

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

November 26, 2008

[Cite as *11/26/2008 Case Announcements #2, 2008-Ohio-6153.*]

DISCIPLINARY CASES

2008-2196. Trumbull Cty. Bar Assn. v. Kafantaris.

On November 12, 2008, and pursuant to Gov.Bar R. V(5a)(A)(1)(b), relator, Trumbull County Bar Association, filed with this court a motion for interim remedial suspension pursuant to Gov.Bar R. V(5a), alleging that respondent, George Nicholas Kafantaris, Attorney Registration No. 0009748, last known business address in Warren, Ohio, has committed numerous violations of the Code of Professional Responsibility and he poses a substantial threat of serious harm to his clients and the public. Respondent filed a response.

Upon consideration thereof and pursuant to Gov.Bar R. V(5a)(B), it is ordered and decreed that an interim remedial suspension is immediately entered against George Nicholas Kafantaris and that the suspension be effective as of the date of this entry, pending final disposition of disciplinary proceedings predicated on the conduct threatening the serious harm.

It is further ordered that George Nicholas Kafantaris immediately cease and desist from the practice of law in any form and is hereby forbidden to appear on behalf of another before any court, judge, commission, board, administrative agency, or other public authority.

It is further ordered that effective immediately, he is forbidden to counsel or advise or prepare legal instruments for others or in any manner perform legal services for others.

It is further ordered that he is hereby divested of each, any, and all of the rights, privileges, and prerogatives customarily accorded to a member in good standing of the legal profession of Ohio.

It is further ordered that before entering into an employment, contractual, or consulting relationship with any attorney or law firm, the respondent shall verify

that the attorney or law firm has complied with the registration requirements of Gov.Bar R. V(8)(G)(3). If employed pursuant to Gov.Bar R. V(8)(G), respondent shall refrain from direct client contact except as provided in Gov.Bar R. V(8)(G)(1) and from receiving, disbursing, or otherwise handling any client trust funds or property.

It is further ordered that pursuant to Gov.Bar R. X(3)(G), respondent shall complete one credit hour of continuing legal education for each month or portion of a month of the suspension. As part of the total credit hours of continuing legal education required by Gov.Bar R. X(3)(G), respondent shall complete one credit hour of instruction related to professional conduct required by Gov.Bar R. X(3)(A)(1) for each six months or portion of six months of the suspension.

It is further ordered that respondent shall not be reinstated to the practice of law in Ohio until (1) respondent complies with the requirements for reinstatement set forth in the Supreme Court Rules for the Government of the Bar of Ohio, (2) respondent complies with this and all other orders issued by this court, (3) respondent complies with the Supreme Court Rules for the Government of the Bar of Ohio, and (4) this court orders respondent reinstated.

It is further ordered, sua sponte, by the court that within 90 days of the date of this order, respondent shall reimburse any amounts that have been awarded by the Clients' Security Fund pursuant to Gov.Bar R. VIII(7)(F). It is further ordered, sua sponte, by the court that if, after the date of this order, the Clients' Security Fund awards any amount against the respondent pursuant to Gov.Bar R. VIII(7)(F), the respondent shall reimburse that amount to the Clients' Security Fund within 90 days of the notice of such award.

It is further ordered that on or before 30 days from the date of this order, respondent shall:

1. Notify all clients being represented in pending matters and any co-counsel of respondent's suspension and consequent disqualification to act as an attorney after the effective date of this order and, in the absence of co-counsel, also notify the clients to seek legal service elsewhere, calling attention to any urgency in seeking the substitution of another attorney in respondent's place;
2. Regardless of any fees or expenses due, deliver to all clients being represented in pending matters any papers or other property pertaining to the client, or notify the clients or co-counsel, if any, of a suitable time and place where the papers or other property may be obtained, calling attention to any urgency for obtaining such papers or other property;
3. Refund any part of any fees or expenses paid in advance that are unearned or not paid, and account for any trust money or property in his possession or control;

4. Notify opposing counsel in pending litigation or, in the absence of counsel, the adverse parties of his disqualification to act as an attorney after the effective date of this order, and file a notice of disqualification of respondent with the court or agency before which the litigation is pending for inclusion in the respective file or files;
5. Send all such notices required by this order by certified mail with a return address where communications may thereafter be directed to respondent;
6. File with the Clerk of this court and the Disciplinary Counsel of the Supreme Court an affidavit showing compliance with this order, showing proof of service of notices required herein, and setting forth the address where the affiant may receive communications; and
7. Retain and maintain a record of the various steps taken by respondent pursuant to this order.

It is further ordered that respondent shall keep the Clerk, the Trumbull County Bar Association, and the Disciplinary Counsel advised of any change of address where respondent may receive communications.

It is further ordered, sua sponte, that all documents filed with this court in this case shall meet the filing requirements set forth in the Rules of Practice of the Supreme Court of Ohio, including requirements as to form, number, and timeliness of filings.

It is further ordered, sua sponte, that service shall be deemed made on respondent by sending this order, and all other orders in this case, by certified mail to the most recent address respondent has given to the Office of Attorney Services.

It is further ordered that the Clerk of this court issue certified copies of this order as provided for in Gov.Bar R. V(8)(D)(1), that publication be made as provided for in Gov.Bar R. V(8)(D)(2), and that respondent bear the costs of publication.

O'Connor, J., not participating.

MISCELLANEOUS ORDERS

In re Judicial Campaign Complaint
Against Fred Beery

Case No. 2008-2235

ORDER

Pursuant to Gov.Jud.R. II(5)(E)(1) and R.C. 2701.11, the Supreme Court appoints the following judges to serve on the five-judge commission to consider the report of the hearing panel of the Board of Commissioners on Grievances and

Discipline in *In re Judicial Campaign Complaint Against Fred Beery*, case No. 2008-2235:

Judge Jeffrey Froelich	Montgomery County Court of Common Pleas (Second District)
Judge Frederick Hany	Ottawa County Municipal Court (Sixth District)
Judge R. Scott Krichbaum	Mahoning County Court of Common Pleas (Seventh District)
Judge Daniel Hogan	Franklin County Court of Common Pleas (Tenth District)
Judge Mary Jane Trapp	Eleventh District Court of Appeals (Eleventh District)

Pursuant to Gov.Jud.R. III(2)(B)(1), the Supreme Court designates Judge Hany as chair of the Commission.

Pursuant to R.C. 2701.11 and for the purpose of this proceeding, Richard A. Dove, Assistant Administrative Director of the Supreme Court of Ohio, is designated as Administrative Director to serve as secretary to the commission, with authority to sign entries and orders on behalf of and at the direction of the commission or its chair.

All pleadings and documents in this matter shall be filed with the Clerk of the Supreme Court. The original and seven copies of all documents shall be filed. Service on the commission shall be made by serving the secretary. The Rules of Practice of the Supreme Court of Ohio shall apply to all proceedings before the commission, except as otherwise ordered by the court. The Clerk of the Supreme Court shall serve all orders of this court and the commission on the parties to this action.