

## HOW DO I RECOVER MONEY DAMAGES OR LOSSES?

Filing an ethics complaint against a lawyer will not result in a recovery of the money you lost. If you suffer monetary damages or out-of-pocket losses as a result of your lawyer's mistakes or negligence, you may have a legal malpractice claim.

Malpractice lawsuits require a client to sue the lawyer within one year. If you wish to file a malpractice claim against a lawyer, you should immediately consult with a different lawyer about the one year limitation and the damages you believe you have suffered.

## CAN I RECOVER MONEY IF I DON'T SUE MY LAWYER?

If your lawyer has illegally taken or misused your money or property, you may be eligible to recover the loss cause by the dishonest conduct by filing a claim with the Clients' Security Fund of Ohio, 175 S. Third St., Suite 285, Columbus, Ohio 43215, telephone 1.800.231.1680 or 614.995.5000. You do not need the assistance of a lawyer to file this claim; you may file it yourself.

The information in this brochure is general in nature and not intended to give specific advice for an individual legal problem. Please contact one of the organizations listed in this brochure if you have a complaint about a judge, lawyer, or the legal services you received.



**CBA**  
COLUMBUS BAR ASSOCIATION  
175 S. Third St., Suite 1100  
Columbus, OH 43215

# COMPLAINTS AGAINST LAWYERS & JUDGES



Brochure prepared by the Board of Commissioners on Grievances and Discipline, Supreme Court of Ohio

*Distributed by the  
Columbus Bar Association*

**CBA**  
COLUMBUS BAR ASSOCIATION

175 S. Third St., Suite 1100  
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## WHAT RULES DO OHIO LAWYERS AND JUDGES HAVE TO FOLLOW?

All Ohio lawyers take an oath to effectively represent their clients without compromise and conflict. The Supreme Court of Ohio regulates the conduct of lawyers and judges through a “Code of Professional Responsibility” and a “Code of Judicial Conduct.” Ohio lawyers and judges must obey their oaths of office and the rules outline in the Code. These Codes include ethical standards that each lawyer must follow.

For example, an Ohio lawyer may not:

- knowingly mislead or lie to a client or a court;
- reveal a client’s confidence or secret without the client’s permission;
- misuse or take money or property that belongs to a client;
- settle, file, or dismiss a case without the client’s permission;
- repeatedly neglect a client’s legal problems after the lawyer has agreed to represent the client.

## MAY I FILE A COMPLAINT?

If you have an ethics complaint against an Ohio lawyer or judge for violating a rule of professional conduct, you may report it for investigation. When you file a written complaint, an investigation is made to determine if the attorney or judge did or did not violate the ethical rules.



## WHERE DO I FILE A COMPLAINT AGAINST A LAWYER OR JUDGE?

An ethics complaint against a lawyer or a judge must be in writing and filed with one of the following organizations:

### *Office of Disciplinary Counsel*

Grievances statewide against Attorneys and Judges  
250 Civic Center Drive, Suite 325  
Columbus, Ohio 43215  
614.461.0256 or 800.589.5256

### *Ohio State Bar Association*

Grievances against Judges only  
1700 Lake Shore Drive  
P.O. Box 16562  
Columbus, Ohio 43216  
614.487.2050 or 800.282.6556

### *Columbus Bar Association*

\*Grievances against Franklin County Attorneys only  
175 S. Third St., Suite 1100  
Columbus, Ohio 43215  
614.221.4112

*\* For the address and telephone number of an approved local bar association near you, please contact the Board of Commissioners on Grievances and Discipline.*

### **The Board of Commissioners on Grievances and Discipline**

Supreme Court of Ohio  
65 S. Front St., 5<sup>th</sup> Floor  
Columbus, Ohio 43215  
614.387.9370

## SHOULD I FILE A COMPLAINT IN MORE THAN ONE OFFICE?

A complaint should be filed with only *one* office. For complaints against lawyers you may file with either the Office of Disciplinary Counsel, or an approved local bar association. For complaints against judges, you may file with the Office of Disciplinary Counsel, an approved local bar association, or the Ohio State Bar Association.

## WHAT CAN I EXPECT?

The investigating Committee or Disciplinary Counsel will gather evidence about your complaint and decide whether the lawyer or judge violated the ethical rules. If the Committee or Disciplinary Counsel finds enough evidence of wrongdoing, it will file a formal complaint charging misconduct against the lawyer or judge. The Board of Commissioners on Grievances and Discipline, which is an independent board appointed by the Supreme Court of Ohio, will then hold a public hearing, and you may be required to testify. Based on the result of this hearing, the Supreme Court of Ohio may take action against the lawyer or judge to protect the public by limiting or prohibiting the lawyer from practicing law or serving as a judge. If there is not enough evidence of misconduct after the hearing is held, the charges will be dismissed by the Board.

## WHAT IS NOT COVERED BY THE COMPLAINT?

Disputes between you and your lawyer over fees are not ordinarily a basis for an ethics complaint. Several bar associations have fee arbitration services that can help resolve fee disputes. If you believe that you did not receive a proper result in a civil or criminal case, the ethics complaint process will not affect the outcome of your case. The lawyers investigating your ethics complaint cannot represent you or appeal the outcome of any case for you, or recover money for you. The recovery of monetary damages or losses is not the purpose of the ethics complaint procedure.



ETHICS DEPARTMENT
REQUEST FOR ASSISTANCE

For CBA Use Only:
Recv.:
Case #:

BEFORE FILLING OUT THIS FORM PLEASE: Read the enclosed pamphlet
\*Try to work out the problem directly with the attorney \*

PLEASE PRINT OR TYPE INFORMATION
\*\*\* WRITE ON ONE SIDE ONLY \*\*\*

INFORMATION ABOUT YOU:

Name(s):
Address:
Phone Number: Home: Work: Other:
Employed:

INFORMATION ABOUT THE ATTORNEY:

Name(s):
Firm(s):
Address:
Phone Number:

Did this attorney represent you? Yes No

If not, whom:

If you answered yes, please answer the following questions; if you answered no, proceed to the next section.

When did the representation begin?

Is the attorney still representing you?

What fees have you paid the attorney?

What fees are still claimed by the attorney?

Did this attorney tell you whether or not s/he has malpractice insurance?

Yes No

If the attorney does not have insurance, did s/he ask you to sign an acknowledgement?

Yes No

**INFORMATION ABOUT THE MATTER INVOLVED:**

What kind of legal matter is this (e.g. Divorce; Probate; Personal Injury; etc.)?

Have you filed a complaint about this anywhere else, and if so, where?

**WHAT HELP ARE YOU SEEKING FROM THE BAR ASSOCIATION?**

**PLEASE TELL US ABOUT THE SITUATION:**

