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YOUR ROADMAP TO SUCCESSFUL RETIREMENT:

Are You Prepared for Retirement?
Practical Matters to Consider for
Attorneys Winding Down

Attorney Stephen A. Fallis
Attorney Wayne M. Rice
Attorney William D. Dowling



REGISTRATION OPTIONS FOR RETIRED LAWYERS

Wayne Rice, Bar Counsel



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REGISTRATION OPTIONS [GOV. BAR R. VI]

- Remain active
- Retire or resign from the practice of law
- Inactive
- Emeritus Pro Bono



ACTIVE ATTORNEY REGISTRATION [Gov. BAR R. VI(2)]

- Biennial registration
- 24 hours of CLE per biennial compliance period
- \$350 fee



RETIRE OR RESIGN FROM THE PRACTICE OF LAW [Gov. BAR R. VI(11)]

- No registration, CLE or fee requirements
- Unconditional, final and irrevocable
- Requires filing an application with the Supreme Court Office of Attorney Services
- Disciplinary Counsel will conduct an inquiry to determine if any disciplinary proceedings are pending



**RETIRE OR RESIGN FROM THE PRACTICE OF LAW
[Gov. BAR R. VI(11)]
(CON'T)**

- Disciplinary Counsel will file a confidential report under seal with the Office of Attorney Services, providing information regarding pending disciplinary proceedings, if any, and recommending whether the application should be accepted, denied or delayed.
- If Disciplinary Counsel recommends acceptance, the report will indicate whether the attorney should be designated as “permanently retired” or “resigned, with disciplinary action pending”.
- If the recommendation is to deny or delay the application, the report will include reasons for the recommendation.



**RETIRE OR RESIGN FROM THE PRACTICE OF LAW
[Gov. BAR R. VI(11)]
(CON'T)**

- If Disciplinary Counsel recommends acceptance and designation of the attorney as “retired”, the Office of Attorney Services will accept the application and designate the attorney as “retired” in the attorney registration records.
- If the recommendation is to designate the attorney as “resigned with disciplinary action pending”, or to deny or delay the application, the Office will file the application and confidential report with the Clerk of the Supreme Court.



**RETIRE OR RESIGN FROM THE PRACTICE OF LAW
[Gov. BAR R. VI(11)]
(CON'T)**

- The Supreme Court will review the application and report before entering an appropriate order.
- If the Court accepts an application as a resignation, it will order that the attorney's registration record be marked as "resigned, with disciplinary action pending."
- The Court also may order the attorney to be designated as "retired," deny the application altogether or defer consideration of the application to a later date.



**RETIRE OR RESIGN FROM THE PRACTICE OF LAW
[Gov. BAR R. VI(11)]
(CON'T)**

- A retired attorney may be designated as "retired" on law firm letterhead if the attorney's name was included on the letterhead prior to the time that the attorney's retirement was accepted by the Supreme Court.
- A retired attorney shall not be listed as "of counsel" or otherwise be represented as able to engage in the practice of law in Ohio.



**INACTIVE REGISTRATION
[Gov. BAR R. VI(5)]
(CON'T)**

- An inactive attorney may be designated as “inactive” on law firm letterhead if the attorney’s name was included on the letterhead prior to the time that the attorney registered for inactive status.
- An inactive attorney shall not be listed as “of counsel” or otherwise be represented as able to engage in the practice of law in Ohio.



**INACTIVE REGISTRATION
[Gov. BAR R. VI(5)]
(CON'T)**

- Until an attorney registered as inactive requests and is granted reinstatement of active status, he or she shall not do any of the following:
 - Practice law in Ohio
 - Hold him- or herself out as authorized to practice law in Ohio
 - Hold nonfederal judicial office in Ohio
 - Occupy a nonfederal position in Ohio in which the attorney is called upon to give legal advice or counsel; to examine a law; or to pass upon the legal effect of any act, document, or law



**INACTIVE REGISTRATION
[Gov. BAR R. VI(5)]
(CON'T)**

- Be employed in the Ohio judicial system in a position required to be held by an attorney
- Practice before any nonfederal court or agency in Ohio on behalf of any person other than him- or herself
- An inactive attorney may change his or her status to “active” by registering as such with the Office of Attorney Services and paying the registration fee of \$350. If the attorney registers “late” – after September 1 in each odd-numbered year, he or she will have to pay a late fee of \$50.
- An attorney who has been inactive for at least two (2) years, does not have to make up any CLE deficiency at the time the attorney went inactive.



**INACTIVE REGISTRATION
[Gov. BAR R. VI(5)]
(CON'T)**

- Depending when an inactive attorney registers as active during his or her biennial compliance period, his or her CLE hours may be prorated.
- Any questions about registering active after being inactive can be addressed to the Office of Attorney Services, 614-387-9320.



**NOTARY COMMISSIONS
FOR
RETIRED OR INACTIVE ATTORNEYS**

- Per Attorney General Opinion, 94-011, an attorney registered as inactive or retired pursuant to Gov. Bar R. VI, remains “in good standing before the Ohio Supreme Court” for purposes of retaining office as a notary public under R. C. 147.03 if that attorney meets the standards set by the court for issuance of a



**NOTARY COMMISSIONS
FOR
RETIRED OR INACTIVE ATTORNEYS
(CON'T)**

certificate of good standing. The current practice of the court is to issue a certificate of good standing whenever an attorney is not subject to any disciplinary action, is in compliance with Gov. Bar R. X governing CLE and is registered in compliance with Gov. Bar R. VI.



**NOTARY COMMISSIONS
FOR
RETIRED OR INACTIVE ATTORNEYS
(CON'T)**

- An inactive or retired attorney should obtain a new stamp or seal that qualifies “attorney at law” to reflect the attorney’s current status; i.e. “Attorney at Law (Inactive)” or “Attorney at Law (Retired)”.

SCO HOME » ATTYSVCS » ATTYREG » RETIREMENT OR RESIGNATION FROM THE PRACTICE OF LAW

Retirement or Resignation From the Practice of Law

Rule VI, Section 11 of the Supreme Court Rules for the Government of the Bar of Ohio governs retirement and resignation from the practice of law. The retirement or resignation from practice of law is final and irrevocable once accepted by the Supreme Court of Ohio. An attorney should seek to retire or resign from the practice of law only if the attorney wishes to surrender permanently the ability to practice law in this state. An attorney who wishes to stop practicing law in this state, with the option to resume his or her Ohio practice at a later date, should consider registering for inactive status pursuant to **Gov. Bar R. VI**, Section 5.

Application to Retire or Resign from the Practice of Law

To retire or resign from the practice of law, an attorney must file an **application** with the Supreme Court **Office of Attorney Services**. The application consists of two parts: an affidavit that conforms with the Gov. Bar R. VI, Section 11; and a written waiver that authorizes Disciplinary Counsel to disclose to the Supreme Court otherwise confidential information about any disciplinary grievances pending against the attorney.

Review of Application

After a completed application for retirement or resignation is filed, the Office of Attorney Services will forward the application to the **Office of Disciplinary Counsel**. Disciplinary Counsel will conduct an inquiry to determine if any disciplinary proceedings are pending against the attorney. After completing this inquiry, Disciplinary Counsel will file a confidential report under seal with the Office of Attorney Services. The report will provide information regarding pending disciplinary proceedings, if any, and recommend whether the application to retire or resign should be accepted, denied, or delayed. If Disciplinary Counsel recommends that the application be accepted, the report will indicate whether the attorney should be designated as "permanently retired" or "resigned, with disciplinary action pending." If Disciplinary Counsel recommends that the resignation be denied or delayed, the report will provide reasons for the recommendation.

Action on the Application

Upon receipt of the report from Disciplinary Counsel, the Office of Attorney Services will take one of two actions. If the report from Disciplinary Counsel recommends acceptance of the application and designation of the attorney as "retired," the Office will accept the application and designate the attorney as "retired" in the attorney registration records. If the report from Disciplinary Counsel recommends acceptance of the application with a designation of "resigned, with disciplinary action pending" or recommends that the application be denied or delayed, the Office will file the application and confidential report from Disciplinary Counsel with the Clerk of the Supreme Court. The Supreme Court will review the application and confidential report of Disciplinary Counsel before entering an appropriate order.

If the Supreme Court accepts an application as a resignation from the practice of law, the Court will order that the attorney's registration record be marked as "resigned, with disciplinary action pending." The designation "resigned, with disciplinary action pending" alerts the public that, but for the resignation, the attorney could have been subject to disciplinary sanctions. The Court also may order the attorney to be designated as "retired," deny the application altogether, or defer consideration of the application to a later date.

Inactive Registration Status - An Alternative to Retirement or Resignation


As noted above, the retirement or resignation from the practice of law is final and irrevocable once accepted by the Supreme Court. An attorney may wish to stop practicing law without surrendering his or her law license, thus preserving the ability to resume the practice of law at a later date. In this circumstance, an attorney may wish to consider changing his or her registration status to "inactive," under **Gov. Bar R. VI**, Section 5. Unlike retirement or resignation, registering for inactive status is revocable. An attorney may qualify for inactive registration status if the attorney is no longer practicing law in Ohio and satisfies the criteria of Gov. Bar R. VI, Section 5. An attorney may register for inactive status by filing an updated certificate of registration. The attorney may later resume the practice of law by filing a new certificate of registration for active registration status and paying the applicable registration fee. An attorney who changes his or her registration from inactive to active also will have specific continuing legal education requirements pursuant to **Gov. Bar R. X**.

Attorneys Who Registered for Retired Status Prior to Sept. 1, 2007

Attorneys who registered for "retired" registration status prior to Sept. 1, 2007 under former Gov. Bar R. VI, Sec. 4 may change their registration status to either active or inactive. However, they will not be permitted to return to retired registration status but instead, will be required to follow the procedures set forth in Gov. Bar R. VI, Sec. 11, to retire from the practice of law. Additional action does not need to be taken by attorneys who were registered as retired prior to Sept. 1, 2007 and desire for their registration status to remain unchanged.

Changes in registration status may be made by filing a certificate of registration with the Office of Attorney Services.

Questions regarding registration statuses or the process of retiring or resigning from practice of law may be directed to the Office of Attorney Services by telephone at 614.387.9320 or by e-mail addressed to **attyreg@sc.ohio.gov**.

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THE SUPREME COURT *of* OHIO

OFFICE OF ATTORNEY SERVICES

Application for Retirement or Resignation

IN THE MATTER OF THE RETIREMENT OR RESIGNATION OF

Full Name

AS AN ATTORNEY AT LAW

AFFIDAVIT AND WAIVER

Gov. Bar R. VI, Section 11

I, _____, Attorney Registration No. _____, a duly admitted attorney at law in the State of Ohio, wish to retire or resign from the practice of law in Ohio. I fully understand that this retirement or resignation completely divests me of the privilege of engaging in the practice of law, and of each, any, and all of the rights, privileges, and prerogatives appurtenant to the office of attorney and counselor at law. I fully understand that a resignation will be denoted as a resignation with discipline pending. I fully understand that my retirement or resignation is unconditional, final, and irrevocable.

I further allow Disciplinary Counsel to review all proceedings and documents relating to review and investigation of grievances made against me under the Rules for the Government of the Bar of Ohio and the Rules for the Government of the Judiciary of Ohio, and to disclose to the Supreme Court in the report filed in accordance with Gov. Bar R. VI, Section 11 any information it deems appropriate, including, but not limited to, information that otherwise would be private pursuant to Gov. Bar R. V.

I further state that (check one):

I **am not** admitted to the practice of law in another jurisdiction.

I **am** admitted to the practice of law in the following jurisdiction(s)
[List all jurisdictions]:

Jurisdiction and Attorney Registration Number

Jurisdiction and Attorney Registration Number

Jurisdiction and Attorney Registration Number

Jurisdiction and Attorney Registration Number

Current Mailing Address

City/State/Zip Code

Date of Birth

Further affiant sayeth naught.

Signature of Attorney

Sworn to or affirmed before me and subscribed in my presence this ____ day of _____, 20____, in the State of _____, and County of _____.

Signature of Notary Public*

Name of Notary Public

***Notary public's stamp/seal and commission expiration date are required.**

March 18, 1994

The Honorable George V. Voinovich
Office of the Governor
77 South High Street
Columbus, Ohio 43266-0601

SYLLABUS:

94-011

An attorney registered in inactive or retired status pursuant to Gov. Bar R. VI, §§2-3 remains "in good standing before the Ohio supreme court" for purposes of retaining office as a notary public under R.C. 147.03 if that attorney meets the standards set by the court for issuance of a certificate of good standing. The current practice of the court is to issue a certificate of good standing whenever an attorney is not subject to any disciplinary action, is in compliance with Gov. Bar R. X governing continuing legal education, and is registered in compliance with Gov. Bar R. VI.

March 18, 1994

OPINION NO. 94-011

The Honorable George V. Voinovich
Office of the Governor
77 South High Street
Columbus, Ohio 43266-0601

Dear Governor Voinovich:

You have requested an opinion on behalf of the Ohio Notary Commission regarding the status of an attorney's commission as a notary public when the attorney is registered as inactive or retired pursuant to Gov. Bar R. VI.¹ Specifically, you ask whether, assuming all other requirements of R.C. 147.03 for maintaining a commission as a notary public are met, such attorneys continue to be "in good standing before the Ohio supreme court" within the meaning of R.C. 147.03 so that they can maintain their commissions.

Attorney Registration Status

Article IV, §2(B)(1)(g) of the Ohio Constitution confers upon the Ohio Supreme Court original jurisdiction regarding "[a]dmission to the practice of law, the discipline of persons so admitted, and all other matters relating to the practice of law." Pursuant to this constitutional directive, the Supreme Court Rules for the Government of the Bar of Ohio address in a comprehensive manner each of the foregoing matters. In particular, all attorneys admitted to the practice of law in Ohio are required to register with the Clerk of the Ohio Supreme Court. Gov. Bar R. VI. Attorneys in active status must file a certificate of registration biennially, together with the required fee, and keep the Attorney Registration Office apprised of any address changes. Gov. Bar R. VI, §1(A), (D). Pursuant to Gov. Bar R. X, attorneys in active status are also subject to continuing legal education (CLE) requirements.

As an alternative to active status, an attorney may register as inactive or retired, pursuant to the following provisions of Gov. Bar R. VI:

¹ Your written request referred to attorneys "retired from the practice of law and no longer earning continuing legal education credits." Members of your staff have clarified that the inquiry is specifically concerned with attorneys in inactive or retired registration status.

SECTION 2. Inactive Attorneys

An attorney who is admitted to the practice of law in Ohio may be granted inactive status by applying to the Clerk for an exemption from payment of the registration fee at the time the attorney files a Certificate of Registration. Until the attorney requests and is granted reinstatement of active status, an inactive attorney shall not be entitled to practice law in Ohio; hold himself or herself out as authorized to practice law in Ohio; hold nonfederal judicial office in Ohio; render any legal service for an attorney granted active status; occupy a nonfederal position in this state in which the attorney is called upon to give legal advice or counsel or to examine the law or pass upon the legal effect of any act, document, or law; be employed in the Ohio judicial system in a position required to be held by an attorney; or practice before any nonfederal court or agency in this state on behalf of any person except himself or herself.

SECTION 3. Retired Attorneys

(A) An attorney who is admitted to the practice of law in Ohio and is sixty-five years of age or older may be granted retired status by applying to the Clerk for retired status at the time the attorney files a Certificate of Registration. An attorney who is granted retired status shall be exempt from all the requirements of Section 1 of this rule for as long as the attorney is registered under retired status. Until the attorney requests and is granted reinstatement of active status, a retired attorney shall not be entitled to practice law in Ohio; hold himself or herself out as authorized to practice law in Ohio; [restrictions continue in language identical to that of Section 2, above].

Pursuant to Gov. Bar R. X, §3(E)(6), attorneys registered as inactive or retired are exempt from the CLE requirements of Rule X.

Meaning of "In Good Standing Before the Ohio [S]upreme [C]ourt" for Purposes of R.C. 147.03

R.C. 147.03 states:

An attorney admitted to the practice of law in this state by the Ohio supreme court shall hold his office as a notary public as long as he is a resident of this state or has his principal place of business or primary practice in this state, he is *in good standing before the Ohio supreme court*, and the commission is not revoked. (Emphasis added.)

The qualification "in good standing before the Ohio supreme court" is not defined for purposes of R.C. 147.03, nor does such a definition appear elsewhere in the Revised Code. Further, as the Ohio Supreme Court has jurisdiction over "[a]dmission to the practice of law, the discipline of persons so admitted, and all other matters relating to the practice of law," Ohio Const. art. IV, §2(B)(1)(g), the General Assembly may not establish or define the standards by which the court considers an

attorney to be in good standing. *See generally In re Nevius*, 174 Ohio St. 560, 562, 191 N.E.2d 166, 169 (1963) ("all matters relating to the discipline and reinstatement of attorneys ... are exclusively under the control of the judicial branch"); *accord Hecht v. Levin*, 66 Ohio St. 3d 458, 613 N.E.2d 585 (1993). Thus, by employing the phrase "in good standing before the Ohio supreme court" in R.C. 147.03, the General Assembly is indicating an attorney whom the court considers to be in good standing and, of necessity, that the criteria for such good standing are those set by the court itself.

The term "in good standing" appears in several of the Supreme Court Rules for the Government of the Bar of Ohio. Attorneys who are admitted to the practice of law in other jurisdictions, but not in Ohio, may be permitted to practice in Ohio for specified purposes if such attorneys provide, *inter alia*, a certificate of good standing from the jurisdictions where they are admitted to practice. Gov. Bar R. I, §8(C)(5) (applicants for admission to practice without examination); Gov. Bar R. VI, §4(A) (applicant for corporate status); Gov. Bar R. IX (temporary certification); Gov. Bar R. XI (limited practice by foreign legal consultants). Further, attorneys admitted in Ohio must be in good standing to qualify for certain activities. Gov. Bar R. I, §4(A) (Board of Bar Examiners); Gov. Bar R. II, §1(B) (supervising legal interns); Gov. Bar R. V, §9(A)(3) (monitoring an attorney on disciplinary probation); Gov. Bar R. VII, §5 (signing complaint alleging unauthorized practice of law); *see also* CLE Reg 602 (hearing examiner); S. Ct. Prac. R. VII, §§5, 6 (co-signing motion for attorney not admitted in Ohio to present oral argument before the Ohio Supreme Court).

None of the rules cited above defines the term "in good standing." On the other hand, none of these rules equates that term with a particular registration status. A staff member of the Clerk of the Ohio Supreme Court has informed a member of my staff that it is the Clerk's current practice to issue a certificate of good standing for an attorney, when so requested, if that attorney is not subject to any disciplinary action, is in compliance with Gov. Bar R. X governing CLE requirements, and is registered in compliance with Gov. Bar R. VI. Registration in inactive or retired status does not prevent an attorney from being in good standing. If an attorney who has registered as inactive or retired meets the above criteria, the court considers that attorney to be in good standing.²

² Whether a particular attorney in inactive or retired status is in good standing is, of course, a question of fact that must be determined by the court itself. Since Gov. Bar R. X expressly exempts inactive and retired attorneys from CLE requirements, such attorneys will always be in compliance with that rule. It should be noted, however, that in order to be registered in compliance with Gov. Bar R. VI and to avoid disciplinary action, an inactive or retired attorney may not practice law in Ohio or hold himself or herself out as authorized to practice law in Ohio. Gov. Bar R. VI, §§2, 3. Although acting as a notary public does not constitute the practice of law and, therefore, is not a prohibited activity for purposes of Gov. Bar R. VI, it is common for an attorney notary public to utilize a seal or stamp embossed with the titles "attorney at law" and "notary public," the attorney's printed name, and the notation "my commission has no expiration date, 147.03 ORC." To the extent that use of the title "attorney at law" without qualification could be construed as holding oneself out as authorized to practice law in Ohio, it might be prudent for an attorney registered in inactive or retired status to so qualify the title "attorney at law" in order to avoid a violation of Gov. Bar R. VI, §2 or §3. The question of whether an attorney registered in inactive or retired status may use the

Conclusion

It is, therefore, my opinion, and you are hereby advised that an attorney registered in inactive or retired status pursuant to Gov. Bar R. VI, §§2-3 remains "in good standing before the Ohio supreme court" for purposes of retaining office as a notary public under R.C. 147.03 if that attorney meets the standards set by the court for issuance of a certificate of good standing. The current practice of the court is to issue a certificate of good standing whenever an attorney is not subject to any disciplinary action, is in compliance with Gov. Bar R. X governing continuing legal education, and is registered in compliance with Gov. Bar R. VI.

Respectfully,

LEE FISHER
Attorney General

unqualified title "attorney at law" when acting as a notary public is beyond the scope of my authority to determine, however, and should be directed instead to the Board of Commissioners on Grievances and Discipline of the Supreme Court pursuant to Gov. Bar R. V, §2(C).

[SCO HOME](#) » [ATTYSVCS](#) » [ATTYREG](#) » [EMERITUSPROBONO](#) » EMERITUS PRO BONO STATUS REGISTRATION

Emeritus Pro Bono Status Registration

The Emeritus Pro Bono Attorney registration status permits Ohio attorneys to provide limited legal services in association with a pro bono organization recognized by the Supreme Court of Ohio.

To register for emeritus pro bono status, an attorney must submit a **Certificate of Registration**, an **Emeritus Pro Bono Registration Application and Certification**, and a **Certification of Pro Bono Organization**, and a registration fee of \$75.

An attorney who satisfies all of the following requirements may register for emeritus pro bono status:

1. Is admitted to the practice of law in Ohio;
2. Has engaged in the practice of law, as defined in Gov. Bar R. I, Sec. 9(B), for a minimum of fifteen years;
3. Is in good standing with the Supreme Court of Ohio;
4. Has not resigned from the practice of law in Ohio, resigned from the practice of law in Ohio with discipline pending, or permanently retired from the practice of law in Ohio;
5. Has not voluntarily or involuntarily relinquished the attorney's license to practice law in another jurisdiction to avoid discipline or as a result of discipline imposed by a relevant authority; and
6. Has not been disciplined for professional misconduct within the past ten years or been disbarred by another jurisdiction.

Registration

To register for Emeritus Pro Bono status, please complete and submit to the Office of Attorney Services the following:

- Emeritus Pro Bono Attorney Registration Application and Certification**
- Certificate of Registration**
- Payment of Emeritus Pro Bono Status Registration Fee in the amount of \$75 (check or money order) payable to the Supreme Court of Ohio
- Certification of Pro Bono Organization**


Send the required documents and registration fee to:

Office of Attorney Services
Supreme Court of Ohio
65 South Front Street, 5th Floor
Columbus, Ohio 43215-3431

Expiration of Status

Status as an emeritus pro bono attorney shall automatically expire upon the occurrence of any of the following:

- You provide **notice** that you are withdrawing from emeritus pro bono status.
- You cease to be associated with any pro bono organization on record with the Office of Attorney Services.
- You register for active or inactive status with the Office of Attorney Services.
- The Supreme Court revokes your emeritus pro bono status as provided Gov. Bar R. VI, Sec. 8(I)(2).

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THE SUPREME COURT *of* OHIO

OFFICE OF ATTORNEY SERVICES

EMERITUS PRO BONO ATTORNEY REGISTRATION APPLICATION AND CERTIFICATION

I, _____, Attorney Registration No. _____,
certify all of the following pursuant to Gov. Bar R. VI, Sec. 8(B):

- (1) I am admitted to the practice of law in Ohio;
- (2) I have engaged in the practice of law, as defined in Gov. Bar R. I, Sec. 9(B), for a minimum of fifteen years;
- (3) I am in good standing with the Supreme Court of Ohio;
- (4) I have not resigned from the practice of law in Ohio, resigned from the practice of law in Ohio with discipline pending, or permanently retired from the practice of law in Ohio;
- (5) I have not voluntarily or involuntarily relinquished my license to practice law in another jurisdiction to avoid discipline or as a result of discipline imposed by a relevant authority;
and
- (6) I have not been disciplined for professional misconduct within the past ten years or been disbarred by another jurisdiction.
- (7) I have read and agree to abide by Gov. Bar R. VI, Sec. 8.

I understand that as an Emeritus Pro Bono Attorney I must:

- Comply with continuing legal education requirements for attorneys on active status pursuant to Gov. Bar R. X, Section 3.
- Neither ask for nor accept compensation or remuneration of any kind for the legal services rendered pursuant to Gov. Bar R. VI, Section 8.
- File a Certificate of Registration and pay the applicable fees with the Office of Attorney Services on or before September 1 of every odd-numbered year.
- Not engage in the practice of law except as provided for in Gov. Bar R. VI, Sec. 8(D).
- Notify the Office of Attorney Services, as provided in Gov. Bar R. VI, Sec. 8(H), if I end my association with a pro bono organization or establish an association with a new pro bono organization.

I certify that the foregoing is true and correct.

Date

Signature





THE SUPREME COURT of OHIO

Office of Attorney Services 614.387.9320

HOW TO REGISTER

Online at: sc.ohio.gov/attorneyPortal

- Register ONLINE to avoid processing delays

OR

Mail using enclosed envelope

Mail group registrations or overnight materials to: Ohio Supreme Court Attn: Office of Attorney Services 65 South Front Street Columbus, OH 43215-3431

↓ DETACH AT PERFORATION BEFORE RETURNING ↓

CERTIFICATE OF REGISTRATION ■ 2015-2017 BIENNIUM

PLEASE COMPLETE ALL SECTIONS OF THIS FORM

REGISTRATION NUMBER, BUSINESS OR FIRM NAME, NAME, TITLE OR POSITION, RESIDENCE ADDRESS, BUSINESS OR FIRM ADDRESS, CITY, COUNTY, STATE/COUNTRY, ZIP, DATE ADMITTED TO OHIO BAR, BUSINESS OR FIRM PHONE, DATE OF BIRTH, GENDER, BUSINESS OR FIRM FAX

E-MAIL (please type or print clearly)

CHECK APPROPRIATE BOX(ES) Active, Corporate, Emeritus, Late Fee, Voluntary Fee; INACTIVE (No Fee), \$50 Late Fee, \$300 Reinstatement Fee; PLEASE CHECK EVERY RACE YOU CONSIDER YOURSELF TO BE American Indian or Alaska Native, Black or African American, White, Asian, Native Hawaiian or Pacific Islander; ARE YOU HISPANIC/LATINO? Yes No

MAGISTRATE NOTIFICATION

Are you serving as a magistrate in a court of record in Ohio? YES NO; If Yes, then provide the following information (Please answer Items 1 through 3): 1. County: 2. Full-Time Magistrate Part-Time Magistrate 3. Check Court Type: Court of Appeals Common Pleas Municipal/County

CERTIFICATION

I certify that the information I am providing on this entire form is true and accurate.

Make check or money order payable to THE SUPREME COURT OF OHIO

SIGNATURE OF ATTORNEY

DATE

Amount: _____

↓ DO NOT DETACH LOWER PORTION OF FORM ↓

IOLTA & IOTA ACCOUNT REGISTRATION FORM

Step 1: CONFIRM/UPDATE CONTACT INFORMATION; Step 2: IOLTA/IOTA Status and Title Agent Status; Step 3: PROVIDE/UPDATE ACCOUNT(S) INFORMATION IF APPLICABLE; SECTION A: Account Registration; QUESTIONS: Contact the Ohio Legal Assistance Foundation at www.olaf.org or 614.715.8560.

THE SUPREME COURT *of* OHIO
OFFICE OF ATTORNEY SERVICES

IN THE MATTER OF THE APPLICATION OF

for Emeritus Pro Bono Attorney Registration

**CERTIFICATION OF
PRO BONO
ORGANIZATION**
Gov. Bar R. VI (8)(C)(1)(b)

In accordance with Gov. Bar R. VI, Sec. 8(A)(1), a pro bono organization includes “a law school clinic, legal aid, public defender’s office, or legal services organization listed in or recognized pursuant to Gov. Bar R. X, Section 5(H).”

I certify that the above-named attorney is associated with the following organization:

Name of Pro Bono Organization: _____

Name of Director/Coordinator: _____

Address: _____

Phone: _____ Fax: _____

E-mail: _____

Date

Signature

Title

(5) The attorney is suspended or disbarred for disciplinary reasons in any United States jurisdiction other than Ohio or by any federal court or agency in which the attorney has been admitted to the practice of law;

(6) The attorney fails to comply with any provision of this section.

Section 8. Emeritus Pro Bono Attorney Registration.

(A) Definition

As used in this section:

(1) “Pro bono organization” means a law school clinic, legal aid, public defender's office, or legal services organization listed in or recognized pursuant to Gov. Bar R. X, Section 5(H).

(2) “Supervising attorney” means an attorney who satisfies all of the following requirements:

(a) Is admitted to the practice of law in Ohio pursuant to Gov. Bar R. I or is temporarily certified to practice law in Ohio pursuant to Gov. Bar R. IX;

(b) Is in good standing in each jurisdiction in which the attorney is admitted to the practice of law;

(c) Is employed by or associated with a pro bono organization.

(B) Eligibility

An attorney who satisfies all of the following requirements may register for emeritus pro bono attorney status pursuant to Section 8(C) of this rule:

(1) Is admitted to the practice of law in Ohio;

(2) Has been engaged in the practice of law, as defined in Gov. Bar R. I, Section 9(B), for a minimum of fifteen years;

(3) Is in good standing with the Supreme Court;

(4) Has not resigned from the practice of law in Ohio, resigned from the practice of law in Ohio with discipline pending, or permanently retired from the practice of law in Ohio;

(5) Has not voluntarily or involuntarily relinquished the attorney's license to practice law in another jurisdiction in order to avoid discipline or as a result of discipline imposed by a relevant authority;

(6) Has not been disciplined for professional misconduct within the past ten years or been disbarred by another jurisdiction.

(C) Registration application

(1) An attorney registering for emeritus pro bono attorney status shall file an application with the Office of Attorney Services of the Supreme Court. The application shall be on a form provided by the office and shall include all of the following:

(a) Certification the attorney satisfies the requirements of Section 8(B) of this rule;

(b) Certification from a pro bono organization verifying the attorney is associated with the organization;

(c) Any other information considered necessary or appropriate by the Office of Attorney Services;

(d) A non-refundable and non-transferable fee of seventy-five dollars.

(2) The Office of Attorney Services shall grant the attorney emeritus pro bono attorney status if the attorney satisfies the requirements of Sections 8(B) and (C)(1) of this rule.

(D) Scope of authority

(1) An emeritus pro bono attorney, in association with the pro bono organization with which the attorney is associated, may do any of the following:

(a) Appear before any court or administrative board or agency on behalf of a client of the organization, provided the person on whose behalf the attorney is appearing has consented in writing and the attorney's supervising attorney has given written approval for the representation. The written consent and approval shall be filed in the record of each matter and shall be brought to the attention of a judge of the court or the presiding officer of the administrative tribunal.

(b) Provide routine legal services without the supervision of the attorney's supervising attorney with the approval of the organization, in its sole discretion;

(c) Engage in activities necessary for any legal matter in which the attorney is involved pursuant to Section 8(D)(1)(a) and (b) of this rule.

(2) The pro bono organization supervising an emeritus pro bono attorney pursuant to Section 8(D)(1) of this rule shall provide professional liability insurance coverage for the attorney.

(E) Continuing legal education

An emeritus pro bono attorney shall comply with the continuing legal education requirements for attorneys on active status pursuant to Gov. Bar R. X, Section 3.

(F) Compensation

(1) Subject to Section 8(F)(2) and (3) of this rule, an emeritus pro bono attorney shall not ask for or receive any compensation or remuneration of any kind for legal services rendered pursuant to Section 8 of this rule.

(2) A pro bono organization may receive attorney fees for services rendered by an emeritus pro bono attorney consistent with the Ohio Rules of Professional Conduct and as provided by law.

(3) A pro bono organization may reimburse an emeritus pro bono attorney for expenses incurred in connection with services rendered.

(G) Biennial registration

An emeritus pro bono attorney shall register with the Office of Attorney Services on or before the first day of September in each odd-numbered year by filing a certificate of registration furnished by the office and paying a registration fee of seventy-five dollars.

(H) Change in pro bono organization association

(1) An emeritus pro bono attorney who ends an association with a pro bono organization or establishes an association with a new pro bono organization shall notify the Office of Attorney Services, in a manner authorized by the office, within thirty days of the change.

(2) If an emeritus pro bono attorney ends an association with a pro bono organization, the attorney's supervising attorney shall immediately file a notice of such in the official file of each matter pending before a court or tribunal in which the emeritus pro bono attorney entered an appearance.

(I) Duration of emeritus pro bono attorney status

(1) Unless revoked earlier pursuant to Section 8(I)(2) of this rule, the emeritus pro bono attorney status shall automatically expire upon the occurrence of any of the following:

(a) The attorney provides notice to the Office of Attorney Services, in a manner authorized by the office, that the attorney is withdrawing from emeritus pro bono attorney status;

(b) The attorney ceases to be associated with any pro bono organization on record with the Office of Attorney Services;

(c) The attorney obtains active attorney status pursuant to Section 2 of this rule or inactive attorney status pursuant to Section 5 of this rule.

(2) The Supreme Court, *sua sponte*, may revoke an emeritus pro bono attorney status without hearing or statement of cause by providing written notification to the attorney, the attorney's supervising attorney, and the pro bono organization with which the attorney is associated.

(3) Upon expiration or revocation of an emeritus pro bono attorney's registration pursuant to Section 8(I)(1) or (2) of this rule, each of the following shall occur:

(a) The attorney's supervising attorney shall immediately file a notice of such in the official file of each matter pending before a court or tribunal in which the emeritus pro bono attorney entered an appearance;

(b) The attorney shall file for either active attorney status pursuant to Section 2 of this rule or inactive attorney status pursuant to Section 5 of this rule.

(J) Active attorney registration fee

An emeritus pro bono attorney who requests and is granted reinstatement of active status pursuant to Section 2 of this rule during a biennial registration period shall pay a registration fee of two hundred and seventy five dollars.

Section 9. Exemptions.

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

(A) A person certified to practice law temporarily in Ohio under Gov. Bar R. IX;

(B) A foreign legal consultant registered under Gov. Bar R. XI.

Section 10. Failure to Register; Late Registration Fee; Summary Suspension; Reinstatement.

(A) Late fee

An attorney who fails to file a certificate of registration and pay a fee as required by this rule on or before the date on which it becomes due, but does so within sixty days of that