

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

Comments Requested: The Supreme Court of Ohio will accept public comments until April 11, 2018, on the following proposed amendments to the Supreme Court Rules for the Government of the Bar of Ohio.

Comments on the proposed amendments should be submitted in writing to: Gina Palmer, Director of Attorney Services, Supreme Court of Ohio, 65 South Front Street, 5th Floor, Columbus, Ohio 43215-3431, or Gina.Palmer@sc.ohio.gov not later than April 11, 2018. Please include your full name and mailing address in any comments submitted by e-mail.

Key to Proposed Amendments:

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 [Existing language unaffected by the amendments is omitted to conserve space]

6
7 **Section 11. Retirement or Resignation from the Practice of Law.**

8
9 **(A) Application to retire or resign**

10
11 An attorney who wishes to retire or resign from the practice of law in Ohio shall file an
12 application with the Office of Attorney Services. The application shall be on a form
13 furnished by the office and contain both of the following:

14
15 (1) A notarized affidavit setting forth the attorney’s full name, attorney
16 registration number, date of birth, mailing address, and all other jurisdictions and
17 registration numbers under which the attorney practices. The affidavit shall state
18 all of the following:

19
20 (a) The attorney wishes to retire or resign from the practice of law in
21 Ohio;

22
23 (b) The attorney fully understands that the retirement or resignation
24 completely divests the attorney of the privilege of engaging in the practice
25 of law, and of each, any, and all of the rights, privileges, and prerogatives
26 appurtenant to the office of attorney and counselor at law;

27
28 (c) The attorney fully understands that the retirement or resignation is
29 unconditional, final, and irrevocable.

30
31 (2) A written waiver allowing Disciplinary Counsel to review all proceedings
32 and documents relating to review and investigation of grievances made against the
33 attorney under the Rules for the Government of the Bar of Ohio and the Rules for
34 the Government of the Judiciary of Ohio and to disclose to the Supreme Court any
35 information it deems appropriate, including, but not limited to, information that
36 otherwise would be private pursuant to Gov. Bar R. V.

37
38 **(B) Investigation by Disciplinary Counsel**

39
40 The Office of Attorney Services shall refer an application received pursuant to division (A)
41 of this section to Disciplinary Counsel. Upon receipt of the referral, Disciplinary Counsel
42 shall determine whether any disciplinary proceedings are pending against the attorney.
43 After completing this inquiry, Disciplinary Counsel shall submit to the office a confidential
44 report, under seal, recommending whether the application should be accepted, denied, or
45 delayed. If Disciplinary Counsel recommends that the application be accepted, the report
46 shall indicate whether the attorney should be designated as “retired” or designated as
47 “resigned with disciplinary action pending.” If Disciplinary Counsel recommends that the

48 application be denied or delayed, the report shall provide reasons for the recommendation.
49 Upon receipt of the report from Disciplinary Counsel, the office shall ~~do one of the~~
50 ~~following:~~

51
52 (1) ~~Accept the application and designate the attorney as retired if the report~~
53 ~~recommends such acceptance and designation;~~

54
55 (2) ~~File~~ file the application and the report with the Clerk of the Supreme Court
56 ~~if the report recommends acceptance of the application with a designation of~~
57 ~~resigned with discipline pending or the denial or deferral of the application.~~

58
59 (C) ~~Resignation with discipline action pending or denial or deferral of application~~ **Order**
60 **for Retirement, Resignation with Discipline Pending, or the Denial or Deferral of the**
61 **Application.**

62
63 Upon receipt and consideration of an application ~~with a designation of “resigned with~~
64 ~~discipline pending” or the denial or deferral of the application~~ filed pursuant to division
65 (B)(2) of this section, the Supreme Court shall enter an order it deems appropriate. ~~An~~
66 ~~order accepting an application to resign from the practice of law shall indicate that the~~
67 ~~attorney be designated as resigned with disciplinary action pending.~~ The Clerk of the
68 Supreme Court shall serve copies of the order as provided in Gov. Bar R. V, Section
69 17(D)(1).

70
71 (D) **Law firm letterhead for retired attorney**

72
73 A retired attorney may be designated as “retired” on law firm letterhead if the attorney’s
74 name was included on the letterhead prior to the time that the attorney’s retirement was
75 accepted by the Supreme Court. A retired attorney shall not be listed as “of counsel” or
76 otherwise be represented as able to engage in the practice of law in Ohio.

77
78 **[Existing language unaffected by the amendments is omitted to conserve space]**