

**PROPOSED AMENDMENTS TO THE SUPREME COURT  
RULES FOR THE GOVERNMENT OF THE BAR OF OHIO  
AND OHIO RULES OF PROFESSIONAL CONDUCT**

Comments Requested: The Supreme Court of Ohio will accept public comments until January 21, 2015, on the following proposed amendments to the Supreme Court Rules for the Government of the Bar of Ohio and Ohio Rules of Professional Conduct.

Comments on the proposed amendments should be submitted in writing to: Susan Christoff, Director of Attorney Services, Supreme Court of Ohio, 65 South Front Street, 5th Floor, Columbus, Ohio 43215-3431, or Susan.Christoff@sc.ohio.gov not later than January 21, 2015. Please include your full name and mailing address in any comments submitted by e-mail.

Key to Proposed Amendment:

1. Existing language appears in regular type. Example: text
2. Existing language to be deleted appears in strikethrough. Example: ~~text~~
3. New language to be added appears in underline. Example: text

1 SUPREME COURT RULES FOR THE GOVERNMENT OF THE BAR OF OHIO

2  
3 RULE VI. REGISTRATION OF ATTORNEYS

4  
5 Section 1. ~~Certificate of Registration and Registration Fee;~~ Definition.

6  
7 As used in this rule, "tribunal" means a court, legislative body, administrative agency, or  
8 other body acting in an adjudicative capacity.  
9

10 Section 2. Active Attorneys Attorney Registration.

11  
12 ~~(A) On or before the first day of September in each odd-numbered year~~ Except as  
13 provided in Section 3 of this rule, each attorney who is admitted to the practice of law in  
14 Ohio shall file register with the Office of Attorney Services of the Supreme Court on or  
15 before the first day of September in each odd-numbered year by filing a Certificate  
16 certificate of Registration registration furnished by the Office of Attorney Services office  
17 together with a registration fee of three hundred fifty dollars. An attorney who registers  
18 and pays the fee required under this section shall be granted active status.  
19

20 Section 3. Newly-Admitted Attorney Registration.

21  
22 ~~(B) An~~ (A) Each attorney admitted to the practice of law in Ohio during the first  
23 twelve months of a biennial registration period shall ~~file~~ register with the Office of  
24 Attorney Services on or before the thirtieth day from the date of admission by filing a  
25 Certificate certificate of Registration within thirty days of the date of admission  
26 registration furnished by the office and, if registering for active status, pay the a  
27 registration fee of three hundred fifty dollar registration fee dollars. An  
28

29 (B) Each attorney admitted to the practice of law in Ohio during the second twelve  
30 months of a biennial registration period ~~and,~~ but prior to the first day of May of an odd-  
31 numbered year, shall ~~file~~ register with the Office of Attorney Services on or before the  
32 thirtieth day from the date of admission by filing a Certificate certificate of Registration  
33 within thirty days of the date of admission registration furnished by the office and, if  
34 registering for active status, pay a registration fee of one hundred seventy-five dollars.  
35

36 ~~An~~

37 (C) Each attorney admitted to the practice of law in Ohio on or after the first day of  
38 May of an odd-numbered year shall ~~file~~ register with the Office of Attorney Services on  
39 or before the thirtieth day from the date of admission by filing a Certificate certificate of  
40 Registration within thirty days of the date of admission registration furnished by the  
41 office, but shall not be required to pay a registration fee for the biennial registration  
42 period in which admission occurs.  
43

44 ~~(C)~~

45  
46

47 **Section 4. Obligations of Attorney.**

48  
49 **(A) Registration requirements**

50  
51 Each attorney ~~who is~~ admitted to the practice of law in Ohio or registered for corporate  
52 status shall keep informed of the registration requirements, deadlines, and fees. ~~Failure~~  
53 An attorney's failure to receive notice that ~~the a~~ registration and ~~the~~ fee are due or notice  
54 of noncompliance shall not affect any action taken under this rule.  
55

56 ~~(B)~~**(B) Contact information**

57  
58 Each attorney ~~who is registered for active status~~ admitted to the practice of law in Ohio  
59 or registered for corporate status shall ~~keep~~ provide the Office of Attorney Services  
60 ~~apprised of with~~ the attorney's current residence address ~~and~~, office address ~~and~~, office  
61 telephone number, and office or residence e-mail address and shall notify the ~~Office of~~  
62 ~~Attorney Services~~ office of any change in the information recorded on the ~~Certificate~~  
63 ~~certificate of Registration~~ registration pursuant to Section 2 or 3 of this rule.  
64

65 ~~(C)~~**(C) Demographic information**

66  
67 For the purpose of compiling demographic data regarding attorneys registered in Ohio,  
68 ~~the Office of Attorney Services, at the Court's direction, may require~~ each attorney ~~to~~  
69 admitted to the practice of law in Ohio or registered for corporate status shall provide the  
70 Office of Attorney Services with additional identifying information, including gender,  
71 race, and ethnicity, for the attorney's registration record in the manner required by the  
72 office. ~~This information may be requested in the Certificate of Registration or on a~~  
73 ~~separate form.~~  
74

75 ~~(D)~~**(D) Interest-bearing trust account information**

76  
77 (1) For the purpose of compiling information regarding interest-bearing trust  
78 accounts established pursuant to ~~section R.C. 3953.231 or 4705.09 of the Revised Code,~~  
79 ~~the Office of Attorney Services shall require~~ each attorney ~~to~~ shall provide the following  
80 information on the ~~Certificate~~ certificate of Registration registration filed with the Office  
81 of Attorney Services pursuant to Section 2 or 3 of this rule:  
82

83 (a) The number of each trust or escrow account established by the attorney  
84 and the name and location of the financial institution with which each account is  
85 established;

86  
87 (b) If the attorney is affiliated with a law firm, legal professional association,  
88 corporation, legal clinic, limited liability company, or limited liability partnership;  
89 or owns, operates, or owns an interest in a business that provides a law-related  
90 service, the number of each trust or escrow account established by the attorney  
91 and the name and location of the financial institution with which each account is  
92 established;

93 (c) If the attorney is not required to maintain an interest-bearing trust or  
94 escrow account, information as to the basis for the exemption.  
95

96 (2) The Office of Attorney Services shall forward the information ~~required by~~  
97 received pursuant to division (F)(D)(1) of this section to the Ohio Legal Assistance  
98 Foundation, which shall maintain the information consistent with ~~division (B) of section~~  
99 R.C. 4705.10(B) of the Revised Code and the rules of the ~~Foundation~~ foundation.

100  
101 ~~(G) Except for residence addresses, residence telephone numbers, e-mail addresses, and~~  
102 ~~social security numbers, information maintained by the Office of Attorney Services, provided to~~  
103 ~~another office of the Supreme Court, or provided to the Ohio Legal Assistance Foundation~~  
104 ~~pursuant to division (F) of this section shall be a public record. The residence address of an~~  
105 ~~attorney shall be considered a public record if the attorney has not provided a valid office address~~  
106 ~~to the Office of Attorney Services.~~

107  
108 **Section 2.5. Inactive Attorneys Attorney Registration.**

109  
110 **(A) Registration**

111  
112 An attorney who is admitted to the practice of law in Ohio may ~~be granted inactive~~  
113 change the attorney's status by registering as to inactive with by registering as such in a  
114 manner authorized by the Office of Attorney Services. Until

115  
116 **(B) Scope of practice**

117  
118 Until the attorney requests and is granted reinstatement of active status pursuant to  
119 Section 2 of this rule, an inactive attorney shall not ~~be entitled to practice~~ do any of the  
120 following:

121  
122 (1) Practice law in Ohio; ~~hold himself or herself~~

123  
124 (2) Hold the attorney's self out as authorized to practice law in Ohio; ~~hold~~

125  
126 (3) Hold nonfederal judicial office in Ohio; ~~occupy~~

127  
128 (4) Occupy a nonfederal position in ~~this state~~ Ohio in which the attorney is  
129 called upon to give legal advice or counsel ~~or~~; to examine ~~the~~ a law; or to pass  
130 upon the legal effect of any act, document, or law; ~~be~~

131  
132 (5) Be employed in the Ohio judicial system in a position required to be held  
133 by an attorney; ~~or practice~~

134  
135 (6) Practice before any nonfederal (6) court or agency in ~~this state~~ Ohio on behalf  
136 of any person except ~~himself or herself~~ the attorney's self.

137  
138

139 ~~(B)~~(C) **Obligation to provide and update contact information**

140  
141 An ~~inactive~~ attorney who is registered for inactive status is not required to file a biennial  
142 ~~Certificate~~ certificate of Registration registration pursuant to Section 2 of this rule, but  
143 shall keep the Office of Attorney Services apprised of the attorney's current residence  
144 address, and office address, office telephone number, and office or residence e-mail  
145 address, and office telephone number and notify the ~~Office of Attorney Services~~ office of  
146 any change in the information provided on the most recent ~~Certificate~~ certificate of  
147 Registration registration filed by the attorney pursuant to Section 2 or 3 of this rule.  
148

149 ~~(C)~~(D) **Law firm letterhead**

150  
151 A law firm may include the name of an inactive attorney on its letterhead if the name was  
152 included prior to the time the attorney registered for inactive status, provided the attorney  
153 is not suspended from the practice of law and the letterhead includes a designation that  
154 the attorney is "inactive." An inactive attorney shall not be listed as "of counsel" or  
155 otherwise be represented as being able to engage in the practice of law.  
156

157 **Section 3-6. Corporate Counsel Attorney Registration.**

158  
159 (A) **Registration**

160  
161 (1) An attorney who is admitted to the practice of law in another state or the District  
162 of Columbia or a ~~territory of the District of Columbia~~ United States, but not in Ohio; ~~who~~  
163 is employed as an attorney by a nongovernmental employer, the business of which is  
164 lawful and consists of activities other than the practice of law or the provision of legal  
165 services; and who, as a result of that employment, has a systematic and continuous  
166 presence in Ohio as permitted pursuant to Prof.Cond.R. 5.5(d)(1) shall register for  
167 corporate counsel status upon commencement of employment as an attorney by filing a  
168 Certificate submitting to the Office of Attorney Services all of the following:  
169

170 (a) The certificate of Registration and paying the registration required for  
171 attorneys registering for active status pursuant to Section 2 of this rule for the  
172 current biennium and each biennia during which the attorney is so employed;  
173

174 (b) The fee as required by for attorneys registering for active status pursuant  
175 to Section 4 3 of this rule. The Office of Attorney Services may require additional  
176 information and documents, including a certificate of;  
177

178 (c) An application on a form provided by the office;  
179

180 (d) Documents demonstrating admission to the practice of law and good  
181 standing from the jurisdiction in all jurisdictions in which the attorney is has been  
182 admitted, from an attorney who registers for corporate counsel status to the  
183 practice of law and demonstrating that the attorney is on active status in at least  
184 other state or the District of Columbia or a territory of the United States;

185 (e) An affidavit on a form provided by the office completed by an officer,  
186 director, or general counsel of the employing entity attesting to the attorney's  
187 employment by the entity, the date of commencement of employment, and the  
188 capacity in which the attorney is so employed and stating that the employment  
189 conforms to the requirements of this rule;

191 (f) Any other documents or information as deemed appropriate by the office.  
192 An attorney who is registered for corporate counsel status may perform legal  
193 services in Ohio solely for the nongovernmental employer, as long as the attorney  
194 is an employee of that employer. Registration under this section shall be effective  
195 and may be renewed biennially only as long as the attorney is so employed. An  
196 attorney who is granted corporate counsel status shall promptly notify the  
197 Director of Attorney Services in writing upon termination of employment with the  
198 employer.

200 (2) Division (A)(1) of this section shall not apply to an attorney who is admitted to  
201 the practice of law in another state or the District of Columbia or a territory of the United  
202 States, but not in Ohio, and who is employed by, associated with, or a partner in an Ohio  
203 law firm. Until the attorney is admitted to the practice of law in Ohio, the attorney may  
204 not practice law in Ohio, hold the attorney's self out as authorized to practice law in  
205 Ohio, or practice before any nonfederal court or agency in Ohio on behalf of any person  
206 except the attorney's self, unless granted leave by the court or agency. The law firm may  
207 include the name of the attorney on its letterhead only if the letterhead includes a  
208 designation that the attorney is not admitted in Ohio.

210 **(B) Biennial registration**

211  
212 An attorney ~~who is registered for corporate counsel status may not practice before any~~  
213 ~~court or agency of this state on behalf of the attorney's employer or any person except for~~  
214 ~~the attorney's self, unless granted leave by the court or agency~~ under this section shall  
215 register biennially with the Office of Attorney Services of the Supreme Court pursuant to  
216 the requirements of Section 2 of this rule.

217  
218 **(C) Failure to register**

219  
220 An attorney who is admitted to the practice of law in another state or the District of  
221 Columbia or in a territory of the United States, but not in Ohio, and who performs legal  
222 services in Ohio for the attorney's employer, but fails to register in compliance with this  
223 section or does not qualify to register under this section, may be referred for investigation  
224 of the unauthorized practice of law under Gov. Bar R. VII and, at the discretion of the  
225 Chief Justice, may be precluded from applying for admission without examination under  
226 Gov. Bar R. I.

231 (D) ~~Division (A) of this section shall not apply to an~~ **Scope of practice**

232

233 ~~(1) An attorney who is admitted to the practice of law in another state or in the~~  
234 ~~District of Columbia, but not in Ohio, and who is employed by, associated with, or a~~  
235 ~~partner in an Ohio law firm. Until the attorney is admitted to the practice of law in Ohio,~~  
236 ~~the attorney may not practice law in Ohio, hold the attorney's self out as authorized to~~  
237 ~~practice law in Ohio, or practice before any nonfederal court or agency in Ohio on behalf~~  
238 ~~of any person except the attorney's self, unless granted leave by the court or agency. The~~  
239 ~~law firm may include the name of the attorney on its letterhead only if the letterhead~~  
240 ~~includes a designation that the attorney is not admitted in Ohio registered for corporate~~  
241 ~~counsel status under this section may perform legal services for the employing entity or~~  
242 ~~its organizational affiliates; including entities that control, are controlled by, or are under~~  
243 ~~common control with the employer; and for employees, officers, and directors of such~~  
244 ~~entities, but only on matters directly related to the attorney's work for the entity and only~~  
245 ~~to the extent consistent with Prof.Cond.R. 1.7.~~

246

247 (2) An attorney registered under this section shall not do either of the following:

248

249 (a) Appear before a court or any other tribunal in Ohio on behalf of the  
250 attorney's employer or any person except for the lawyer's self, except if granted  
251 leave by the court or tribunal as provided in Gov.Bar R. XII;

252

253 (b) Offer or provide legal services or advice to any person other than as  
254 described in division (D)(1) of this section, or hold the attorney's self out as being  
255 authorized to practice law in Ohio other than as described in division (D)(1) of  
256 this section.

257

258 (E) **Pro bono legal service**

259

260 Notwithstanding Section 6(D) of this rule, an attorney registered for corporate status  
261 under this section may provide pro bono legal service if the legal service is provided to  
262 either a person of limited means or a charitable organization and the legal service is  
263 assigned or verified by any of the following:

264

265 (1) An organization receiving funding for pro bono programs or services from  
266 the Legal Services Corporation or the Ohio Legal Assistance Foundation;

267

268 (2) A metropolitan or county bar association;

269

270 (3) The Ohio State Bar Association;

271

272 (4) The Ohio Legal Assistance Foundation;

273

274 (5) Any other organization recognized by the Commission on Continuing  
275 Legal Education pursuant to Gov.Bar R. X Sec. (5)(H).

276

277 **(F) Application of rules**

278  
279 An attorney registered for corporate status under this section shall be subject to all rules  
280 and requirements governing the practice of law in Ohio, including the Ohio Rules of  
281 Professional Conduct.

282  
283 **(G) New lawyers training and continuing legal education requirements**

284  
285 An attorney registered for corporate counsel status under this section shall comply with  
286 the new lawyers training and continuing legal education requirements of Gov.Bar R. X.

287  
288 **(H) Obligation to provide and update contact information**

289  
290 An attorney registered for corporate status under this section shall provide the Office of  
291 Attorney Services with the attorney's current residence address, office address, office  
292 telephone number, and office or residence e-mail address and shall notify the office of  
293 any change in the information recorded on the certificate of registration pursuant to  
294 division (B) of this section.

295  
296 **(I) Obligation to report**

297  
298 An attorney registered for corporate status under this section shall notify the Office of  
299 Attorney Services within ten days of any of the following:

300  
301 (1) Termination of the attorney's employment that was the basis for the  
302 attorney's registration as corporate counsel;

303  
304 (2) Any change in the attorney's license status in another jurisdiction,  
305 including the attorney's resignation from the practice of law;

306  
307 (3) The imposition of any disciplinary finding or sanction in any state other  
308 than Ohio or the District of Columbia or a territory of the United States where the  
309 attorney has been admitted to the practice of law.

310  
311 **(J) Termination of registration**

312  
313 The limited authority to practice law of an attorney registered for corporate status under  
314 this section shall automatically terminate upon the occurrence of any of the following:

315  
316 (1) The employment that was the basis for the attorney's registration for  
317 corporate counsel terminates;

318  
319 (2) The attorney is admitted to the practice of law in Ohio pursuant to  
320 Gov.Bar R. I;

321

322           (3)    The attorney ceases to maintain active status in at least one other state or  
323           the District of Columbia or a territory of the United States;

324  
325           (4)    The attorney fails to maintain current good standing in at least one other  
326           state or the District of Columbia or a territory of the United States in which the  
327           attorney is admitted to the practice of law;

328  
329           (5)    The attorney is suspended or disbarred for disciplinary reasons in any state  
330           or the District of Columbia or a territory of the United States or by any federal  
331           court or agency in which the attorney has been admitted to the practice of law.

332  
333   **(K)    Reinstatement of registration**

334  
335           An attorney registered for corporate status under this section whose registration is  
336           terminated pursuant to division (J) of this section may be reinstated upon submission of  
337           an application for reinstatement in a manner required by the Office of Attorney Services.  
338

339   **Section 4-7.   Military Legal Assistance Attorney Registration.**

340  
341   (A)    ~~As used in this section, “tribunal” means a court, legislative body, administrative agency,~~  
342   ~~or other body acting in an adjudicative capacity.~~

343  
344   ~~(B)~~   **Registration**

345  
346           An attorney who is admitted to the practice of law and maintains active status in at least  
347           one United States jurisdiction other than Ohio; is employed by, serving in, or assigned to  
348           the armed forces at a military installation in Ohio as an attorney; and is otherwise  
349           authorized to provide legal assistance pursuant to 10 U.S.C. 1044 may apply for military  
350           legal assistance attorney registration ~~with~~ by submitting to the Office of Attorney  
351           Services. ~~An attorney registered as a military legal assistance attorney is authorized to~~  
352           ~~represent military personnel in enlisted grades E-1 through E-4 and their dependents who~~  
353           ~~are eligible for legal assistance under 10 U.S.C. 1044 in civil judicial and administrative~~  
354           ~~proceedings before Ohio tribunals while the attorney is employed, serving, or assigned~~  
355           ~~within Ohio, to the extent such representation is permitted by the commanding officer,~~  
356           ~~supervisory staff judge advocate, or chief legal officer of the military installation.~~

357  
358   ~~(C)~~   ~~An attorney applying for military legal assistance registration pursuant to division~~  
359   ~~(B) of this section shall submit each all of the following:~~

360  
361           (1)    A completed application on a form prescribed by the Office of Attorney  
362           Services;

363  
364           (2)    A certificate of admission and good standing from each of the United  
365           States jurisdictions in which the attorney is admitted to practice law;  
366

367 (3) An affidavit from the commanding officer, staff judge advocate, or chief  
368 legal officer of the military installation in Ohio where the attorney is employed,  
369 serving, or assigned attesting to the fact that the attorney is employed, serving, or  
370 assigned as an attorney to provide legal services exclusively for the military and  
371 that the nature of the attorney's employment, service, or assignment conforms to  
372 the requirements of ~~division (B)~~ of this section.

373  
374 ~~(D)~~**(B) Scope of practice**

375  
376 (1) An attorney registered as a military legal assistance attorney under this section is  
377 authorized to represent military personnel in enlisted grades E-1 through E-4 and their  
378 dependents who are eligible for legal assistance under 10 U.S.C. 1044 in civil judicial  
379 and administrative proceedings before Ohio tribunals while the attorney is employed,  
380 serving, or assigned within Ohio, to the extent such representation is permitted by the  
381 commanding officer, supervisory staff judge advocate, or chief legal officer of the  
382 military installation.

383  
384 (2) The practice of an attorney registered as a military legal assistance attorney under  
385 this section shall be subject to the limitations and restrictions of 10 U.S.C. 1044 and the  
386 regulations of that attorney's military service and limited to the military clients' personal  
387 civil legal matters. The attorney shall not demand or receive any compensation from  
388 military clients other than the usual military pay to which the attorney is entitled.

389  
390 ~~(E) An attorney registered as a military legal assistance attorney under this section shall, in~~  
391 ~~all pleadings filed by the attorney, cite this section and include the name, complete address, and~~  
392 ~~telephone number of the military legal office representing the military client and the name,~~  
393 ~~grade, branch of the armed forces, and the military legal assistance attorney registration number~~  
394 ~~of the attorney.~~

395  
396 ~~(F)~~(3) An attorney registered as a military legal assistance attorney under this section  
397 shall not do any of the following:

398  
399 (1)(a) Unless granted permission to appear pro hac vice, practice before any  
400 Ohio tribunal, except on behalf of the attorney's self and military clients eligible  
401 for legal assistance under 10 U.S.C. 1044 and this section;

402  
403 (2)(b) Offer to provide legal services in Ohio to any person other than as  
404 authorized by the attorney's military service and this section;

405  
406 (3)(c) Render legal services for any person in Ohio other than as authorized by  
407 the attorney's military service and this section;

408  
409 (4)(d) Hold the attorney's self out as authorized to provide legal services in Ohio  
410 to any person other than as authorized by the attorney's military service and this  
411 section.

412

413 ~~(G)~~(C) **Application of rules**

414

415 An attorney registered as a military legal assistance attorney under this section shall be  
416 subject to all rules and requirements governing the practice of law in Ohio, including the  
417 Ohio Rules of Professional Conduct, provided the attorney shall not be required to pay  
418 registration fees pursuant to Section 4 2 of ~~Gov.Bar R. VI~~ this rule. The attorney shall use  
419 as the attorney's address of record the military address in Ohio of the commanding  
420 officer, staff judge advocate, or chief legal officer who filed the affidavit on the  
421 attorney's behalf pursuant to division ~~(C)(3)(A)(3)~~ of this section.

422

423 ~~(D)~~ **Designation in pleadings**

424

425 An attorney registered as a military legal assistance attorney under this section shall, in  
426 all pleadings filed by the attorney, cite this section and include the name, complete  
427 address, and telephone number of the military legal office representing the military client  
428 and the name, grade, branch of the armed forces, and the military legal assistance  
429 attorney registration number of the attorney.

430

431 ~~(H)~~(E) **Obligation to report**

432

433 An attorney registered as a military legal assistance attorney under this section shall  
434 promptly within ten days report to the Office of Attorney Services of any changes of the  
435 following:

436

437 (1) Any change in the attorney's employment, service, or assignment that was  
438 the basis for the attorney's registration as a military legal assistance attorney; any

439

440 (2) Any change in the attorney's licensure status in another jurisdiction,  
441 including the attorney's resignation from the practice of law; and the

442

443 (3) The imposition of any disciplinary finding or sanction in any United States  
444 jurisdiction other than Ohio where the attorney has been admitted to the practice  
445 of law.

446

447 ~~(H)~~(F) **Termination of registration**

448

449 The limited authority to practice law of an attorney registered as a military legal  
450 assistance attorney under this section shall automatically terminate upon the occurrence  
451 of any of the following:

452

453 (1) The attorney is no longer employed by, serving in, or assigned to the  
454 military installation in Ohio from which the affidavit required by division  
455 ~~(C)(A)(3)~~ of this section was filed;

456

457 (2) The attorney is admitted to the practice of law in Ohio pursuant to  
458 Gov.Bar R. I;

- 459  
460 (3) The attorney ceases to maintain active status in at least one United States  
461 jurisdiction other than Ohio;  
462  
463 (4) The attorney fails to maintain current good standing in any United States  
464 jurisdiction other than Ohio in which the attorney is admitted to the practice of  
465 law;  
466  
467 (5) The attorney is suspended or disbarred for disciplinary reasons in any  
468 United States jurisdiction other than Ohio or by any federal court or agency in  
469 which the attorney has been admitted to the practice of law;  
470  
471 (6) The attorney fails to comply with any provision of this section.  
472

473 **Section 5.8. Exemptions.**

474  
475 The following persons are exempt from the requirements of this rule:

- 476  
477 (A) A person certified to practice law temporarily in Ohio under Gov.Bar R. IX;  
478  
479 (B) A ~~Foreign Legal Consultant~~ foreign legal consultant registered under Gov.Bar R.  
480 XI.

481  
482 **Section 6.9. Failure to Register; Late Registration Fee; Summary Suspension;**  
483 **Reinstatement.**

484  
485 (A) **Late fee**

486  
487 An attorney who fails to file a ~~Certificate~~ certificate of ~~Registration~~ registration and pay  
488 ~~the~~ a fee as required by this rule on or before the date on which it becomes due, but does  
489 so within sixty days of that date, shall be assessed a late registration fee of fifty dollars.  
490 The late registration fee shall be in addition to the applicable registration fee.  
491

492 (B) **Suspension from the practice of law**

493  
494 An attorney who fails to file a ~~Certificate~~ certificate of ~~Registration~~ registration and pay  
495 the fees required by this rule either on a timely basis or within the late registration period  
496 provided for in division (A) of this section shall be notified of apparent noncompliance  
497 by the Office of Attorney Services. The ~~Office of Attorney Services~~ office shall send the  
498 notice of apparent noncompliance by regular mail to the attorney at the most recent  
499 address provided by the attorney to the ~~Office of Attorney Services~~ office. The notice  
500 shall inform the attorney that ~~he or she~~ the attorney will be summarily suspended from  
501 the practice of law in Ohio and not entitled to practice law in Ohio unless, on or before  
502 the date and in the manner set forth in the notice, the attorney either files evidence of  
503 compliance with the requirements of this rule or comes into compliance. If the attorney  
504 does not file evidence of compliance or come into compliance on or before the date set

505 forth in the notice, the attorney shall be summarily suspended from the practice of law in  
506 Ohio. The ~~Office of Attorney Services~~ office shall record the suspension on the roll of  
507 attorneys and send notice of the suspension by certified mail to the attorney at the most  
508 recent address provided by the attorney to the ~~Office of Attorney Services~~ office. The  
509 Supreme Court Reporter shall publish notice of the suspension in the *Ohio Official*  
510 *Reports* and the *Ohio State Bar Association Report*.

511  
512 (C) **Prohibited activities by suspended attorney**

513  
514 An attorney who is summarily suspended ~~under~~ pursuant to division (B) of this section  
515 shall not ~~practice~~ do any of the following:

516  
517 (1) Practice law in Ohio; ~~hold himself or herself~~

518  
519 (2) Hold the attorney's self out as authorized to practice law in Ohio; ~~hold~~

520  
521 (3) Hold nonfederal judicial office in Ohio; ~~occupy~~

522  
523 (4) Occupy a nonfederal position in ~~this state~~ Ohio in which the attorney is  
524 called upon to give legal advice or counsel or to examine the law or pass upon the  
525 legal effect of any act, document, or law; ~~be~~

526  
527 (5) Be employed in the Ohio judicial system in a position required to be held  
528 by an attorney; ~~or practice~~

529  
530 (6) Practice before any nonfederal court or agency in this state on behalf of  
531 any person except ~~himself or herself~~ the attorney's self.

532  
533 (D) **Reinstatement**

534  
535 An attorney who is summarily suspended ~~under~~ pursuant to division (B) of this section  
536 may be reinstated to the practice of law by applying for reinstatement with the Office of  
537 Attorney Services, complying with the requirements of Section ~~4~~ 2 of this rule, including  
538 payment of the applicable registration fee, and paying a reinstatement fee of three  
539 hundred dollars. The ~~Office of Attorney Services~~ office shall send notice of reinstatement  
540 to an attorney who meets the conditions for reinstatement and shall record the  
541 reinstatement on the roll of attorneys. The Supreme Court Reporter shall publish notice of  
542 the reinstatement in the *Ohio Official Reports* and the *Ohio State Bar Association Report*.

543  
544 **Section 7- 10. Retirement or Resignation from the Practice of Law.**

545  
546 (A) **Application to retire or resign**

547  
548 An attorney who wishes to retire or resign from the practice of law in Ohio shall file an  
549 application with the Office of Attorney Services. The application shall be on a form  
550 furnished by the ~~Office of Attorney Services~~ office and contain both of the following:

551  
552 (1) A notarized affidavit setting forth the attorney’s full name, attorney  
553 registration number, date of birth, mailing address, and all other jurisdictions and  
554 registration numbers under which the attorney practices. The affidavit shall state  
555 all of the following:

556  
557 (a) The attorney wishes to retire or resign from the practice of law in  
558 ~~the State of Ohio~~;

559  
560 (b) The attorney fully understands that the retirement or resignation  
561 completely divests ~~him or her~~ the attorney of the privilege of engaging in  
562 the practice of law, and of each, any, and all of the rights, privileges, and  
563 prerogatives appurtenant to the office of attorney and counselor at law;

564  
565 (c) The attorney fully understands that the retirement or resignation is  
566 unconditional, final, and irrevocable;

567  
568 (2) A written waiver allowing Disciplinary Counsel to review all proceedings  
569 and documents relating to review and investigation of grievances made against  
570 the attorney under the Rules for the Government of the Bar of Ohio and the Rules  
571 for the Government of the Judiciary of Ohio; and to disclose to the Supreme Court  
572 any information it deems appropriate, including, but not limited to, information  
573 that otherwise would be private pursuant to Gov.Bar R. V.

574  
575 **(B) Investigation by Disciplinary Counsel**

576  
577 The Office of Attorney Services shall refer ~~the~~ an application received pursuant to  
578 division (A) of this section to Disciplinary Counsel. Upon receipt of the referral,  
579 Disciplinary Counsel shall determine whether any disciplinary proceedings are pending  
580 against the attorney. After completing this inquiry, Disciplinary Counsel shall submit to  
581 ~~the Office of Attorney Services~~ office a confidential report, under seal, recommending  
582 whether the application should be accepted, denied, or delayed. If Disciplinary Counsel  
583 recommends that the application be accepted, the report shall indicate whether the  
584 attorney should be designated as “retired” or designated as “resigned with disciplinary  
585 action pending.” If Disciplinary Counsel recommends that the application be denied or  
586 delayed, the report shall provide reasons for the recommendation. Upon receipt of the  
587 report from Disciplinary Counsel, ~~the Office of Attorney Services~~ office shall do one of  
588 the following:

589  
590 (1) Accept the application and designate the attorney as retired if the report  
591 recommends such acceptance and designation;

592  
593 (2) File the application and the report with the Clerk of the Supreme Court if  
594 the report recommends acceptance of the application with a designation of  
595 resigned with discipline pending or the denial or deferral of the application.  
596

597 (C) **Resignation with discipline action pending or denial or deferral of application**

598  
599 Upon receipt and consideration of an application with a designation of “resigned with  
600 discipline pending” or the denial or deferral of the application filed pursuant to division  
601 (B)(2) of this section, the Supreme Court shall enter an order it deems appropriate. An  
602 order accepting an application to resign from the practice of law shall indicate that the  
603 attorney be designated as resigned with disciplinary action pending. The Clerk of the  
604 Supreme Court shall serve copies of the order as provided in Gov.Bar R. V, Section  
605 8(D)(1).

606  
607 (D) **Law firm letterhead for retired attorney**

608  
609 A retired attorney may be designated as “retired” on law firm letterhead if the attorney’s  
610 name was included on the letterhead prior to the time that the attorney’s retirement was  
611 accepted by the Supreme Court. A retired attorney shall not be listed as “of counsel” or  
612 otherwise be represented as able to engage in the practice of law in Ohio.

613  
614 **Section 8- 11. Suspended Attorneys.**

615  
616 The registration status of an attorney who is suspended from the practice of law in Ohio pursuant  
617 to Gov.Bar R. V, Gov.Bar R. VI, or Gov.Bar R. X shall be designated as “suspended.”

618  
619 **Section 12. Signing of Notices and Orders.**

620  
621 The Director of Attorney Services shall have authority to sign notices and orders issued in  
622 accordance with this rule.

623  
624 **Section 13. Attorney Services Fund.**

625  
626 (A) **Collection and use of fees**

627  
628 Except as otherwise provided ~~in the Rules for the Government of the Bar of Ohio in these~~  
629 ~~rules~~, all fees collected pursuant to ~~the Rules for the Government of the Bar of Ohio these~~  
630 ~~rules~~ shall be deposited in the Attorney Services Fund. Moneys in the fund shall be used  
631 for the following purposes:

632  
633 (1) The investigation of complaints of alleged misconduct pursuant to  
634 Gov.Bar R. V or ~~Rule Gov.Jud.R. II of the Supreme Court Rules for the~~  
635 ~~Government of the Judiciary of Ohio~~ and the investigation of the alleged  
636 unauthorized practice of law pursuant to Gov.Bar R. VII;

637  
638 (2) To support the activities of the Clients’ Security Fund established under  
639 Gov.Bar R. VIII;

640  
641 (3) To support the activities of the Commission on Continuing Legal  
642 Education pursuant to Gov.Bar R. X;

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- (4) Any other purposes considered necessary by the Supreme Court for the government of the bar and of the judiciary of Ohio;
- (5) To support any other activities related to the administration of justice considered necessary by the Supreme Court of Ohio.

**(B) Transfer of funds to Treasurer of State**

In addition to the purposes set forth in division (A) of this section, moneys in the Attorney Services Fund may be placed in the custody of the Treasurer of State pursuant to ~~division (B) of section R.C. 113.05(B) of the Revised Code~~ or transferred to the credit of the Supreme Court Attorney Services Fund in the state treasury. Investment earnings on moneys placed in the custody of the Treasurer shall be credited to the custodial account and investment earnings on moneys transferred to the Supreme Court Attorney Services Fund in the state treasury shall be credited to that fund.

**(C) Annual Report**

On or before the first day of November each year, the Administrative Director of the Supreme Court shall prepare and publish a report on the activity of the Attorney Services Fund.

**Section 14. Public Access to Records.**

- (1) Except for residence addresses, residence telephone numbers, e-mail addresses, and social security numbers, information maintained by the Office of Attorney Services, provided by the office to another office of the Supreme Court, or provided by the office to the Ohio Legal Assistance Foundation pursuant Section 4(D)(2) of this rule shall be available for public access pursuant to Sup. R. 44 through 47.
- (2) The residence address of an attorney shall be considered available for public access pursuant to Sup. R. 44 through 47 if the records of the Office of Attorney Services indicate the attorney has not provided a valid office address.
- (3) Offices of the Supreme Court may use e-mail addresses maintained by the Office of Attorney Services to advise attorneys of matters related to the practice of law.

[Not analogous to former Rule VI, effective February 28, 1972; amended effective January 1, 1981; November 17, 1982; July 1, 1983; May 13, 1985, July 1, 1986; January 1, 1989; July 1, 1991; September 1, 1991; January 1, 1992; July 1, 1992; July 1, 1993; January 1, 1995; July 1, 1995; November 1, 1995; July 1, 1997; July 1, 1999; November 28, 2000; June 1, 2002; August 19, 2002; November 1, 2002; July 1, 2003; July 1, 2005, September 1, 2005; July 1, 2007; September 1, 2007; January 1, 2008; May 1, 2009; September 1, 2010; January 1, 2012; January 1, 2013; November 1, 2013; \_\_\_\_\_.]

