committee (“the committee”), under the direction of Administrative Officer Candie Gutierrez and Senior Assistant Disciplinary Counsel Karen Osmond, met regularly in 2024 with Gregory Pruden, our third-party software engineer. Until her departure from ODC in August 2024, former Assistant Disciplinary Counsel Audrey Varwig directed the committee.

The committee continued its work to automate office processes and procedures in furtherance of the paperless office environment and enhance the Case Management (“CM”) application functions.

During the first quarter of 2024, the committee continued its work on the electronic grievance form project. The enhanced electronic grievance form will allow end users (i.e., grievants) to upload supporting files in multiple formats and receive confirmation of the upload. Once the end user submits the electronic grievance, the intake department will be able to review the uploaded files and add comments. Once the electronic grievance is accepted for filing, the uploaded files are entered into the CM application. The committee enhanced the electronic grievance form to allow for variations in user data,

and extensively beta-tested it to ensure its functionality. With the new form, end users can amend their submission up until the form has been digitally signed and submitted. Mr. Pruden added code to secure the data, disable the edit features, and notify the user that changes can no longer be made. The committee enhanced the intake interface and the format of the evidentiary record so that it includes user data to ensure accuracy.

On May 20, 2024, in coordination with the court’s IT Department, the committee launched the new electronic grievance form, allowing public access through the ODC website. Members of the public retain the option to submit grievances by mail. In fact, while the electronic submission of grievances has increased considerably, ODC continues to receive grievances by mail.

Since launching the electronic grievance form, the committee has concentrated on improving and enhancing ODC’s website, the electronic grievance form, the CM application, and the evidentiary record, which required additional testing. The committee noticed that end users, intending to supplement their electronic grievance form with additional documentation, were, instead, submitting “new” grievances. To address this issue, the committee modified its

process so that end users can submit additional information electronically for up to 48 hours after submitting their original electronic grievance form. Upon successful testing and implementation of the improvements, ODC will issue a press release to the public regarding the new electronic grievance form. The committee also initiated a monitoring service to alert us in the event of an outage.

Finally, consistent with the reorganization of the intake department, the committee proposed several updates to CM that track the flow of information under the new process. ODC expects the proposals to result in a January 2025 release of a new version of CM. Moving forward, ODC intends to expand CM to improve the post-intake flow of information, thus further reducing ODC's reliance on email and paper.

F. IOLTA Client Trust Accounting Virtual Self-Study

Through ODC's investigations of IOLTA overdrafts and speaking engagements throughout the State of Ohio, it is apparent that many Ohio lawyers are unfamiliar with their IOLTA record-keeping responsibilities under Prof.Cond.R. 1.15 and their obligations in handling client funds. To address these deficiencies, in 2021, ODC staff, in conjunction with the Judicial College, produced a one-hour video on trust accounting. ODC launched the free, one-hour, virtual self-study IOLTA course via its website, which the CLE commission approved for one hour of self-study. More information on the one-hour course can be found at odc.ohio.gov/ta101online. By the end of 2024, 97 lawyers and nine non-lawyers, such as law students, paralegals, and office personnel, completed the course. ODC staff is currently working with the Judicial College to revise and update the online course.

G. IOLTA Client Trust Accounting School

ODC held four in-person sessions of its IOLTA School in 2024: two in Columbus, one in Cleveland, and one in Cincinnati. Led by Senior Assistant Disciplinary Counsel Karen Osmond and Assistant Disciplinary Counsel Martha Asseff,

"Trust Accounting 101: Basic Management Skills and Best Practices" is a CLE-approved, 3.5-hour course that takes a deep dive into the particulars of handling client funds. Using video vignettes originally developed for ODC's virtual self-study IOLTA course, the seminar focuses on compliance with the Ohio Rules of Professional Conduct, different types of fee structures and how to account for them, and creating compliant ledgers. Additionally, through step-by-step instructions, participants engage in real-time exercises requiring them to perform monthly reconciliations and manage various complications that can arise when handling client funds.

In 2024, ODC received positive feedback from attendees, such as:

- "Best CLE I've been in";
- "This should be mandatory for CLE reporting purposes every two years, like how we report for ethics and professionalism"; and
- "I thought the interactive portions were extremely well done and informative."

Karen and Martha also received oral feedback from the attendees, including one who commented that the class was "life-changing" and several who said they would be revising fee agreements based on ODC's guidance regarding the use of flat fees.

Recognizing that attorneys regularly utilize the services of paralegals or legal assistants in managing their trust accounts, ODC has continued to offer the course to support personnel; however, because record-keeping responsibilities ultimately fall to the attorney, paralegals or legal assistants are required to attend with an attorney.

Since ODC's first IOLTA School session in November 2021, over 100 attorneys have attended ODC's IOLTA School, and 10 paralegals or legal assistants have completed the course. During the February 2024 session, ODC hosted visitors from the New York City Bar Association and the West Virginia Office of Lawyer Disciplinary Counsel, both of whom are interested in modeling ODC's IOLTA School in their respective jurisdictions.

ODC is continually looking for ways to improve the IOLTA School. In April 2024, Karen and Martha attended Kentucky's IOLTA School with the goal of bringing back ideas to make ODC's school more beneficial and useful for Ohio practitioners. After attending the school, Karen and Martha made some minor changes to the curriculum, which they believe were well received by the participants at the May 2024 seminar. Karen also attended a session on "Trust Account Management Training" at the NOBC's Annual Meeting in July 2024.

In July 2024, Karen and Martha presented a shortened version of the IOLTA School to new lawyers as part of the Akron Bar Association's New Lawyer Training ("NLT") program, and later presented on the same topic as part of the bar association's winter NLT program in December 2024.

ODC will hold four sessions of the IOLTA School in 2025: two in Columbus, one in Toledo, and one in Cincinnati. The Office of Attorney Services has approved CLE credit for each of these seminars.

H. Abandoned Attorney Files

Under Gov.Bar R. V(26), when a lawyer abandons client files, and there is no qualified person to assume responsibility, ODC may take possession of the files. When ODC receives abandoned files, ODC staff must inventory them and take necessary action to protect the clients.

In 2024, former Senior Assistant Disciplinary Counsel Amy Stone addressed 29 telephone inquiries regarding the disposition of deceased attorneys' files, and Amy's successor, Karen Osmond, addressed six inquiries. ODC took possession of 75 boxes of files containing approximately 1,100 client files from two lawyers. Upon receipt of the abandoned files, ODC personnel inventoried the files and made efforts to locate and contact the lawyers' former clients to determine whether they wanted ODC to provide them with the files or destroy them.

Under the rule, ODC may destroy abandoned client files after seven years, provided ODC has inventoried the files and made reasonable efforts to locate the former clients. In 2021, disciplinary counsel designed a new approach aimed at

reducing the rising costs associated with the offsite storage of abandoned files. Later in the year, ODC began converting all paper files to digital media, including those currently stored offsite. Once converted, ODC destroys the paper files; however, ODC will preserve documents of legal significance, such as original deeds and wills, to comply with the rule. Throughout 2024, ODC continued the process of converting all paper files to digital media, including those files that are currently stored offsite. Given the increasing costs of obtaining, inventorying, returning, and storing abandoned files, ODC plans to propose a rule change, which, if adopted, would allow for the destruction of abandoned files seven years after publishing the receipt of an attorney's files on our website. ODC hopes to submit an official draft proposal to the Board in 2025.

In 2024, ODC issued five Gov.Bar R. V(26) appointment letters to attorneys. These letters provide the appointee access to a deceased attorney's IOLTA to perform an accounting, distribute remaining funds, and close the account. The appointment letters are also used to appoint attorneys to inventory and return a decedent's files to the rightful owners. ODC also issued 10 similar letters to general counsel & the Chief Operating Officer of the Ohio Access to Justice Foundation ("OAJF") to enable OAJF to access deceased attorneys' dormant IOLTAs to close those accounts.

Throughout the year, ODC continued to receive copies of probate court-approved Standard Probate Form 13.11, which indicate that in the estates of deceased attorneys, their IOLTAs are being disposed of properly.

As previously reported, in 2022, Amy Stone joined the Will Storage Committee ("committee") of the Ohio State Bar Association's Estate Planning, Trust & Probate Law Section. The committee's primary task was to devise a method of notifying the public of the location of wills drafted by an attorney when that attorney dies or retires. In 2023, the committee's proposed Standard Probate Form 13.12 was submitted to and approved by the forms committee of the Ohio Association of Probate Judges. It will go before the board of that organization for approval before submission to the court. If approved, the form—a notice



Assistant Disciplinary Counsel Melanie Williamson presenting a case before the Ohio Board of Professional Conduct on Sept. 16, 2024.

document—will be filed with the probate court in the county where the attorney practiced. It will allow the filer to list the location of the wills. A copy of the form with an attached list of testators is simultaneously filed with ODC, which will post the lawyer's name and the location of the wills on its website. ODC will use the confidential testator list to connect testators to wills.

I. Miscellaneous Administrative Matters

Office Matters

In 2024, Administrative Officer Candie Gutierrez focused on creating job descriptions and postings, vetting candidates, scheduling interviews, and onboarding ODC's newest employees. ODC employs a robust onboarding process in which each new employee meets with various colleagues for exposure to every facet of the office.

During Q1, Candie, along with Staff Assistant Leah Edwards, conducted an entire office inventory. Candie and Leah recorded and cross-referenced items in each office and the common areas using information from the recorded inventory in OneNote.

Records Vendor

During Q1, Candie cross-referenced the abandoned files at ODC's records vendor with the information on ODC's website. This project consisted of verifying the accuracy and spelling of names and updating the website. During Q2, Candie and Leah inventoried the abandoned files and ODC files located in ODC's basement storage area. With the assistance of Investigators Don Holtz and Pat McDonald, ODC staff inventoried almost 200 boxes and moved them to offsite storage.

Audit

From March 2024 through July 2024, Candie worked with the Ohio Auditor on the biannual audit, which examines ODC's inventory and non-payroll items. The undersigned is pleased to report that the Auditor did not identify any matters that required reporting in the *Government Auditing Standards* report.

Disciplinary History Requests

In 2024, Administrative Assistant Christine McKrimmon processed 246 requests from lawyers and judges to provide disciplinary history reports to various entities, such as out-of-state licensing agencies, malpractice carriers, nominating committees, and government agencies.

Bar Counsel

Under Gov.Bar R. V(6) (A) (1), disciplinary counsel certified the following lawyers as bar counsel:

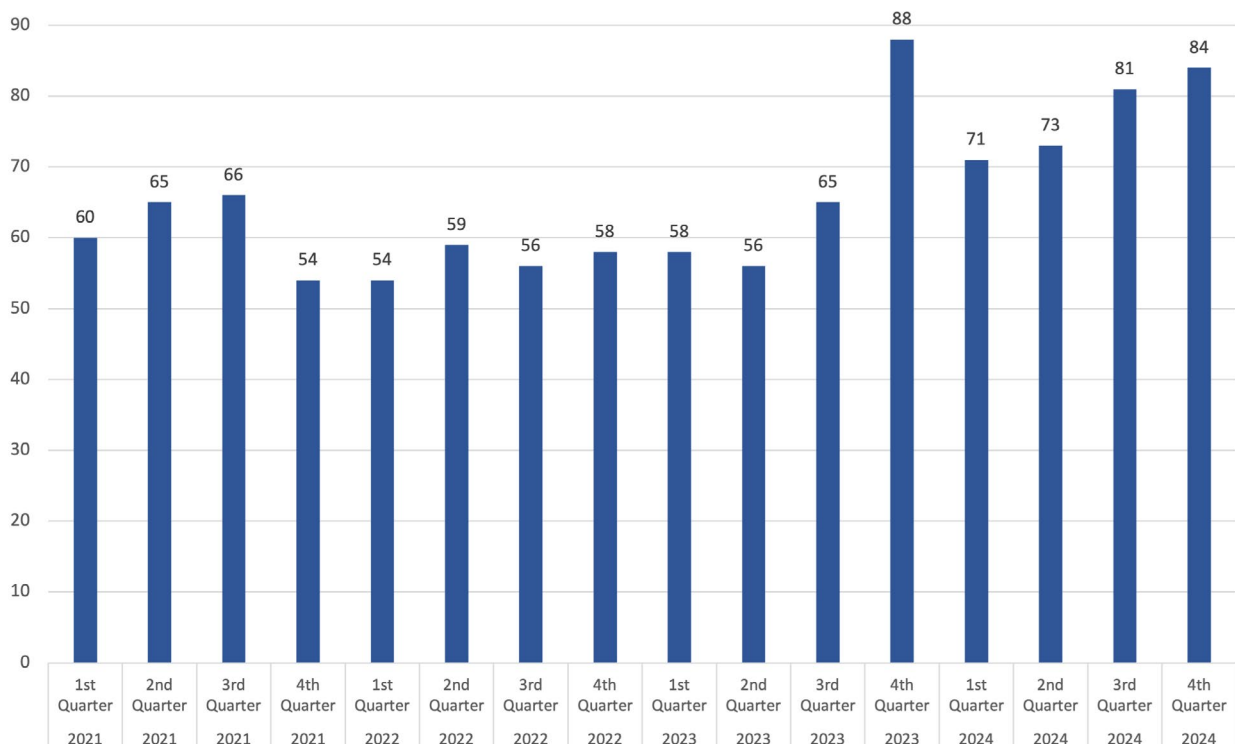
- Mark Hutson, Columbiana County Bar Association, April 10, 2024;
- Jennifer Brown, Northwest Ohio Bar Association, June 25, 2024;
- Kari Burns, Cleveland Metropolitan Bar Association, Sept. 13, 2024;
- Christopher Klasa, Ohio State Bar Association, Sept. 19, 2024; and
- Margaret O'Bryon, Lorain County Bar Association, Oct. 7, 2024.

In August, Matthew Dooley resigned as bar counsel for the Lorain County Bar Association. At the end of the year, Christopher Brown resigned as bar counsel for the Richland County Bar Association, and Vincent Mezinko resigned as bar counsel for the Wood County Bar Association.

J. Commitment to Reducing Backlog

Since becoming disciplinary counsel in October 2019, the undersigned has implemented a process to reduce the number of cases in backlog. Through one-on-one case evaluation conferences, coupled with increased accountability metrics, ODC has reduced the backlog to a more manageable number; however, there is room for improvement. With the adoption of the amendments to the Supreme Court Rules for the Government of the Bar of Ohio, cases now enter “backlog” status when they reach 270 days, which, given the complexity of many of ODC’s cases, represents a more realistic time frame to conduct a thorough investigation. As expected, with the departure of several experienced attorneys, we saw a slight increase in the backlog as compared to 2023. However, as our newly hired staff acclimate to the volume and complexity of cases, coupled with the reorganization of our intake department, we expect a gradual and consistent reduction in the backlog in the latter part of 2025. The following chart illustrates ODC’s commitment to managing the backlog.

ODC Backlog Statistics



Grievances and Other Matters

In 2024, ODC received 3,140 new matters. This figure reflects all relevant categories, including:

- a. Grievances against lawyers;
- b. Grievances against judges and magistrates;
- c. Grievances against justices;
- d. Appeals from dismissals by certified grievance committees;
- e. Felony convictions;
- f. Grievances alleging UPL;
- g. Cases before the Board of Professional Conduct and the UPL Board;
- h. Child support suspensions;
- i. Reciprocal discipline matters; and
- j. Retirements and resignations.

Of the 3,140 matters received, 2,093 represented grievances filed with ODC against lawyers and 800 against judicial officers. In 2024, we dismissed 1,712 grievances at the intake stage or after an initial review. Of those, 1,053 were against lawyers and 637 were against judicial officers. Following the reorganization of the intake department, we dismissed 22 grievances after an intake investigation, 14 of which were against lawyers and five of which were against judicial officers. For administrative reasons such as conflicts, ODC transferred 57 grievances to local bar associations for investigation and 57 grievances to the Board for reassignment. Under Gov.Jud.R. II, Section (2) (B), ODC forwarded one grievance to the chief judge of the Courts of Appeals. For a detailed analysis of grievances received in 2024 and opened for investigation, please refer to Table 2 (p. 16). The data identifies the alleged primary violation and includes data from the previous four calendar years to assist in tracking grievances and reporting trends in the state. Table 5 (p. 20) represents the geographic distribution of the grievances filed with ODC in 2024, organized by Ohio county based upon the location of the respondent lawyers' principal Ohio law offices.

At the beginning of 2024, ODC had 1,080 grievances pending. As of Dec. 31, 2024, there were 1,063 grievances pending or under investigation.

Formal Complaints and Dispositions

In 2024, ODC filed 31 formal complaints with the Board, an increase of three from 2023. This figure represented 70 percent of all the formal disciplinary complaints certified by the Board in 2024. Of the 31 complaints, six alleged judicial misconduct, while 25 alleged attorney misconduct.

In 2024, the Board or the court disposed of 33 cases that had previously been filed with the Board. The court imposed final discipline in 31 cases in 2024. In addition, four cases were closed following acceptance of the lawyer's resignation. In 2024, three cases were converted to an indefinite suspension 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 ODC and its 31 certified grievance committees 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, the grievant has 14 days to appeal that dismissal to the Director of the Board, who then refers the request for review to ODC. ODC is authorized to open a new case and to conduct a separate investigation.

In 2024, ODC received 77 appeals, a decrease of 20 from 2023. During the year, ODC closed 88 appeals. As of Dec. 31, 2024, 21 appeals remained pending.

Unauthorized Practice of Law

ODC also receives grievances against individuals or organizations that are not authorized to engage in the practice of law in Ohio (see Gov.Bar R. VII). The respondent may be a former lawyer who is no longer licensed under Ohio rules, a lawyer licensed in another jurisdiction but not in Ohio, or someone who was never admitted to the practice of law in any jurisdiction. Businesses or other entities offering legal services without

the authority to do so are also subject to ODC's investigative powers.

ODC received 72 UPL grievances in 2024, the same amount as in 2023. During 2024, ODC closed 74 UPL grievances after investigation. As of Dec. 31, 2024, 84 UPL investigations were pending. In 2024, ODC filed one complaint with the UPL Board. In 2024, ODC did not conduct any trials before a panel of the UPL Board.

Reciprocal Discipline

Lawyers may be licensed to practice law in multiple state jurisdictions. When a lawyer admitted to the practice of law in Ohio has been sanctioned by another state, the attorney is required to notify ODC and the clerk of the Ohio Supreme Court. 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 has been received, the court may impose a sanction upon the lawyer with either identical or comparable discipline (see Gov.Bar R. V(20)). In 2024, ODC received four reciprocal discipline matters and closed six such matters. The court sanctioned two lawyers on reciprocal complaints in 2024; however, one lawyer was sanctioned twice (see Table 3 on p. 17) for sanction and original state jurisdiction).

Child Support

If an Ohio lawyer, justice, or judicial officer has been found, in a final and enforceable determination, to be in default of a child support order, ODC is authorized under Gov. Bar R. V(18) (A) (1) (b) to pursue an interim suspension. In 2024, ODC filed one child support matter, and there were no child support matters pending at the close of the year.

Resignations and Retirements

Lawyers may apply 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. The application contains an affidavit and written waiver permitting disciplinary counsel to conduct a review of the

application to determine whether it should be granted and, if so, whether it should be classified as a retirement or a resignation with disciplinary action pending.

During the investigation, ODC seeks to determine whether the applicant is currently the subject of any disciplinary investigations or proceedings, or whether the lawyer is currently on a disciplinary suspension or probation. In each case, ODC prepares a sealed report to the court recommending that the court accept, deny, or delay the application. If ODC recommends acceptance of the application, it also recommends whether the court should classify it as a retirement or a resignation "with disciplinary action pending." (See Gov.Bar R. VI(11)).

In 2024, ODC received 41 retirement or resignation applications. During the year, the court accepted 11 resignations with disciplinary action pending and 23 retirements. (See Table 3 on p. 18.) The court did not deny any application for retirement/resignation.

Interim Suspensions

In 2024, the court imposed four interim suspensions – one for felony conviction, one for default, one for interim remedial, and one for mental health.

Hearings and Oral Arguments

In 2024, ODC attorneys appeared in 19 hearings before the Board, including one reinstatement hearing held via Zoom. As of Dec. 31, 2024, there were 22 cases awaiting hearing dates and two cases awaiting a Board report. As of Dec. 31, 2024, one case was pending before the UPL Board. Senior Assistant Disciplinary Counsel Matthew Kanai argued one case before the Supreme Court in 2024. At the year's end, two cases were awaiting objections, one case was pending oral argument before the court, and four cases were pending final court decision.



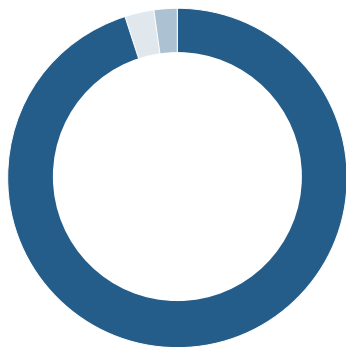
- TABLE 1 -
Five-Year Case Comparison (2020-2024)

DISPOSITION OF GRIEVANCES	2020	2021	2022	2023	2024
Dismissed on Intake or After Investigation	1,993	2,015	2,324	2,497	2,724
Pending at End of Year	637	845	939	1,080	1,063
Formal Complaints Filed	35	27	37	28	31

CASELOAD COMPARISON

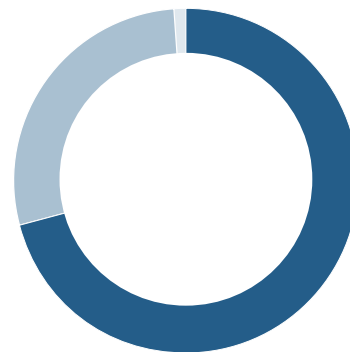
Grievances Received	2,013	2,426	2,591	2,961	2,893
Appeals Received	78	79	96	97	77
UPLs Received	52	56	62	72	72

Caseload Comparison:
Five-Year Average



- Grievances Received: 2,577 (95%)
- Appeals Received: 85 (3%)
- UPLs Received: 63 (2%)

Disposition of Grievances:
Five-Year Average



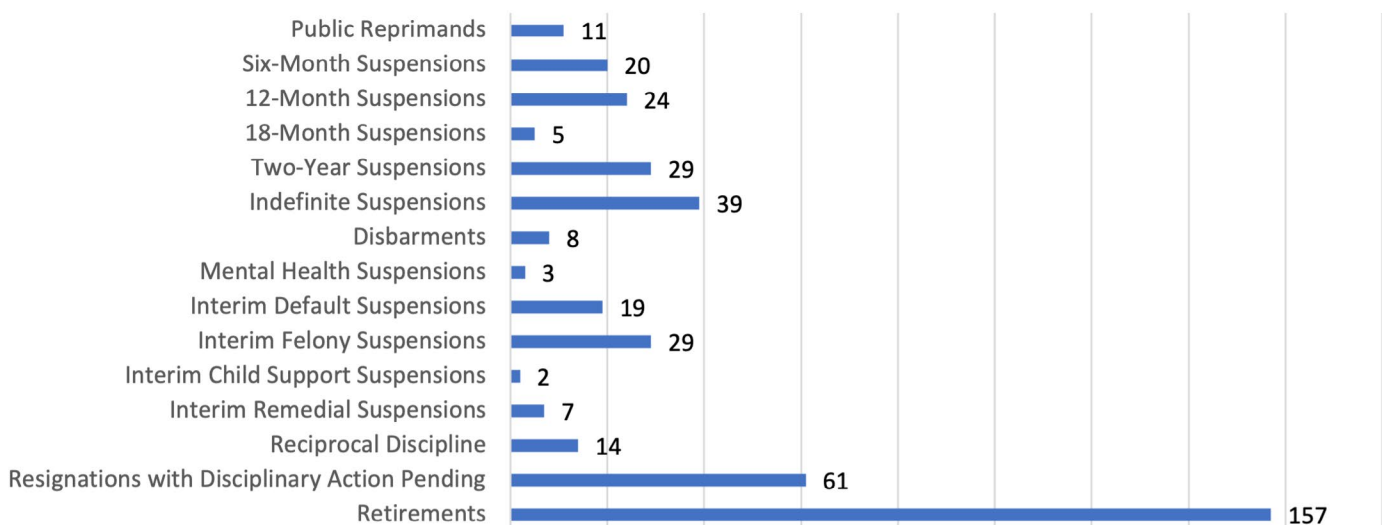
- Dismiss on Intake or After Investigation: 2,311 (71%)
- Pending at End of Year: 913 (28%)
- Formal Complaints Filed: 32 (1%)

- TABLE 1 -
Five-Year Case Comparison (2020-2024)

SANCTIONS AND DISPOSITIONS ISSUED

(SEE TABLE 3 ON P. 17 FOR DETAILS)	2020	2021	2022	2023	2024
Public Reprimands	5	1	1	2	2
Six-Month Suspensions	8	5	3	3	1
12-Month Suspensions	5	3	3	4	9
18-Month Suspensions	0	2	1	1	1
Two-Year Suspensions	5	3	7	7	7
Indefinite Suspensions	13	7	9	4	6
Disbarments	1	2	0	0	5
Mental Health Suspensions	1	0	0	1	1
Interim Default Suspensions	4	4	7	3	1
Interim Felony Suspensions	8	3	8	9	1
Interim Child Support Suspensions	0	1	0	0	1
Interim Remedial Suspensions	2	2	1	1	1
Reciprocal Discipline	3	4	2	2	3
Resignations with Disciplinary Action Pending	14	12	13	11	11
Retirements	20	35	30	49	23

Sanctions and Dispositions Issued: Five-Year Total



- TABLE 2 -
Grievances Received and Opened for Investigation
Five-Year Comparison (2020-2024)

ALLEGED PRIMARY VIOLATION	2020	2021	2022	2023	2024
Neglect/Failure to Protect Client Interests	192	258	281	314	356
Failure to Account or Turn Over Funds	11	22	30	0	49
Improper Withdrawal/ Refusal to Withdraw	15	16	32	25	25
Excessive Fees	60	75	64	78	164
Personal Misconduct	66	53	55	41	65
Misrepresentation/False Statements/ Concealment	34	58	81	103	137
Criminal Conviction	8	5	8	7	3
Failure to File Income Tax Returns	1	0	0	0	15
Commingling of Funds	0	2	0	1	2
Conversion	16	20	24	24	44
Embezzlement	8	6	3	8	12
Failure to Maintain Funds in Trust	125	160	126	149	124
Breach of Client Confidence	9	11	10	13	8
Conflict of Lawyer's Interest	8	4	8	17	21
Conflict of Client's Interest	46	47	49	57	46
Communication with Adverse Party Rep- resented by Counsel	7	12	6	7	11
Trial Misconduct	88	145	129	111	90
Failure to Register	2	3	1	1	0
Practicing While Under Suspension	4	4	8	7	9
Assisting in the Unauthorized Practice of Law	0	5	2	1	6
Advertising/Solicitation	4	8	14	11	5
Judicial Misconduct	146	170	138	134	150
Mental Illness	0	0	5	4	2
Substance Abuse	4	4	3	3	2
Other	1	0	1	0	1
TOTAL	855	1,088	1,078	1,116	1,347

- TABLE 3 -

Sanctions and Dispositions Issued In 2024 by the Supreme Court of Ohio

Pursuant to Cases Filed by Disciplinary Counsel

Public Reprimands: 2

Lon' Cherie' Billingsley 2023-0976
Nathaniel Wilkinson. 2023-1560

Six-Month Suspensions: 1

Stayed – Six Months
John Taylor 2023-0743

12-Month Suspensions: 9

Actual
Rodney Haven 2024-1108

Stayed – Six Months
Tyresha Brown-O'Neal 2024-1109

Stayed – 12 Months
Christopher Alexander 2023-0977
Vincent Dugan Jr. 2023-1095
Jo Kaiser. 2024-0171
Jeffrey Miller 2024-1101
Evan Byron 2024-1102
Robert Moore. 2024-1106
Rebekah Glover 2024-1120

18-Month Suspensions: 1

Stayed – 6 Months
Kim Hoover. 2023-0188
Judicial Discipline

Two-Year Suspensions : 7

Actual
Calvin Tregre Jr. 2024-0493
William McClain. 2024-0848

Stayed – 12 Months
Daniel Perrico 2023-1274

Stayed – Two Years
Jack VanBibber 2023-0979
Brian Gernert. 2024-0173
Scott Bissell 2024-0482
Eric Burkett. 2024-0850

Indefinite Suspensions: 6

Jason Warner 2023-0180
Judicial Discipline
Joseph Bell 2023-0739
Aaron Hartley 2024-1098

Converted from Interim Default Suspension
Amanda Andrews 2023-0974
Steven Fannin 2023-1400
Ric Daniell 2024-0408

Disbarments: 5

Gary Vick 2022-0939
Dennis Adams 2022-1256
Amber Goodman 2023-0740
Gregory Port 2023-1512
Carolyn Ranke 2024-0491

Mental Health Suspensions: 1

Frank Payson 2024-0481

Interim Default Suspensions: 1

Ric Daniell 2024-0408

Interim Felony Suspensions: 1

Nathan Harvey 2024-1333

Interim Child Support Suspensions: 1

Andrew Zamensky. 2024-0568

Interim Remedial Suspensions: 1

Ronald Taylor. 2024-0557

Reciprocal Discipline: 3

John Coomes 2024-0199
45-day Suspension (Indiana)
Terry Risner. 2024-0731
Interim Remedial Suspension (Tennessee)
Terry Risner. 2024-0765
Public Reprimand (Tennessee)

- TABLE 3 -

Sanctions and Dispositions Issued In 2024 by the Supreme Court of Ohio

Pursuant to Cases Filed by Disciplinary Counsel

Resignations with Disciplinary

Action Pending: 11

Dorothea Kingsbury	2023-1515
Walter Boyuk	2024-0036
Amy Crossin	2024-0094
Romin Iqbal	2024-0102
Robert Leon	2024-0118
Jason George	2024-0247
Owen Kalis	2024-0550
Anthony Kohler	2024-0560
Kevin O'Brien	2024-0758
Michael Brandt	2024-1181
Frank Recker	2024-1401

Reinstatements: 1

William Washington	1997-2646
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Unauthorized Practice of Law: 0

Retirements: 23

Nicholas Krawec	2024-0088
Christopher Hallett	2024-0089
Stephen Cottrell	2024-0148
Sylvia Petrosky	2024-0314
James King	2024-0365
Alan Meckstroth	2024-0596
Robert Taylor	2024-0646
Donald Harker III	2024-0887
Theresa Luedeke	2024-1005
Lon Vinion	2024-1006
Sheldon Stein	2024-1036
Timothy Maloney	2024-1037
Scott Ballou	2024-1125
Jolene Sobotka	2024-1135
Charles Baumgartner	2024-1150
Dennis McNamara	2024-1182
Robert Bonko	2024-1214
Allie Mason Jr.	2024-1371
A. William Zavarello	2024-1480
Andrew Morton	2024-1481
Richard Whitney	2024-1734
Thomas Terp	2024-1779
Jerry Ward	2024-1780

- TABLE 4 -
Status of Formal Matters Pending
As of Dec. 31, 2024

Reinstatements	0
<hr/> Before the Probable Cause Panel	
Awaiting Certification to Board	0
Appeal of Panel Dismissal to Full Board	0
 Before the Board of Professional Conduct	
<hr/>	
Awaiting Hearing	22
Awaiting Board Report	2
 Before the Board on the Unauthorized Practice of Law	
<hr/>	
Awaiting Hearing	1
Awaiting Board Report	0
 Before the Supreme Court of Ohio	
<hr/>	
Awaiting Objections	2
Awaiting Oral Argument	1
Awaiting Supreme Court Decision	4
<hr/>	
TOTAL PENDING	32

- TABLE 5 -

Matters Received in 2024

Based on County of Respondent's Principal Ohio Office Location

Adams	9	Hamilton	183	Noble	0
Allen	18	Hancock	12	Ottawa	12
Ashland	8	Hardin	4	Paulding	6
Ashtabula	17	Harrison	7	Perry	4
Athens	10	Henry	11	Pickaway	5
Auglaize	1	Highland	6	Pike	0
Belmont	2	Hocking	15	Portage	25
Brown	1	Holmes	0	Preble	0
Butler	44	Huron	5	Putnam	3
Carroll	0	Jackson	5	Richland	13
Champaign	0	Jefferson	6	Ross	7
Clark	24	Knox	0	Sandusky	21
Clermont	25	Lake	38	Scioto	15
Clinton	9	Lawrence	3	Seneca	10
Columbiana	12	Licking	21	Shelby	9
Coshocton	3	Logan	9	Stark	49
Crawford	11	Lorain	52	Summit	98
Cuyahoga	335	Lucas	62	Trumbull	21
Darke	2	Madison	0	Tuscarawas	11
Defiance	4	Mahoning	49	Union	18
Delaware	57	Marion	0	Van Wert	1
Erie	11	Medina	8	Vinton	4
Fairfield	12	Meigs	3	Warren	23
Fayette	5	Mercer	0	Washington	5
Franklin	318	Miami	11	Wayne	11
Fulton	0	Monroe	1	Williams	1
Gallia	9	Montgomery	82	Wood	13
Geauga	4	Morgan	3	Wyandot	4
Greene	15	Morrow	4		
Guernsey	4	Muskingum	19		
				TOTAL	1,978

- TABLE 6 -

Operational Expenses for 2024-2025 Budget

(Expenditures as of Dec. 31, 2024)

CATEGORY	2024-2025 BUDGET	EXPENSES BYTD*	% BUDGET SPENT
Payroll	\$ 3,875,573	\$ 1,754,987.96	45 %
Operating Expenses	\$ 470,000	\$ 212,358.75	45 %
Purchased Services	\$ 107,000	\$ 13,769.22	13 %
Travel	\$ 60,000	\$ 31,501.36	53 %
Furniture, Equipment, & Vehicle	\$ 15,000	\$ 0	0 %
Hospitality Hosting	\$ 2,000	\$ 1,017.92	51 %
TOTAL	\$ 4,529,573	\$ 2,013,635.21	45 %

* Budget Year to Date (i.e., July 1, 2024 through Dec. 31, 2024)



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