



THE SUPREME COURT *of* OHIO

2010 ANNUAL REPORT *of the* CLIENTS' SECURITY FUND







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Eric Brown
CHIEF JUSTICE

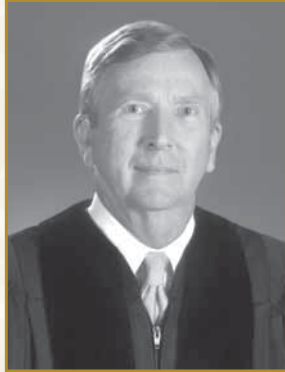
Paul E. Pfeifer
Evelyn Lundberg Stratton
Maureen O'Connor
Terrence O'Donnell
Judith Ann Lanzinger
Robert R. Cupp
JUSTICES

Steven C. Hollon
ADMINISTRATIVE DIRECTOR

IN TRIBUTE

Thomas J. Moyer

CHIEF JUSTICE
1987-2010



1939-2010

The Board of Commissioners of the Clients' Security Fund recognizes and thanks the late Honorable Chief Justice Thomas J. Moyer for his stalwart support for the funding and mission of the Clients' Security Fund.

An outspoken advocate for law client protection, Chief Justice Moyer introduced the practice of including in Supreme Court of Ohio disciplinary orders the requirement that disciplined attorneys reimburse the Clients' Security Fund for monies paid to their aggrieved clients. He twice supported rule changes increasing the maximum award for which fund claimants are eligible. Chief Justice Moyer continually championed adequate funding for the Clients' Security Fund mission and goals.

In recognition of his efforts, Chief Justice Moyer in 2008 received the Isaac A. Hecht Law Client Protection Award from the National Client Protection Organization for demonstrated excellence in the field of client protection.

2010 ANNUAL REPORT *of the* CLIENTS' SECURITY FUND

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To obtain a CSF application for reimbursement, call 614.387.9390 or 800.231.1680.
Visit the CSF online at www.supremecourt.ohio.gov/Boards/clientSecurity/.



INTRODUCTION

The Clients' Security Fund of Ohio was created in 1985 by the Supreme Court of Ohio to improve the image of the legal profession by providing financial reimbursement to those who lose money or property as a result of the dishonest conduct of their lawyer. Since 1985, the Supreme Court of Ohio has actively promoted and supported the mission and goals of the Clients' Security Fund.

For the past 25 years, lawyers in the state of Ohio have provided more than \$15 million to reimburse 1,950 former law clients harmed by dishonest lawyers (see Appendix A).

As indicated in this report, the Clients' Security Fund continues to achieve its goal of providing assistance to clients who have been financially harmed by the dishonest conduct of a licensed Ohio attorney. Included is a summary of the overall operations of the fund, along with a detailed analysis of claims activity for the fiscal year beginning July 1, 2009, and ending June 30, 2010.



**GREEN
MARBLEY**

Claim activity during fiscal year 2010 included:

- The receipt of 275 applications for reimbursement (Appendix B) and the dismissal of 66 on intake
- The review of 179 claims by the Clients' Security Fund Board of Commissioners
- The reimbursement of \$925,266 to 145 eligible claimants
- The dismissal of one claim and the determination that 34 were ineligible.

In fiscal year 2010, 45 attorneys were involved in Clients' Security Fund claims. This number represents less than 1 percent of the more than 58,605 licensed attorneys in Ohio, 43,022 of whom are engaged in the active practice of law.

This report confirms the fact that the overwhelming majority of Ohio lawyers observe high standards of integrity when entrusted with law client money or property. The dishonest acts of a few, however, can affect the public's image of and confidence in the legal profession as a whole. The Clients' Security Fund seeks to restore public confidence in the legal profession by reimbursing law clients for losses sustained as a result of the dishonest conduct of their attorney.

Janet Green Marbley, Administrator

CLIENTS' SECURITY FUND MARKS 25TH YEAR

Marking 25 years of supporting public trust and confidence in the attorney-client relationship, the Clients' Security Fund celebrated its silver anniversary with a Supreme Court Courtroom ceremony June 8, 2010.

In the past quarter-century, more than \$15 million has been reimbursed to 1,950 Ohioans. Keynote speaker H. Thomas Wells Jr., immediate past president of the American Bar Association, stressed the importance of client security funds in maintaining and restoring the integrity of the legal practice in the eyes of citizens. Wells was instrumental in mediating a budget dispute between the governor and client security fund in Connecticut, which ultimately led to the fund's survival.

Kenneth Donchatz, CSF board chair; Jonathan W. Marshall, Board of Commissioners on Grievances & Discipline secretary; Barbara J. Howard, Ohio State Bar Association president; Judge Stephen L McIntosh, Columbus Bar Association president-elect; and Janet Green Marbley, Clients' Security Fund administrator, also spoke.

Chief Justice Eric Brown opened the ceremony with welcoming remarks and introductions. William S. Newcomb Jr., former Clients' Security Fund chairman, gave a tribute to the late Chief Justice Thomas J. Moyer in recognition of his leadership and outspoken advocacy of law client protection.



Jonathan W. Marshall (left) and the Hon. Stephen L. MacIntosh (right) deliver their remarks.



LEFT TO RIGHT: William S. Newcomb Jr., Kenneth Donchatz, H. Thomas Wells Jr., Janet Green Marbley, Chief Justice Eric Brown, Hon. James E. Green, Jerome Phillips and Clifton Spinner.

CHAIRMAN'S COMMENTS

In fiscal year 2010 the Board of Commissioners of the Clients' Security Fund considered 179 claims and determined that 145 were eligible for reimbursement. Total reimbursement for eligible claims for fiscal year 2010 was \$925,266. This figure represents an increase of \$256,066 from the fiscal year 2009 reimbursements of \$669,200, and a sharp increase over the last four years. The claims paid during the previous three years declined.

In fiscal year 2010, unearned fees accounted for 115 of the 145 claims determined eligible for reimbursement, and represented the second-largest category, or 43 percent, of the total monies paid. In contrast, only 18 claims arose from thefts by fiduciaries, but accounted for the highest amount, or 44 percent, of the total monies paid by the fund. Settlement thefts accounted for four of the eligible claims, representing 2 percent of award payments. Estate thefts accounted for four claims paid and represented 7 percent of the total monies paid. One claim paid involved an escrow theft and represented just 1 percent of the monies paid.



DONCHATZ

The awards paid in 2010 resulted from the dishonest conduct of 45 Ohio attorneys. While it is unfortunate that even a single Ohio attorney engaged in dishonest conduct, it is important to note that this number represents less than one percent of all active Ohio attorneys. Likewise, it is notable that award payments by the Clients' Security Fund are fully funded by the Supreme Court fees paid by registered Ohio lawyers.

The maximum award limit for any one claim is \$75,000. Ohioans can take pride in the fact that only seven other states offer higher reimbursements.

I am now completing my sixth and final year on the board and I wish to express my appreciation to fund Administrator Janet Green Marbley and her staff for the excellent assistance they provide to the board. They work tirelessly to assist Ohio citizens victimized by the acts of a few dishonest lawyers.

I would also like to express my appreciation to current and past board members with whom I serve and have served. These individuals volunteer their time, skill, judgment and compassion to insure that those harmed are properly reimbursed and protected from lawyer misconduct while maintaining the integrity of the fund.

Lastly, I would like to thank the Supreme Court for allowing me to serve on the board and for supporting the fund's mission. I look forward to reviewing future board reports, and I am hopeful that the downward trend of dishonest conduct by Ohio attorneys will continue.

Kenneth R. Donchatz
Chairman, Board of Commissioners, Clients' Security Fund

BOARD OF COMMISSIONERS

Gov. Bar. R. VIII (Appendix C) requires the establishment of a seven-member board of commissioners (board) of the Clients' Security Fund of Ohio to determine the eligibility of claims filed with the fund and to manage fund assets. The current board includes two attorneys, one judge, and three non-attorneys; there is one unfilled seat. Board members are appointed by the Supreme Court Justices to three-year terms and are limited to two consecutive terms. They serve as volunteers and are compensated only for travel expenses.

SALLY W. CUNI (*below, far left*) was appointed to the Clients' Security Fund board for a first term beginning Jan. 1, 2009. Ms. Cuni is partner and president of Cuni, Rust & Strenk Inc. in Cincinnati.

KENNETH DONCHATZ (*page 3*) was appointed to the Clients' Security Fund board in March 2004 to complete the term of former board member Brian Selden. He was appointed to another three-year term Jan. 1, 2005, reappointed Jan. 1, 2008, and appointed chair Jan. 1, 2010. Mr. Donchatz is a former assistant disciplinary counsel and is a partner with Kettlewell & Donchatz in Columbus.

HON. JAMES E. GREEN (*below, second from left*), of the Franklin County Municipal Court in Columbus, was appointed to the Clients' Security Fund board in January 2008. In addition to serving on the board, Judge Green was fund administrator from 1989 to 1995.

JEROME PHILLIPS (*below, center*) was appointed to the Clients' Security Fund board in January 2007 and reappointed in January 2010. He is an associate with the firm of Wittenberg Phillips in Toledo.

DENNIS M. LAFFERTY (*below, second from right*) was appointed to the Clients' Security Fund board for a first term beginning Jan. 1, 2010. Mr. Lafferty is the office administrator for Jones Day in Cleveland.

CLIFTON SPINNER (*below, right*) was appointed to the Clients' Security Fund board in June 2006 to complete the term of Robert W. Everett and was reappointed to a second term as vice-chair in January 2009. Staff Lt. Spinner is with Strategic Services of the Ohio State Highway Patrol in Columbus.



CUNI



GREEN



PHILLIPS



LAFFERTY



SPINNER

STAFF

Pursuant to Gov. Bar. R. VIII, the Supreme Court of Ohio appoints an administrator to oversee the day-to-day operations of the Clients' Security Fund and to serve as secretary to the board. Janet Green Marbley (*page 1*), originally appointed by the Court in 1995, is the current administrator and board secretary. The staff includes Meletha Dawson, secretary (*below, left*); Pamela Leslie, fiscal specialist (*below, center*); and Abby Minnix, claims analyst (*below, right*).



DAWSON



LESLIE



MINNIX

PUBLICATIONS

The Clients' Security Fund, in collaboration with the Commission on Professionalism, has published *A Consumer's Practical Guide to Managing a Relationship with a Lawyer*, which provides general, practical information about the lawyer-client relationship. The guide is written for and intended for use by the general public, and provides easy-to-understand, useful information, including how to find a lawyer, what to expect after hiring a lawyer and how to avoid problems in the lawyer-client relationship. The consumer guide is distributed statewide to bar associations, public libraries, law firms, and other professional and governmental offices.

Following each board meeting, CSF staff prepare and distribute a press release that contains a brief description of the awards made by the board, including the names of attorneys involved in the claims. The Supreme Court Office of Public Information distributes the press release online to the publications on its mailing list. In addition, the fund distributes the press release statewide to bar and other professional associations, newspapers and other publications, as well as legislators, county prosecutors and other governmental offices. The CSF gains increased exposure from the distribution of its press release.

The CSF is online at www.supremecourt.ohio.gov/Boards/clientSecurity/ and is accessible by e-mail at csfo@sc.ohio.gov. Thanks to the assistance of the Office of Public Information Office, current information about the CSF, including the application for reimbursement, is available online.

REVENUE

Attorney Registration Fees

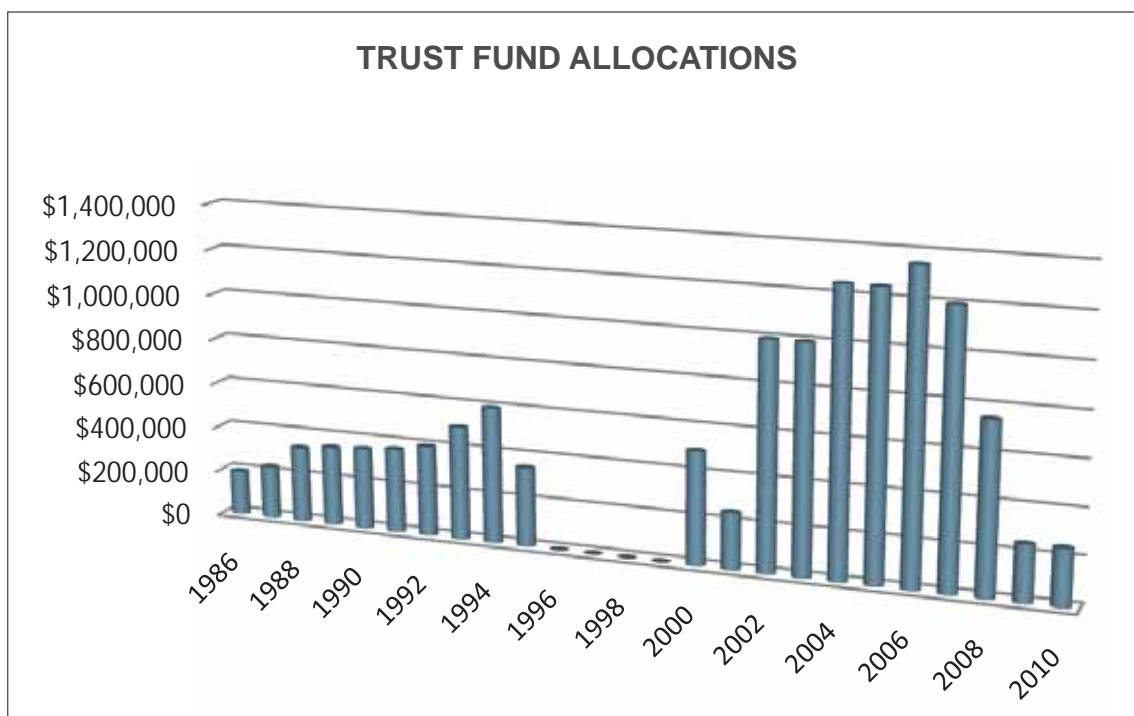
Every licensed Ohio attorney is required to register with the Supreme Court of Ohio on or before the first day of September in each odd-numbered year and, unless registering for inactive status, must pay a \$350 registration fee. All registration fees are placed in the Attorney Services Fund. The Court allocates monies from the Attorney Services Fund to the Clients' Security Fund, which does not receive any state tax revenue. Since establishing the CSF in 1985, the Supreme Court of Ohio has allocated more than \$12 million from the Attorney Services Fund to the CSF.

During fiscal year 2010, the Court allocated an additional \$250,000 for the payment of awards and \$347,086 for the payment of operating expenses. The fund expended \$347,143 for operating expenses. Amounts allocated for the payment of awards are transferred to the CSF trust account at the Huntington National Bank. The trust account balance on June 30, 2010, was \$708,906.

Interest Income

The CSF board chair, with the approval of a board majority, manages and invests the funds allocated from the Attorney Registration Fund for the payment of CSF awards. Gov. Bar R. VIII, however, limits investments to short-term insured obligations of the U.S. Government. Interest income is not, therefore, a major source of revenue for the CSF.

During fiscal year 2010, the fund earned \$6,362 in interest income.



Collections

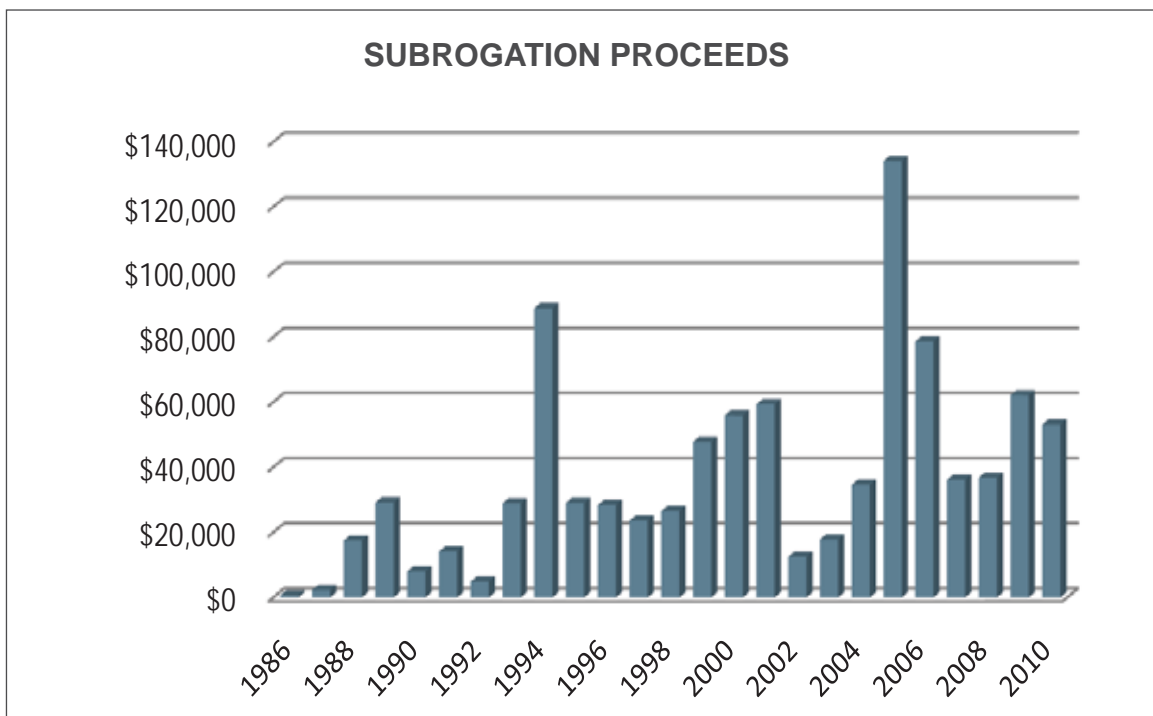
Prior to receiving an award from the Clients' Security Fund, each claimant must execute a complete release and subrogation agreement. Based on the assignment of rights in the agreement, the fund initiates collection proceedings against the dishonest attorney. The amounts collected are deposited into the CSF trust account.

For the period July 1, 2009, through June 30, 2010, the fund received \$53,080 in restitution revenues: \$4,051 was collected by the Ohio Attorney General's Office; \$8,785 was collected by outside counsel; \$7,378 was reimbursed directly by an attorney involved in a claim; \$18,626 was reimbursed by a claimant/estate after obtaining funds from its bonding company; and the remaining \$14,240 was collected as a result of repayment agreements obtained by the CSF.

CLAIMS PROCEDURE

Intake and Evaluation

A claimant seeking reimbursement from the fund must complete an application for reimbursement. Upon receipt of a claimant's application, the CSF administrator reviews the information to determine whether the application alleges a loss resulting from the dishonest conduct of a licensed Ohio attorney. If the claim fails to allege dishonest conduct and/or a loss as defined in Gov. Bar R. VIII, the CSF administrator prepares a written explanation to the claimant and the application is closed.



Investigation

Applications alleging a loss resulting from the dishonest conduct of a licensed Ohio attorney are investigated by the CSF claims analyst to verify the claimant's allegations. The investigation begins with written notice to the attorney advising him or her of the nature of the claim, the alleged loss amount, and the name of the claimant. The notice instructs the attorney to submit a written response to the claim.

The CSF investigation attempts to verify the existence of the eligibility criteria found in Gov. Bar R. VIII:

- An attorney-client relationship must exist between the claimant and the attorney involved in the claim (or a fiduciary relationship customary to the practice of law).
- The application for reimbursement must be filed within one year of the occurrence or the discovery of the dishonest act. The one-year time period may be tolled if the client takes some other affirmative action (e.g., files a court action against the attorney, or a grievance with a bar association or Office of Disciplinary Counsel).
- The attorney against whom the claim is filed must have been disciplined by the Supreme Court of Ohio, unless the attorney has resigned or is deceased.
- The attorney involved in the claim must have committed a dishonest act in the nature of an embezzlement or theft of money or property, or the misappropriation or conversion of money or property. Losses resulting from negligence, malpractice, fee disputes, or claims involving client dissatisfaction are not eligible for reimbursement from the fund.

Board Review

Gov. Bar R. VIII gives the CSF board sole discretion to determine which claims merit reimbursement from the fund and the amount, time, manner, conditions and order of payments of reimbursement. The board may request additional information or hold an informal hearing before reaching its decision. A claimant or an attorney may request permission to appear before the board in person, in which case the board chair decides whether to grant the request. During FY 2010 there were no requests to appear before the board.

An affirmative vote of at least four commissioners is required for claim determinations. The CSF Board Rules provide that when a claim is determined ineligible for reimbursement, the claimant may, within 30 days after receipt of the board's decision, request board reconsideration of the claim.

Claimants need not be represented by counsel to file an application for reimbursement with the CSF and Gov. Bar R. VIII specifically prohibits the payment of attorney fees out of the proceeds of an award. However, CSF Board Rule 14 permits the payment of attorney fees out of the fund, up to a maximum of \$300, if the board of commissioners determines that the attorney's services were necessary to process the claim. During fiscal year 2010, the CSF approved four awards of attorney fees, totaling \$1,200.

CLAIMS ACTIVITY

The CSF board of commissioners held four quarterly meetings and one special meeting by teleconference. The board considered 179 claims, determining 145 eligible for reimbursement with awards totaling \$925,266. It also found four attorney fee applications eligible for reimbursement, for \$1,200. Three claimants received the maximum award amount and 143 received 100 percent reimbursement of their losses. The awards resulted from the dishonest conduct of 45 Ohio attorneys (see page 11).

2010 CLAIM DETERMINATIONS

DATE	ELIGIBLE	INELIGIBLE	AMOUNT
August 28, 2009	25	9	\$144,476.72
December 4, 2009	31	4	\$269,982.56
March 5, 2010	35	7	\$93,494.96
April 2, 2010*	2	1	\$6,081.94
June 9, 2010	52	13	\$411,230.00
TOTAL	145	34	\$925,266.18

*Meeting held by teleconference.

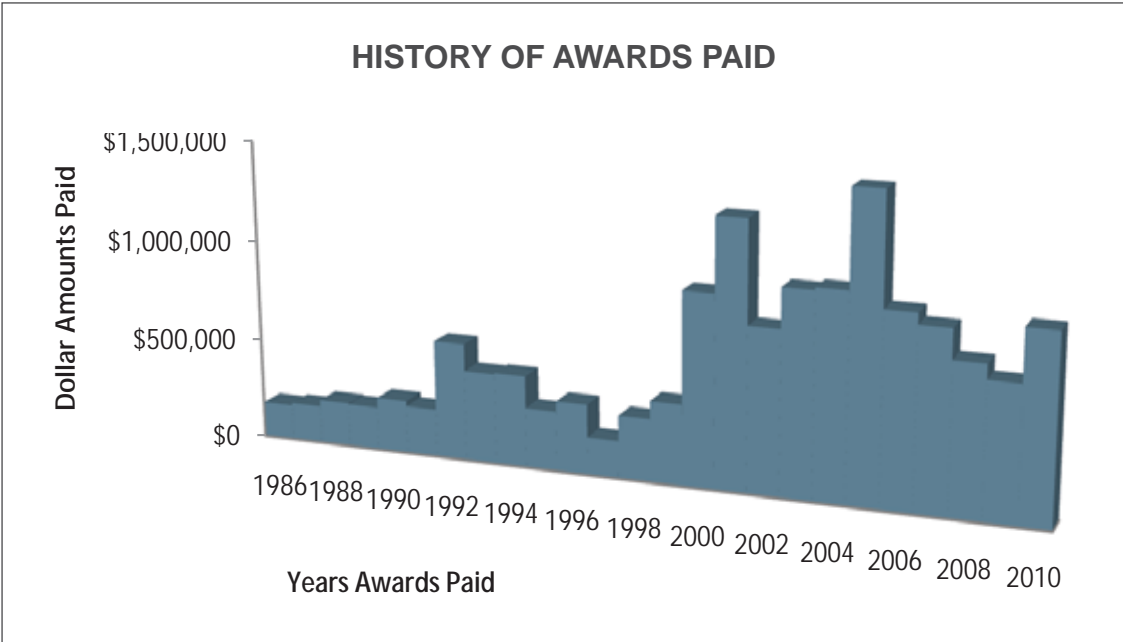
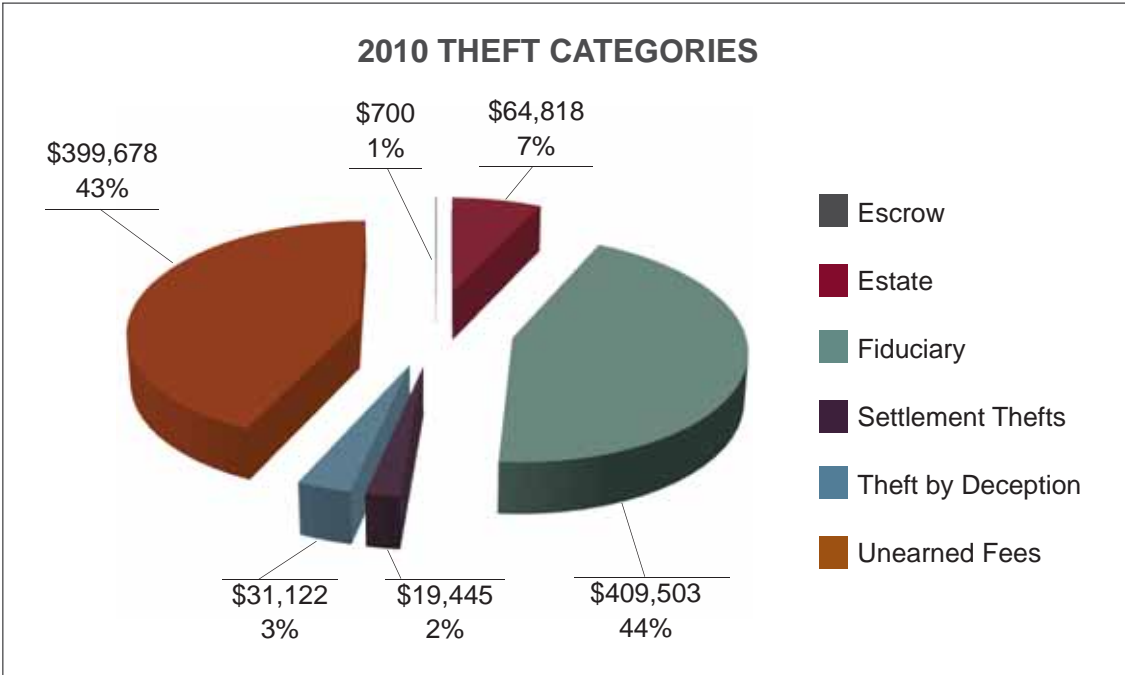
Unearned fee claims continue to constitute the largest category of claims filed with the CSF. These claims involve situations in which clients pay for legal services but the attorneys fail to provide them. The attorneys' refusal or inability to refund the claimants' legal fee is considered "dishonest conduct" as set forth in Gov. Bar R. VIII. Unearned fee claims can be difficult to evaluate, particularly when an attorney provides a portion of the services requested. The loss reimbursed in the typical unearned fee claim is relatively low.

Although unearned fee claims remain the largest number of thefts, the claims paid against former Toledo attorney Karyn McConnell Hancock involved the largest dollar amount for FY 2010. The fund paid 18 claims involving Ms. McConnell Hancock totaling \$265,369.

The board also reimbursed a total of \$225,467 in 13 unearned fee claims involving Kenneth L. Lawson. Mr. Lawson practiced in the Cincinnati area before his license to practice law in Ohio was indefinitely suspended July 9, 2008.

2010 THEFT CATEGORIES

CATEGORY OF CLIENT LOSS	AWARDS	TOTAL
Theft by Fiduciary	18	\$409,503
Settlement Thefts	4	\$19,445
Estate Thefts	4	\$64,818
Escrow	1	\$700
Theft by Deception	3	\$31,122
Unearned Fees	115	\$399,678
TOTAL	145	\$925,266



AWARDS BY DISCIPLINED OR DECEASED ATTORNEYS FY 2010

ATTORNEY	COUNTY	AWARDS	THEFT CATEGORY	AMOUNT
Philip Lon Allen	Franklin	1	Unearned Fee	\$1,500.00
Edward Shehab Asper	Stark	4	Unearned Fee	\$1,659.00
Sharon Carol Baird	Clermont	3	Unearned Fee	\$8,000.00
Gerald Alexander Baker	Lucas	2	Theft by Deception/Unearned Fee	\$5,139.67
Thomas John Broschak	Franklin	6	Unearned Fee	\$21,500.00
Keith Jeffrey Brown	Montgomery	1	Unearned Fee	\$1,873.50
Paul Raymond Brown	Franklin	1	Unearned Fee	\$710.00
Charles Edward Bursey II	Montgomery	4	Settlement Theft/Unearned Fee	\$11,279.00
Mark Steven Colucci	Mahoning	1	Unearned Fee	\$2,500.00
David Hadley Drucker	Cuyahoga	9	Unearned Fee	\$8,741.00
Madry Leonard Ellis	Franklin	5	Unearned Fee	\$23,750.00
John Anthony Frenden	Cuyahoga	2	Unearned Fee	\$905.00
John Henry Frieg	Stark	1	Unearned Fee	\$400.00
William Allen Gardner	Franklin	2	Unearned Fee	\$600.00
Anthony Phillip Georgetti	Lucas	1	Unearned Fee	\$2,000.00
Blaine Lawrence Gottehrer	Cuyahoga	1	Unearned Fee	\$1,500.00
Christopher Gino Gueli	Fairfield	3	Fiduciary/Unearned Fee	\$6,804.00
Karyn Richelle McConnell Hancock	Lucas	18	Estate/Fiduciary/Unearned Fee	\$265,369.27
Andrew Ryan Haney	Franklin	3	Unearned Fee	\$7,000.00
Gregg Devere Hickman	Lucas	1	Fiduciary/Unearned Fee	\$24,000.00
Karan Marie Horan	Butler	8	Escrow/Fiduciary/Unearned Fee	\$22,482.61
Alexander Jurczenko	Cuyahoga	1	Fiduciary/Unearned Fee	\$1,000.00
Kenneth Levon Lawson	Hamilton	13	Fiduciary/Settlement/Unearned Fee	\$225,466.65
Patrick Peter Leneghan	Cuyahoga	1	Unearned Fee	\$3,000.00
James Louis Major Jr.	Cuyahoga	7	Unearned Fee	\$21,152.00
Edward Paul Markovich	Summit	9	Fiduciary/Theft by Deception/ Unearned Fee	\$108,225.00
Howard Vincent Mishler	Cuyahoga	2	Unearned Fee	\$7,499.00
Dennis Jerome Polke	Cuyahoga	1	Unearned Fee	\$1,000.00
Paul Raymond Reiners	Stark	1	Unearned Fee	\$2,000.00
Michael Scott Russell	Stark	5	Unearned Fee	\$2,475.00
Brett Mark Sabroff	Cuyahoga	1	Settlement Theft	\$3,000.00
Glenn Michael Schiller	Stark	1	Unearned Fee	\$800.00
Mark Dennis Schmitkey	Henry	1	Unearned Fee	\$1,228.00
Michael Shafran	Summit	1	Unearned Fee	\$500.00
Cynthia Darlene Smith	Cuyahoga	2	Fiduciary/Unearned Fee	\$1,936.05
Justin Martus Smith	Cuyahoga	2	Unearned Fee	\$7,378.46
Lawrence Robert Smith	Summit	9	Unearned Fee	\$44,416.67
Rene' Darlene Smith	Cuyahoga	1	Unearned Fee	\$250.00
Richard Ford Smith Jr.	Cuyahoga	2	Unearned Fee	\$1,500.00
Robert Stuart Spector	Cuyahoga	1	Unearned Fee	\$320.00
SaKeya MonCheree Stubbs	Franklin	1	Unearned Feez	\$1,150.00
James David Thomas	Franklin	1	Fiduciary	\$55,873.77
David Birch Wirsching Jr.	Summit	2	Theft by Deception/Unearned Fee	\$6,882.53
Earl Steven Zigan	Fairfield	3	Unearned Fee	\$10,500.00

CLAIMS ACTIVITY 1986 – 2010

FISCAL YEAR	NEW CLAIMS FILED	CLAIMS PRESENTED	INELIGIBLE	AWARDS	AWARD TOTALS	CLAIMS PENDING YEAR END
1986	N/A	93	36	54	\$176,123.91	N/A
1987	125	82	18	54	\$187,630.73	116
1988	193	79	27	42	\$220,338.98	73
1989	162	53	21	32	\$215,410.00	49
1990	96	67	25	42	\$265,786.11	82
1991	279	65	32	33	\$239,756.50	293
1992	152	117	32	60	\$584,103.84	360
1993	103	178	62	92	\$450,617.29	311
1994	200	179	74	77	\$456,851.06	107
1995	125	107	55	48	\$298,281.82	136
1996	143	73	17	49	\$349,245.71	116
1997	185	58	7	51	\$187,460.24	121
1998	146	77	5	72	\$312,674.87	130
1999	189	74	9	65	\$401,204.31	177
2000	241	75	16	55	\$949,453.42	222
2001	235	112	18	94	\$1,314,268.18	302
2002	174	130	20	106	\$810,137.90	335
2003	109	131	24	104	\$1,006,729.18	233
2004	133	142	25	116	\$1,019,555.54	200
2005	320	124	21	101	\$1,494,199.56	265
2006	257	135	33	102	\$946,967.38	289
2007	256	151	31	118	\$890,173.23	266
2008	288	145	27	117	\$743,931.71	301
2009	305	152	39	111	\$669,200.42	355
2010	275	179	34	145	\$925,266.18	398
TOTAL	4,691	2,778	708	1,940	\$15,115,368.07	

CONCLUSION

This report confirms that the majority of the 58,605 licensed attorneys in Ohio are honest professionals who help maintain the integrity of the legal profession. Less than 1 percent of all licensed Ohio attorneys have been involved in claims filed with the Clients' Security Fund of Ohio. The fund attempts to restore law clients' trust in attorneys by providing a remedy for those who are victims of dishonest conduct. That the Clients' Security Fund is funded entirely by attorneys is further evidence of the profession's commitment to maintaining the highest standards of integrity.

The commissioners of the Clients' Security Fund board volunteer their time to support this effort and their service is greatly appreciated. Likewise, the staff is dedicated to helping law clients who have been harmed as a result of a few dishonest lawyers. Their hard work is also greatly appreciated.

The board and staff sincerely thank the Justices of the Supreme Court of Ohio for their continued support of and commitment to the Clients' Security Fund purpose and goals.



APPENDIX A

Ohio Lawyers Involved in Awards Since 1986

ATTORNEY	AWARDS	CLAIM TYPE	TOTAL	COUNTY
Philip Lon Allen	1	Unearned Fee	\$1,500.00	Franklin
Paul Wesley Allison	1	Unearned Fee	\$15,059.09	Seneca
Stephen Philip Allison	1	Trust	\$25,000.00	Mahoning
William Mujahid Al'Uqdah	9	Trust/Unearned Fee	\$11,725.00	Hamilton
James Franklin Anadell	4	Escrow	\$61,710.19	Lorain
Delores Joan Anderson	1	Unearned Fee	\$1,500.00	Lucas
Mark Edward Anderson	3	Fiduciary	\$37,280.85	Lucas
Richard Taylor Andrews III	1	Settlement Theft	\$1,100.00	Cuyahoga
Joseph John Armon	4	Unearned Fee	\$1,655.80	Cuyahoga
William R. Arnold Jr.	15	Estate/Trust/Unearned Fee	\$123,896.02	Geauga
Edward Shehab Asper	4	Undetermined/Unearned Fee	\$1,659.00	Stark
Guerin Lee Avery	10	Unearned Fee	\$63,927.95	Cuyahoga
Robert Joseph Bacisin	3	Other/Trust/Unearned Fee	\$5,275.00	Lorain
Sharon Carol Baird	4	Unearned Fee	\$11,600.00	Clermont
Gerald Alexander Baker	2	Theft by Deception/Unearned Fee	\$5,139.67	Lucas
Ronald Allen Banig	1	Escrow	\$2,774.49	Cuyahoga
Yale Arthur Barkan	1	Escrow	\$11,050.00	Cuyahoga
Robert Francis Barnes Jr.	1	Unearned Fee	\$5,548.00	Hamilton
David Carl Barnett	4	Unearned Fee	\$10,975.00	Champaign
Phillip Anthony Barragate	16	Estate/Settlement Theft	\$261,450.21	Cuyahoga
David Allan Beck	1	Unearned Fee	\$200.00	Cuyahoga
Avery Ian Becker	9	Unearned Fee	\$6,913.00	Cuyahoga
Garry Allen Beckett	1	Unearned Fee	\$200.00	Franklin
Alan Scott Belkin	2	Unearned Fee	\$3,000.00	Cuyahoga
Angelia Diane Bell	2	Unearned Fee	\$1,325.00	Lucas
Dale John Belock	5	Unearned Fee	\$47,132.14	Cuyahoga
Herd Leon Bennett	28	Theft by Deception	\$486,110.86	Preble
David Stephen Bernardic	4	Estate	\$67,179.50	Cuyahoga
Walter David Bertsche Jr.	2	Unearned Fee	\$1,657.00	Hamilton
Gary Franklin Billiter	1	Unearned Fee	\$1,685.00	Scioto
Thomas Michael Billson	4	Unearned Fee	\$2,000.00	Lake
Jeffrey Alan Blankenship	1	Unearned Fee	\$660.00	Franklin
Andrew Paul Bodnar Jr.	1	Escrow	\$300.00	Summit
Karen Suzanne Bond	4	Other/Unearned Fee	\$101,150.00	Fairfield
Timothy Mark Bowman	1	Unearned Fee	\$200.00	Lake
L. Reuben Boykin	3	Unearned Fee	\$2,383.67	Franklin
Robert Lawrence Braddock	1	Unearned Fee	\$600.00	Hamilton
Ronald Lance Bradley	4	Unearned Fee	\$19,600.00	Hamilton
George Braun	15	Unearned Fee	\$110,826.09	Cuyahoga
William Brenner	2	Unearned Fee	\$100.00	Cuyahoga
Barry Frederick Brickley	12	Other/Trust/Unearned Fee	\$13,969.95	Richland
Thomas John Broschak	7	Unearned Fee	\$28,500.00	Franklin
Stanley Brown	1	Unearned Fee	\$400.00	
Patrick Lee Brown	21	Unearned Fee	\$55,109.52	Hamilton
Keith Jeffrey Brown	1	Unearned Fee	\$1,873.50	Montgomery
Thomas Christopher Brown	1	Unearned Fee	\$500.00	Ashtabula

ATTORNEY	AWARDS	CLAIM TYPE	TOTAL	COUNTY
Paul Raymond Brown	1	Unearned Fee	\$710.00	Franklin
Bruce Harry Brubaker	1	Estate	\$9,050.00	Summit
Ernest Everett Bryant Jr.	1	Escrow	\$25,000.00	Franklin
Bruce Alan Buren	1	Escrow	\$16,532.94	Montgomery
Charles Edward Bursley II	4	Settlement Theft/Unearned Fee	\$11,279.00	Montgomery
Douglas Allen Burt	1	Unearned Fee	\$20,000.00	Seneca
Alvah Noel Caliman	2	Fiduciary	\$9,355.77	Hamilton
William Russell Callery Jr.	1	Escrow	\$3,588.83	Hamilton
Donald Card	4	Unearned Fee	\$2,900.00	Cuyahoga
Christopher Thomas Carlson	1	Fiduciary	\$6,666.67	Medina
Thomas Edward Carney	2	Estate	\$49,244.54	Trumbull
James Pendleton Carpenter III	2	Estate	\$50,000.00	Ross
James Bernard Carter	1	Unearned Fee	\$560.00	Montgomery
Robert Allen Carter Jr.	4	Settlement Theft	\$16,619.00	Franklin
James Edward Caywood	2	Unearned Fee	\$412.50	Lake
Louis William Cennamo	3	Unearned Fee	\$1,909.00	Franklin
Everett Alfred Chandler	1	Unearned Fee	\$450.00	Cuyahoga
Dea Lynn Character	1	Unearned Fee	\$2,950.00	Cuyahoga
Clarence Louis Chavers Jr.	7	Estate/Unearned Fee	\$6,700.00	Cuyahoga
Kenneth Dale Christner	3	Estate	\$52,622.05	Lawrence
Joseph Jeffrey Church	1	Unearned Fee	\$1,000.00	Cuyahoga
Robert Joseph Churilla	2	Unearned Fee	\$4,575.00	Cuyahoga
Leonette Frances Cicirella	1	Unearned Fee	\$150.00	Cuyahoga
Jeffrey Ramon Cimaglio	3	Unearned Fee	\$2,600.00	Lake
Eunice Adelman Clavner	1	Trust	\$500.00	Cuyahoga
James Kenneth Clower	2	Unearned Fee	\$4,650.00	Richland
Charles Richard Cole	3	Unearned Fee	\$6,550.00	Butler
Donald Franklin Colegrove	1	Trust	\$5,500.00	Hamilton
Regina Adelle Collins	1	Unearned Fee	\$1,500.00	Hamilton
Mark Steven Colucci	63	Unearned Fee	\$260,287.49	Mahoning
Michael Stephen Conese	1	Unearned Fee	\$1,000.00	Butler
Daniel Edward Connaughton	1	Estate	\$23,867.00	Butler
John Joseph Connors Jr.	10	Unearned Fee	\$21,250.00	Franklin
Michael Charles Conway	1	Unearned Fee	\$150.00	Summit
Reginald Alpha Cooke	1	Unearned Fee	\$1,500.00	Franklin
Robert James Coombs	6	Estate/Unearned Fee	\$245,760.84	Summit
James John Corbett	1	Estate	\$13,202.00	Mahoning
Candie Lynn Cornett	12	Unearned Fee	\$22,300.00	Butler
Roosevelt Cox	3	Unearned Fee	\$1,575.00	Cuyahoga
Lawrence Virgil Cox	1	Unearned Fee	\$1,250.00	Cuyahoga
Charles Wyatt Creger	3	Fiduciary	\$75,000.00	Hamilton
John Allison Crist	2	Estate	\$50,000.00	Butler
George Francis Crummey	2	Estate	\$23,733.33	Van Wert
Charles Eric Curry	1	Unearned Fee	\$250.00	Mahoning
Michael F. Dadisman	12	Estate/Fiduciary/Unearned Fee	\$115,036.31	Cuyahoga
Alfred Elmer Dahling	43	Unearned Fee	\$17,142.00	Trumbull
Richard Adam Damiani	14	Unearned Fee	\$42,976.29	Cuyahoga
Edwin Davila	2	Settlement Theft	\$49,000.00	Stark
Stephen Patrick Deffet	1	Unearned Fee	\$500.00	Franklin

ATTORNEY	AWARDS	CLAIM TYPE	TOTAL	COUNTY
Gregory William Demer	1	Settlement Theft	\$2,145.00	Cuyahoga
Robert Louis DeVictor	1	Estate	\$25,000.00	Franklin
Anthony Clarence DiCillo	6	Settlement Theft	\$13,424.10	Cuyahoga
Edward Anthony DiGiantonio	3	Settlement Theft	\$64,333.33	Summit
Michael Emmett Dillon	1	Fiduciary	\$25,000.00	Hancock
Carter Rodney Dodge	3	Settlement Theft	\$21,300.00	Cuyahoga
James Colvin Dodge	12	Fiduciary	\$626,529.55	Butler
William Dean Dorfmeier	8	Estate	\$99,262.63	Montgomery
J. Walter Dragelevich	1	Unearned Fee	\$2,500.00	Trumbull
William Geoffrey Droe	1	Escrow	\$1,703.25	Cuyahoga
David Hadley Drucker	9	Unearned Fee	\$8,741.00	Cuyahoga
Richard T. Dugan	4	Escrow/Estate	\$24,396.08	Hamilton
Michael Myrone Edwards	3	Estate	\$48,252.76	Hamilton
John Wakeman Elliott	2	Estate	\$35,000.00	Delaware
Madry Leonard Ellis	11	Unearned Fee	\$40,750.00	Franklin
Gary Ellison	10	Unearned Fee	\$5,500.00	Hamilton
Wesley Charles Emerson	2	Unearned Fee	\$1,700.00	Franklin
Richard Lee Emmett	1	Escrow	\$18,500.00	Cuyahoga
Robert John Eppich	1	Settlement Theft	\$4,560.00	Franklin
Milliard Eugene Farley	1	Escrow	\$2,059.90	Cuyahoga
Derek Anthony Farmer	1	Unearned Fee	\$7,915.00	Franklin
Elliot Tod Fishman	2	Unearned Fee	\$2,775.00	Franklin
Joe Richard Fodal	12	Unearned Fee	\$8,154.33	Greene
Matthew Fortado	1	Settlement Theft	\$2,853.41	Stark
Thomas Joseph Foster	2	Unearned Fee	\$1,100.00	Franklin
Albert Edwin Fowerbaugh	2	Estate	\$125,000.00	Cuyahoga
James Edwin Fox	3	Unearned Fee	\$3,000.00	Montgomery
Norman Albert Fox Jr.	1	Unearned Fee	\$2,500.00	Cuyahoga
Arthur Ray Frazier	8	Fiduciary/Unearned Fee	\$24,862.77	Cuyahoga
John Bebb Frease	5	Unearned Fee	\$12,065.00	Stark
Ben Alan Freeman	1	Unearned Fee	\$200.00	Franklin
John Anthony Frenden	2	Unearned Fee	\$905.00	Cuyahoga
John Henry Frieg	2	Unearned Fee	\$1,400.00	Stark
Lorraine Theresa Furtado	1	Escrow	\$32,871.78	Franklin
Lawrence Charles Gaba	1	Escrow	\$2,668.92	Franklin
Gregory John Galan	3	Escrow	\$58,000.00	Lake
John William Gall	2	Estate	\$50,000.00	Trumbull
William Allen Gardner	3	Unearned Fee	\$1,400.00	Franklin
Thomas Wayne Garrison	1	Escrow	\$25,000.00	Franklin
David Warren Gatwood	3	Escrow	\$24,450.00	Lucas
Richard Norman Gaudet	10	Unearned Fee	\$6,337.00	Montgomery
James Arthur Gay	1	Unearned Fee	\$750.00	Cuyahoga
Donald Elias George	1	Estate	\$20,012.75	Summit
Anthony Phillip Georgetti	1	Unearned Fee	\$2,000.00	Lucas
Susan Marie Glatki	1	Unearned Fee	\$2,883.92	Cuyahoga
Richard Dennis Goldberg	33	Estate/Settlement Theft	\$1,249,441.15	Mahoning
Charles William Goodlet Jr.	2	Unearned Fee	\$1,000.00	Summit
Blaine Lawrence Gottehrer	1	Unearned Fee	\$1,500.00	Cuyahoga
Kurt Stephan Gottschalk	1	Escrow	\$1,076.68	Lucas

ATTORNEY	AWARDS	CLAIM TYPE	TOTAL	COUNTY
Winston Grays	2	Unearned Fee	\$3,500.00	Cuyahoga
Bruce Lee Greenberger	2	Unearned Fee	\$7,504.00	Hamilton
Michael Irwin Greenwald	7	Estate/Settlement Theft	\$80,885.96	Cuyahoga
Willie Louis Griffin	1	Estate	\$5,722.00	Cuyahoga
Curtis Griffith Jr.	4	Unearned Fee	\$7,898.00	Perry
Christopher Gino Gueli	14	Fiduciary/Unearned Fee	\$38,617.00	Fairfield
James William Guest Jr.	1	Escrow	\$2,500.00	Cuyahoga
Milton Jerome Guth	1	Settlement Theft	\$13,700.00	Cuyahoga
Richard Roy Gygli	1	Escrow	\$25,000.00	Lake
Howard Michael Hackman	1	Settlement Theft	\$13,668.17	Franklin
Leo Craig Hallows	1	Trust	\$22,618.55	Miami
William Albert Hamann Jr.	8	Estate/Trust	\$166,951.88	Cuyahoga
Jerome Robert Hamilton	1	Unearned Fee	\$10,000.00	Greene
Andrew Ryan Haney	6	Unearned Fee	\$12,750.00	Franklin
John Marshall Hannah Jr.	1	Unearned Fee	\$1,000.00	Montgomery
Clyde Patrick Harkins	1	Trust	\$25,000.00	Franklin
Edward Luther Harp	13	Unearned Fee	\$8,550.00	Brown
Cynthia June Harris	3	Unearned Fee	\$4,966.00	Franklin
Edward William Hastie II	1	Unearned Fee	\$380.00	Franklin
William Jack Hatfield	1	Unearned Fee	\$573.50	Hamilton
Michael Jeffrey Hayes	2	Unearned Fee	\$11,000.00	Franklin
Steven Isaac Helfgott	2	Unearned Fee	\$2,000.00	Cuyahoga
Pippa Lynn Henderson	2	Unearned Fee	\$1,200.00	Cuyahoga
Howard Alan Henkin	9	Fiduciary	\$215,795.62	Cuyahoga
Albert James Henry IV	1	Trust	\$21,412.00	Clermont
David Hyre Hersman	8	Estate/Settlement Theft	\$17,214.89	Wayne
Gregg Devere Hickman	2	Fiduciary/Unearned Fee	\$25,500.00	Lucas
James Roy Hodge	1	Escrow	\$5,000.00	Summit
Karan Marie Horan	8	Escrow/Fiduciary/Unearned Fee	\$22,482.61	Butler
Steven Lawrence Howland	6	Unearned Fee	\$16,950.27	Cuyahoga
William Henry Huber	1	Unearned Fee	\$511.00	Cuyahoga
Richard Roman Huber	9	Unearned Fee	\$8,685.00	Erie
Albert Herman Huge Jr.	2	Estate	\$43,598.00	Hamilton
Walter Jay Hunston	2	Estate	\$9,314.40	Columbiana
Joyce Dean Hunter	1	Unearned Fee	\$300.00	Knox
Jay Craig Immelt	4	Estate/Settlement Theft	\$46,397.90	Lake
Kenneth Howard Inskeep	8	Estate	\$217,074.23	Trumbull
Frank Mortimer James	1	Unearned Fee	\$1,300.00	
William Kent James	1	Other	\$73.00	Montgomery
Willard Richard James	1	Other	\$73.00	Stark
Aaron Nathaniel James	3	Unearned Fee	\$1,475.00	Cuyahoga
Timothy John Jarabek	1	Unearned Fee	\$500.00	Cuyahoga
Thomas Lorraine Jaynes	10	Unearned Fee	\$4,250.00	Summit
Janice Lorraine Jessup	1	Unearned Fee	\$2,612.50	Montgomery
Aziza Dalila Jimerson	2	Unearned Fee	\$2,600.00	Cuyahoga
Mitchell Lee Johnson	4	Unearned Fee	\$5,567.16	Cuyahoga
Michael Richards Johnson	8	Unearned Fee	\$6,015.00	Licking
Barbara Lynn Johnson	1	Unearned Fee	\$1,250.00	Lucas
Charles Walter Johnson	1	Estate	\$15,455.00	Richland

ATTORNEY	AWARDS	CLAIM TYPE	TOTAL	COUNTY
Shirley May Jones	3	Unearned Fee	\$10,209.00	Summit
Timothy Van Jones	1	Other	\$167.00	Hamilton
Willie Kaye Jones	1	Unearned Fee	\$400.00	Cuyahoga
Alexander Jurczenko	15	Fiduciary/Unearned Fee	\$262,209.30	Cuyahoga
Edward Francis Katalinas	1	Unearned Fee	\$200.00	Cuyahoga
Robert Campbell Keeler	2	Unearned Fee	\$16,515.12	Cuyahoga
Jeffrey Carl Keith	1	Fiduciary	\$25,000.00	Cuyahoga
Elliott Ray Kelley	1	Unearned Fee	\$675.00	Cuyahoga
James Andrew Keplar	2	Trust/Unearned Fee	\$30,959.59	Delaware
Mary Kerns	9	Estate	\$357,931.25	Union
Michael Leonard King	1	Unearned Fee	\$350.00	Cuyahoga
John Wallace Kitchen	1	Unearned Fee	\$1,957.85	Lucas
Avery Bruce Klein	5	Unearned Fee	\$125,000.00	Cuyahoga
James Lee Knight	1	Estate	\$4,331.25	Lucas
Joan Allyn Kodish	2	Unearned Fee	\$3,000.00	Cuyahoga
Paul Anthony Komarek	1	Unearned Fee	\$250.00	Hamilton
Anthony Thomas Koury	1	Unearned Fee	\$500.00	Mahoning
George Charles Kovacs	1	Theft by Deception	\$5,000.00	Cuyahoga
Joseph Alan Kral	5	Estate	\$53,000.00	Cuyahoga
Phillip Kurtz	2	Unearned Fee	\$26,000.00	Cuyahoga
Louis Bernard LaCour	3	Estate/Unearned Fee	\$60,483.00	Franklin
Eric Matthew Laird	1	Unearned Fee	\$2,000.00	Franklin
David Harold Landon	1	Unearned Fee	\$550.00	Montgomery
William Cyril Lange	2	Unearned Fee	\$2,440.65	Hamilton
Charles Jeffery Lantz	5	Unearned Fee	\$16,250.00	Fairfield
Patricia S. Lautzenheiser	7	Unearned Fee	\$2,762.00	Lucas
William Joseph Lavin	2	Unearned Fee	\$932.00	Cuyahoga
Herbert Lee Lawrence	3	Unearned Fee	\$3,819.00	Franklin
David Alan Lawrence	1	Fiduciary	\$22,000.00	Cuyahoga
Kenneth Levon Lawson	32	Fiduciary/Settlement Theft/ Undetermined/Unearned Fee	\$295,861.65	Hamilton
Gerald Phillip Leb	2	Unearned Fee	\$4,718.75	Summit
Richard Eugene Leeth	1	Unearned Fee	\$120.00	Columbiana
Marc Alexander Lehotsky	1	Unearned Fee	\$225.00	Cuyahoga
James Michael Lemieux	13	Fiduciary/Settlement Theft/ Unearned Fee	\$212,729.04	Ashtabula
Patrick Peter Leneghan	1	Unearned Fee	\$3,000.00	Cuyahoga
Elliott Michael Lester	16	Estate/Unearned Fee	\$70,204.21	Cuyahoga
Neal Brent Levine	7	Unearned Fee	\$7,270.00	Lucas
Larry Gene Lillback	2	Trust	\$32,600.00	Greene
Robert Alan Linder	12	Estate/Settlement Theft	\$211,227.17	Clermont
George Liviola Jr.	3	Trust	\$75,000.00	Ashtabula
Ronald Kevin Lloyd	4	Unearned Fee	\$6,678.00	Jefferson
Steven Lewis Lo Dico	10	Unearned Fee	\$28,350.00	Stark
Thomas Gene Locke	3	Unearned Fee	\$10,300.00	Lake
Richard Charles Longacre	1	Other	\$21,550.00	Cuyahoga
John Albert Lord	9	Unearned Fee	\$6,023.58	Cuyahoga
John Rolland Louden	2	Unearned Fee	\$25,331.25	Franklin
Jeffrey Theodore Lowden	3	Unearned Fee	\$800.00	Lucas
Gerald Samuel Lubitsky	1	Settlement Theft	\$1,254.87	Lucas

ATTORNEY	AWARDS	CLAIM TYPE	TOTAL	COUNTY
John George Ludeman	2	Estate	\$53,053.29	Lucas
Randall Jay Luginbuhl	3	Settlement Theft	\$3,781.64	Franklin
Susan Marie Lutz	1	Unearned Fee	\$600.00	Wayne
James Patrick Madden Jr.	4	Estate	\$127,567.00	Cuyahoga
Alexander Maiorano	9	Unearned Fee	\$9,320.33	Fulton
James Louis Major Jr.	43	Unearned Fee	\$84,889.00	Cuyahoga
Sidney Serge Mallory Jr.	6	Unearned Fee	\$3,420.00	Cuyahoga
Patrick Michael Maniscalco	1	Unearned Fee	\$4,000.00	Cuyahoga
Raymond Lemoine Marchbank Jr.	1	Unearned Fee	\$2,624.00	Stark
Edward Paul Markovich	9	Fiduciary/Theft by Deception/ Unearned Fee	\$108,225.00	Summit
Joseph Eugene Marosan	1	Fiduciary	\$15,294.05	Cuyahoga
David Steele Marshall	2	Unearned Fee	\$1,750.00	Lake
Thomas Adrian Mason	2	Unearned Fee	\$465.00	Cuyahoga
Thomas George Mathewson	2	Unearned Fee	\$1,600.00	Montgomery
David Thomas Mazanec	2	Fiduciary	\$146,890.00	Cuyahoga
Anthony Robert Mazzocco	1	Estate	\$25,000.00	Lake
Mark Anthony McClain	3	Unearned Fee	\$4,500.00	Cuyahoga
Darlene Donna McClellan	5	Unearned Fee	\$7,132.00	Cuyahoga
David Bernard McClure	2	Unearned Fee	\$2,220.00	Erie
Karyn Richelle McConnell	18	Estate/Fiduciary/Unearned Fee	\$265,369.27	Lucas
James Michael McCord	1	Unearned Fee	\$2,000.00	Franklin
John Alvin McCoy Jr.	5	Unearned Fee	\$17,924.48	Franklin
Charles Alexander McCrae	1	Unearned Fee	\$1,533.34	Scioto
Eddie Winther McCroom	1	Unearned Fee	\$8,000.00	Mahoning
Richard Elwood McCune	1	Unearned Fee	\$1,500.00	Summit
Michael Douglas McDonald	1	Settlement Theft	\$46.08	Franklin
Gregory Alan McDowell	1	Other	\$25,000.00	Huron
Michael Edward McGill	2	Settlement Theft	\$52,934.85	Lucas
John Michael McGinley	2	Unearned Fee	\$1,500.00	Franklin
Virgil Milton McGuffin Jr.	4	Estate	\$63,000.00	Mahoning
James Raymond McKenna	1	Estate	\$7,020.00	Jefferson
Patrick Lynn McKinney	3	Unearned Fee	\$1,660.00	Stark
Thomas George McNally	1	Unearned Fee	\$500.00	Cuyahoga
Thomas Lynn Meros	5	Unearned Fee	\$36,666.00	Cuyahoga
Philip Anthony Mesi	1	Escrow	\$15,800.00	Cuyahoga
Paul Frederick Meyerhoefer	6	Estate	\$39,200.00	Huron
Michael Angelo Mirando	1	Settlement Theft	\$2,000.00	Ashtabula
Howard Vincent Mishler	2	Unearned Fee	\$7,499.00	Cuyahoga
Eric John Moesle	2	Fiduciary/Unearned Fee	\$52,735.00	Fairfield
Michael Joseph Molnar	3	Estate/Other/Theft by Deception	\$24,286.65	Cuyahoga
George Andrew Mondrut	1	Trust	\$17,968.09	Mahoning
William Julius Moore	10	Unearned Fee	\$22,142.47	Lucas
Warren Newton Morford Jr.	3	Unearned Fee	\$1,110.00	Lawrence
David Allen Morton	8	Estate/Unearned Fee	\$67,175.17	Franklin
Freddie Melvin Mosely	1	Estate	\$5,500.00	Cuyahoga
Michael Lee Moushey	4	Escrow/Unearned Fee	\$41,349.25	Franklin
Peter Michael Muhlbach	2	Fiduciary	\$23,700.00	Cuyahoga
Kalam Muttalib	2	Unearned Fee	\$4,797.00	Cuyahoga

ATTORNEY	AWARDS	CLAIM TYPE	TOTAL	COUNTY
Chris Frank Nardi	2	Unearned Fee	\$17,500.00	Cuyahoga
Fuad Bahige Nasrallah	93	Unearned Fee	\$226,443.00	Montgomery
John Norbert Nentwick	5	Unearned Fee	\$1,879.00	Columbiana
T. Brent Newman	2	Unearned Fee	\$775.00	Scioto
LeRoy Alvin Nichols	2	Unearned Fee	\$875.00	Franklin
Thomas Graham Nicholson	4	Unearned Fee	\$1,355.00	Crawford
Ford Lee Noble	1	Other	\$2,000.00	Medina
Lawrence John Novak	1	Unearned Fee	\$1,410.00	Fairfield
Daniel Lloyd O'Brien	4	Unearned Fee	\$11,589.00	Montgomery
Michael Joseph O'Connell	1	Unearned Fee	\$1,200.00	Lucas
Darlene Edna Odar	4	Unearned Fee	\$1,699.00	Stark
Geoffrey Lynn Oglesby	1	Unearned Fee	\$1,000.00	Erie
Lee Oliver	5	Unearned Fee	\$6,927.00	Cuyahoga
Michael James O'Neill	2	Unearned Fee	\$685.00	Franklin
Stanley Lutz Orr III	3	Unearned Fee	\$4,080.00	Cuyahoga
Ronald Anthony Pagano	1	Escrow	\$1,080.00	Hardin
Justin Peter Parrish	1	Fiduciary	\$75,000.00	Cuyahoga
James Thomas Patnode	1	Unearned Fee	\$360.00	Lake
Brent Paul Patterson	1	Unearned Fee	\$1,000.00	Franklin
Craig William Patton	1	Unearned Fee	\$11,000.00	Cuyahoga
Randall William Pees	1	Settlement Theft	\$8,076.10	Franklin
Thomas Ewing Phillips	2	Unearned Fee	\$303.50	Ross
Diane Yvette Politi	5	Unearned Fee	\$12,765.00	Mahoning
Dennis Jerome Polke	3	Unearned Fee	\$10,800.00	Cuyahoga
Robert Jordan Potter	2	Settlement Theft	\$17,916.36	Lucas
Byron Lee Potts	3	Unearned Fee	\$6,580.79	Franklin
Dominic Joseph Potts	1	Settlement Theft	\$25,000.00	Jefferson
William Thomas Powell	3	Unearned Fee	\$625.00	Ashtabula
Laurence James Rab	1	Unearned Fee	\$575.00	Montgomery
William McKinley Randle	1	Estate	\$650.00	Cuyahoga
Rebecca Anne Rea	5	Unearned Fee	\$10,803.25	Stark
Frank K. Reber	1	Fiduciary	\$60,429.12	Marion
Ronald Elsworth Reichard	2	Trust	\$30,287.02	Miami
Paul Raymond Reiners	1	Unearned Fee	\$2,000.00	Stark
Margaret Anne Reis	2	Unearned Fee	\$1,250.00	Hamilton
Rockford Howard Richardson	1	Unearned Fee	\$500.00	Perry
David Riebel	1	Unearned Fee	\$8,000.00	
Edward George Rinderknecht	1	Settlement Theft	\$10,910.21	Lorain
John Edward Rockel	3	Estate/Unearned Fee	\$102,000.00	Hamilton
Jonathan Samuel Rocker	1	Escrow	\$25,000.00	Cuyahoga
Les Evan Rockmael	19	Unearned Fee	\$159,394.25	Cuyahoga
Thomas George Rockman	1	Unearned Fee	\$4,300.00	Cuyahoga
John Joseph Roddy Jr.	2	Unearned Fee	\$1,555.00	Cuyahoga
Myers Rollins Jr.	1	Unearned Fee	\$875.00	Cuyahoga
Michael Anthony Ross	2	Settlement Theft	\$68,054.72	Lorain
Christian Dean Rothermel	1	Fiduciary	\$13,000.00	Butler
Corey James Rubino	1	Unearned Fee	\$300.00	Cuyahoga
Walter Herman Rubinstein	7	Unearned Fee	\$5,540.00	Cuyahoga
Michael Scott Russell	5	Unearned Fee	\$2,475.00	Stark

ATTORNEY	AWARDS	CLAIM TYPE	TOTAL	COUNTY
Carmen Joseph Russo	10	Settlement Theft	\$16,869.44	Cuyahoga
Terence Lee Ryan	4	Escrow/Estate	\$50,193.71	Franklin
Brett Mark Sabroff	1	Settlement Theft	\$3,000.00	Cuyahoga
Robert Harold Sack	1	Unearned Fee	\$175.00	Hamilton
Burt Henry Sagen	1	Estate	\$25,000.00	Cuyahoga
William Sams	1	Unearned Fee	\$550.00	Montgomery
Daniel Joseph Sanders	7	Unearned Fee	\$5,773.00	Lucas
Thomas Frank Sands	3	Settlement Theft	\$25,348.37	Muskingum
Kenneth Thomas Schachleiter	1	Estate	\$50,000.00	Hamilton
John Michael Schafer	1	Unearned Fee	\$250.00	Franklin
William Walter Scheub	5	Escrow/Estate	\$16,647.45	Summit
Glenn Michael Schiller	1	Unearned Fee	\$800.00	Stark
Mark Dennis Schnitkey	1	Unearned Fee	\$1,228.00	Henry
Elroy Hugh Schofield	1	Estate	\$849.50	Hamilton
Allen Schwartz	9	Estate	\$374,224.86	Hamilton
Sander Schwartz	1	Unearned Fee	\$300.00	Cuyahoga
Renee B. Scott-Chestang	8	Fiduciary/Unearned Fee	\$14,078.70	Cuyahoga
Ronald Howard Sebre	1	Unearned Fee	\$500.00	Franklin
William Frederick Seebohm	2	Estate	\$25,000.00	Hamilton
Robert Leroy Seeley	2	Estate	\$86,454.18	Montgomery
Robert Bruce Selnick	9	Escrow	\$27,092.00	Hamilton
Douglas Ray Sexton	3	Unearned Fee	\$6,758.00	Richland
Michael Shafran	46	Unearned Fee	\$323,413.42	Summit
Theodore Roberts Shaman Jr.	2	Escrow	\$32,203.07	Montgomery
Herschel Murray Sigall	27	Unearned Fee	\$44,556.00	Franklin
Perry Raynard Silverman	17	Estate/Fiduciary/Settlement Theft	\$647,583.43	Delaware
Nathan Simon	1	Escrow	\$10,000.00	Cuyahoga
Mark Michael Simonelli	1	Unearned Fee	\$220.00	Lake
Eric William Slack	5	Settlement Theft	\$39,565.17	Lucas
Justin Martus Smith	1	Undetermined	\$7,378.46	Cuyahoga
Rene' Darlene Smith	3	Unearned Fee	\$1,700.00	Cuyahoga
Richard Ford Smith Jr.	8	Unearned Fee	\$4,889.00	Cuyahoga
Lawrence Robert Smith	9	Undetermined/Unearned Fee	\$44,416.67	Summit
Cynthia Darlene Smith	6	Fiduciary/Unearned Fee	\$47,337.05	Cuyahoga
Daniel Scott Smith	27	Unearned Fee	\$34,124.00	Franklin
Charles Eddie Smith	12	Unearned Fee	\$16,154.00	Franklin
Thomas Lynn Smith	5	Escrow	\$104,214.20	Allen
Scott Walter Snyder	1	Settlement Theft	\$1,352.46	Summit
Michael Paul Socha	1	Estate	\$50,000.00	Cuyahoga
Eric Steven Solowitch	1	Escrow	\$25,000.00	Cuyahoga
David Kent Speaker	1	Other	\$50,000.00	Cuyahoga
Robert Stuart Spector	1	Unearned Fee	\$320.00	Cuyahoga
Scott W. Spencer	3	Unearned Fee	\$2,302.08	Franklin
Richard Fisher Spencer Jr.	1	Unearned Fee	\$15,000.00	Hamilton
Ross Frederick Sprague	2	Unearned Fee	\$750.00	Cuyahoga
Cedric Arthur Stanley	1	Unearned Fee	\$5,000.00	Warren
Christopher Danahy Stanley	7	Unearned Fee	\$14,100.00	Cuyahoga
Howard Thomas Sterling	1	Unearned Fee	\$749.00	Cuyahoga
James Michael Sterner	6	Unearned Fee	\$58,530.17	Franklin

ATTORNEY	AWARDS	CLAIM TYPE	TOTAL	COUNTY
Ronald John Stidham	1	Unearned Fee	\$200.00	Cuyahoga
Chuck Ray Stidham	5	Estate/Unearned Fee	\$16,635.00	Hamilton
Curtis Perry Stranathan	1	Unearned Fee	\$500.00	Cuyahoga
Chris Meade Streifender	3	Escrow	\$50,500.00	Franklin
Kathleen Warrington Striggow	8	Settlement Theft	\$105,475.34	Wood
Albert Strobel	25	Unearned Fee	\$19,060.54	Mahoning
SaKeya MonCheree Stubbs	1	Unearned Fee	\$1,150.00	Franklin
Edward Francis Sturgeon	2	Unearned Fee	\$2,500.00	Mahoning
Robert Lee Summers	2	Unearned Fee	\$180.00	Cuyahoga
Albert Frederick Swartz	1	Estate	\$54,261.38	Trumbull
Charles Irving Swartz	2	Unearned Fee	\$800.00	Trumbull
John Thomas Sweeney	12	Escrow	\$55,974.51	Cuyahoga
James David Thomas	1	Fiduciary	\$55,873.77	Franklin
Daniel Thomas Todt	3	Unearned Fee	\$56,000.00	Cuyahoga
Rebecca Louise Todt	3	Unearned Fee	\$56,000.00	Cuyahoga
Mary Ann Torian	11	Unearned Fee	\$42,500.00	Franklin
Randall Charles Treneff	2	Unearned Fee	\$3,750.00	Franklin
Bartley John Troy	1	Unearned Fee	\$500.00	Cuyahoga
Kimberlee-Joy Trumbo	1	Unearned Fee	\$883.00	Cuyahoga
Deborah Ann Tyack	3	Unearned Fee	\$5,500.00	Franklin
Mell Gilbert Underwood Jr.	1	Estate	\$1,000.00	Perry
Joseph Stephen Vala	3	Unearned Fee	\$1,180.00	Cuyahoga
Darrell Vernon Van Horn Jr.	2	Settlement Theft/Unearned Fee	\$4,243.00	Lucas
Jeffrey Thomas Vild	3	Unearned Fee	\$1,170.00	Lucas
Jack Patrick Viren Jr.	2	Unearned Fee	\$600.00	Lucas
John William Vitullo	1	Unearned Fee	\$2,602.50	Cuyahoga
Charles Edward Wagner	3	Unearned Fee	\$2,300.00	Cuyahoga
Thomas Bernard Walker	5	Estate/Unearned Fee	\$32,648.00	Hamilton
Braden Edwin Wallace	1	Unearned Fee	\$746.00	Lucas
John Thomas Waller	1	Unearned Fee	\$1,135.00	Summit
Herbert Vincent Walsh	7	Fiduciary/Unearned Fee	\$41,983.25	Butler
Margaret Anne Walter	1	Escrow	\$28,000.00	Ottawa
Victor Wangul	1	Estate	\$25,000.00	Cuyahoga
William Terry Washington	2	Unearned Fee	\$6,544.00	Montgomery
Dale Harriet Washington	2	Unearned Fee	\$1,075.00	Cuyahoga
Timothy William Watkins	2	Unearned Fee	\$1,515.00	Stark
Martin Luther Watson IV	6	Unearned Fee	\$5,100.00	Hamilton
Michael Troy Watson	5	Trust/Unearned Fee	\$5,800.00	Cuyahoga
Paul Marion Weaver III	1	Unearned Fee	\$750.00	Hamilton
David Claude Weick	2	Unearned Fee	\$1,250.00	Summit
Richard Lee Weiner	9	Unearned Fee	\$1,685.00	Cuyahoga
David Lee White II	1	Escrow	\$750.00	Morgan
David Otto White	3	Escrow/Estate	\$29,530.64	Clark
James Cullen Williams	1	Unearned Fee	\$1,000.00	Cuyahoga
Lawrence Edward Winkfield	1	Other	\$1,800.00	Franklin
David Birch Wirsching Jr.	2	Theft by Deception/Unearned Fee	\$6,882.53	Summit
Gerald Patrick Wolfe II	1	Unearned Fee	\$1,331.25	Franklin
Carl Thompson Wolfrom	6	Unearned Fee	\$24,600.00	Franklin
Roger Allen Wood	1	Other	\$1,600.00	Lucas

ATTORNEY	AWARDS	CLAIM TYPE	TOTAL	COUNTY
Leonard Young	6	Estate/Unearned Fee	\$27,892.61	Cuyahoga
Michael Lee Zaremsky	5	Unearned Fee	\$6,549.00	Cuyahoga
Steven Earl Zigan	5	Unearned Fee	\$11,880.00	Fairfield
Marcus Anthony Zolnier	1	Escrow	\$25,000.00	Franklin
Dale Paul Zucker	1	Fiduciary	\$42,458.18	Cuyahoga
Robert William Zumstein	1	Trust	\$199.34	Franklin

APPENDIX B

Clients' Security Fund Application for Reimbursement

THE CLIENTS' SECURITY FUND
An Agency of the Supreme Court of Ohio

Janet Green Marbley
Administrator

Kenneth R. Donchatz
Chairman

Eric Brown
Chief Justice

application for reimbursement

INSTRUCTIONS

- Answer every question on this application. If space is inadequate, please attach additional pages.
- It is important that you submit all evidence that documents your loss, such as canceled checks, cash receipts, letters, court judgments, etc.
- Mail the completed application to: The Clients' Security Fund of Ohio, Ohio Judicial Center, 65 South Front Street, 5th Floor, Columbus, Ohio 43215-3431. Telephone Number: 614.387.9390 (1.800.231.1680)

APPLICANT INFORMATION

Full name of applicant: _____

Address of applicant: _____

_____ ZIP Code: _____ County: _____

Telephone: (____) _____ Business: (____) _____

ATTORNEY INFORMATION

Full name and address of attorney: _____

_____ ZIP Code: _____ County: _____

SUMMARY OF FACTS

- 1) When did you hire this attorney? Month: _____ Day: _____ Year: _____
- 2) What legal services did you ask this attorney to perform for you?
- 3) What legal services were actually rendered?
- 4) Explain in detail how your loss occurred.
- 5) How much did you pay this attorney for the services to be provided? Please provide documentation to verify your payments, i.e., copies of receipts, cancelled checks, etc.

-
- 6) Was your agreement for services with the attorney in writing?
Yes_____ No_____. If yes, attach a copy of the agreement. If not, please explain the terms of your agreement.

 - 7) What is your alleged loss amount? _____ If loss was property, give details and value of property on a separate sheet.

 - 8) What is the date you became aware or learned of the loss? _____

 - 9) What happened that made you aware of the loss? _____

 - 10) Were you, at the time of the loss, the spouse, close relative, partner, associate, employee or employer of the attorney, or a business entity controlled by the attorney? Yes ____ No ____
If yes, give relationship:

 - 11) Has any part of the loss been recovered? If so, when? _____
From whom? _____
In what amount? \$ _____

 - 12) Was the loss covered by any insurance or bond? If so, please give the name and address of the insurance or bonding company _____

 - 13) Describe what steps you have taken to recover the loss directly from the attorney, or any other source: _____

Any recovery made by claimant from other sources prior to a CSF determination of eligibility must be reported to the fund. Recoveries not reported to the fund are grounds to deny a claim. Any recovery made by claimant after a CSF determination of eligibility will be subrogated back to the fund. The fund will retain all subrogation rights if compensation is made to the client by the fund. The claimant must execute a CSF release and subrogation agreement before receiving an award.

AFFIRMATIVE ACTION

14) Have you reported this loss to any of the following agencies: If you checked any of the items below, please indicate the date reported, name/address of the agency and contact person, if known.

Local Prosecutor: _____ Local Police Department: _____
Date Reported: _____ Date Reported: _____
Office of Disciplinary: _____ Local Bar: _____
Counsel: _____ Association: _____
Date Reported: _____ Date Reported: _____
Name of Bar Association: _____

15) If you are currently being represented by an attorney, please provide the following information:

Attorney's Name _____
Address _____
City _____ State _____ ZIP Code _____
Telephone: (_____) _____

16) How did you learn of the Clients' Security Fund?

-
- Court Rules do not permit attorneys who help clients process claims with the Fund to charge legal fees for that service. Attorneys may apply to the Fund for reimbursement of fees.
 - Should you receive an award from the Fund, the facts relating to your loss become a public record.
-

I (We) have read this Statement of Complaint and certify that under penalty of perjury the contents thereof are true of my own knowledge and belief.

Witness

Signature of Claimant

Date _____

Witness

Signature of Second Claimant

Date _____

Notary Public



APPENDIX C

Supreme Court of Ohio Rules for the Government of the Bar Rule VIII - Clients' Security Fund

Section 1. Establishment of Fund

(A) There shall be a Clients' Security Fund of Ohio consisting of amounts transferred to the fund pursuant to this rule and any other funds received in pursuance of the fund's objectives. The purpose of the fund is to aid in ameliorating the losses caused to clients and others by defalcating members of the bar acting as attorney or fiduciary, and this rule shall be liberally construed to effectuate that purpose. No claimant or other person shall have any legal interest in such fund, or right to receive any portion of the fund, except for discretionary disbursements directed by the Board of Commissioners of the Clients' Security Fund of Ohio, all payments from the fund being a matter of grace and not right.

(B) The Supreme Court shall provide appropriate and necessary funding for the support of the Clients' Security Fund from the Attorney Registration Fund. The Clerk of the Supreme Court of Ohio shall transfer funds to the Clients' Security Fund at the direction of the Court.

Section 2. Board of Commissioners of the Clients' Security Fund of Ohio; Administrator; Chair

(A) Creation; Members. There is hereby created a Board of Commissioners of the Clients' Security Fund of Ohio consisting of seven (7) members appointed by the Supreme Court, at least one (1) of whom shall be a person not admitted to the practice of law in Ohio or any other state. The Court shall designate one member as chair and one member as vice-chair, who shall hold such office for the length of their term. All terms shall be for a period of three (3) years commencing on the first day of January. No member shall serve more than two consecutive three-year terms. The Board shall have its principal office in Columbus.

(B) Administrator. There shall be an Administrator of the Board of Commissioners of the Clients' Security Fund. The Court shall appoint and fix the salary of the Administrator. If the Administrator is an attorney admitted to practice in Ohio, he or she shall not engage in the private practice of law while serving in that capacity. The Administrator shall be the secretary to the Board. The Administrator shall appoint, with the approval of the Court, staff as required to satisfactorily perform the duties imposed by this rule. The Court shall fix the compensation of personnel employed by the Administrator.

(C) Powers of the Board. The Board shall do all of the following:

- (1) Investigate applications by claimants for disbursement from the fund;
- (2) Conduct hearings relative to claims;
- (3) Authorize and establish the amount of disbursements from the fund in accordance with this rule;
- (4) Adopt rules of procedure and prescribe forms not inconsistent with this rule.

(D) Powers of the Chair.

- (1) The chair of the Board shall be the trustee of the fund and shall hold, manage, disburse, and invest the fund, or any portion of the fund, in a manner consistent with the effective administration of this rule. All investments shall be made by the chair upon the approval of a majority of the Board. Investments shall be limited to short-term insured obligations of the United States government. Deposits at interest in federally insured banks or federally insured savings and loan institutions located in the state of Ohio,

and no-front-end-load money market mutual funds consisting exclusively of direct obligations of the United States Treasury, and repurchase agreements relating to direct Treasury obligations, with the interest or other income on investments becoming part of the fund. Annually and at additional times as the Supreme Court may order, the chair shall file with the Supreme Court a written report reviewing in detail the administration of the fund during the year. The fund shall be audited biennially by the Auditor of State at the same time as the Supreme Court's regular biennial audit. The Supreme Court may order an additional audit at any time, certified by a certified public accountant licensed to practice in Ohio. Audit reports shall be filed with the Board, which shall send a copy to the Supreme Court. The report shall be open to public inspection at the offices of the Board.

- (2) The chair and vice-chair of the Board shall file a bond annually with the Supreme Court in an amount fixed by the Supreme Court.
- (3) The chair of the Board shall have the power and duty to render decisions on procedural matters presented by the Board and call additional meetings of the Board when necessary.
- (4) The vice-chair of the Board shall exercise the duties of the chair during any absence or incapacity of the chair.

(E) Meetings. The Board shall meet at least two (2) times a year, in Columbus and at other times and locations as the chair designates.

(F) Expenses. Expenses for the operation of the Board as authorized by this rule shall be paid from the fund, including bond premiums, the cost of audits, personnel, office space, supplies, equipment, travel, and other expenses of Board members.

Section 3. Eligible Claims. For purposes of this rule, an eligible claim shall be one for the reimbursement of losses of money, property, or other things of value that meet all of the following requirements:

(A) The loss was caused by the dishonest conduct of an attorney admitted to the practice of law in Ohio when acting in any of the following capacities:

- (1) As an attorney;
- (2) In a fiduciary capacity customary to the practice of law;
- (3) As an escrow agent or other fiduciary, having been designated as an escrow agent or fiduciary by a client in the matter or a court of this state in which the loss arose or having been selected as a result of a client-attorney relationship.

(B) The conduct was engaged in while the attorney was admitted to the practice of law in Ohio and acting in his capacity as an attorney admitted to the practice of law in Ohio, or in any capacity described in division (A) of this section.

(C) On or after the effective date of this rule, the attorney (has) been disbarred, suspended, or publicly reprimanded, has resigned, or has been convicted of embezzlement or misappropriation of money or other property and the claim is presented within one year of the occurrence or discovery of the applicable event. The taking of any affirmative action by the claimant against the attorney within the one-year period shall toll the time for filing a claim under this rule until the termination of that proceeding. In the event disciplinary or criminal proceedings, or both, cannot be prosecuted because the attorney cannot be located or

is deceased, the Board may consider a timely application if the claimant has complied with the other conditions of this rule.

(D) The claim is not covered by any insurance or by any fidelity or similar bond or fund, whether of the attorney, claimant, or otherwise.

(E) The claim is made directly by or on behalf of the injured client or his personal representative or, if a corporation, by or on behalf of itself or its successors in interest.

(F) The loss was not incurred by any of the following:

(1) The spouse, children, parents, grandparents and siblings, partner, associate, employee or employer of the attorney, or a business entity controlled by the attorney. The Board may, in its discretion, recognize such a claim in cases of extreme hardship or special and unusual circumstances.

(2) An insurer, surety or bonding agency or company, or any entity controlled by any of the foregoing;

(3) Any governmental unit.

(G) A payment from the fund, by way of subrogation or otherwise, will not benefit any entity specified in division (F) of this section.

Section 4. Dishonest Conduct. For purposes of this rule, dishonest conduct consists of wrongful acts or omissions by an attorney in the nature of defalcation or embezzlement of money, or the wrongful taking or conversion of money, property, or other things of value.

Section 5. Maximum Recovery. The Board shall determine the maximum amount of reimbursement to be awarded to a claimant. No award shall exceed seventy-five thousand dollars (\$75,000.00).

Section 6. Conditions of Payment; Attorney Fees.

(A) As a condition to payment, the claimant shall execute any interest, take any action, or enter into any agreements as the board requires, including assignments, subrogation agreements, trust agreements, and promises to cooperate with the Board in prosecuting claims or charges against any person. Any amounts recovered by the Board through an action shall be deposited with the fund.

(B) No attorney fees may be paid from the proceeds of an award made to a claimant under authority of this rule. The Board may allow an award of attorney fees to be paid out of the fund if it determines that the attorney's services were necessary to prosecute a claim under this rule and upon other conditions as the Board may direct.

Section 7. Claims Procedure.

(A) Forms. The Board shall provide forms for the presentation of claims to Disciplinary Counsel, all bar associations, and to any other person upon request. The Board shall create a complaint form for the use of claimants that shall include, but not be limited to the name and address of the claimant, the name and last known, address of the attorney against whom the claim is made, the date of the alleged wrongful act, a clear and simple statement describing the wrongful act, the amount of the claimed loss, and a statement as to whether other affirmative action has been taken as described in Section 3(C) of this rule. A claim shall be considered as filed on the date the Board receives written notification of the claim, even

in the absence of the prescribed form. However, completion of the formal application may subsequently be required by the Board.

(B) Notice. Upon receipt of a claim against an attorney, the secretary of the Board shall notify the attorney by certified mail, when possible, of the fact of its filing. All parties shall be notified of any action taken by the Board with respect to a claim.

(C) Investigation; Cooperation with Disciplinary Counsel and Local Bar Associations.

- (1) The Board shall investigate or cause to be investigated all claims received under this rule.
- (2) At the request of the Board, Disciplinary Counsel and local bar associations authorized to investigate attorney discipline complaints under Gov. Bar Rule V shall make available to the Board all reports of investigations and records of formal proceedings in their possession with respect to any attorney whose conduct is alleged to amount to dishonest conduct under this rule. Where the information sought is the subject of a pending investigation or disciplinary proceeding required by Gov. Bar Rule V to be confidential, disclosure shall not be required until the termination of the investigation or disciplinary proceeding, or both.
- (3) Where the Board receives a claim that is ineligible because disciplinary proceedings have not been undertaken, the Board shall hold the claim in abeyance, forward a copy of the claim to Disciplinary Counsel for further action, and advise the claimant that these procedures have been undertaken and that disciplinary action is a prerequisite to eligibility under this rule. If filed within the time limits prescribed in Section 3(C) of the rule, the claim shall be considered timely regardless of the time it is held in abeyance pending the outcome of disciplinary proceedings. Disciplinary Counsel shall advise the Board as to the disposition of the complaint.

(D) Hearings; Subpoenas. The Board may conduct hearings for the purpose of resolving factual issues. Upon determining that any person is a material witness to the determination of a claim made against the fund, the Board, chair, or vice-chair shall have authority to issue a subpoena requiring the person to appear and testify or produce records before the Board. All subpoenas shall be issued in the name and under the Seal of the Supreme Court, signed by the chair, vice-chair, or Administrator, and served as provided by law.

(E) Confidentiality. All claims filed under this rule and all records obtained by the Board pursuant to this rule shall be confidential. If an award is made under this rule, the award, the name of the claimant, the name of the attorney, and the nature of the claim may be disclosed.

(F) Consideration of Claims. The Board, in its sole discretion, but on the affirmative vote of at least four (4) members, shall determine the eligible claims that merit reimbursement from the fund and the amount, time, manner, conditions, and order of payments of reimbursement. No award may include interest from the date of the award. In making each determination, the Board shall consider, among other factors set forth in this rule, all of the following:

- (1) The amounts available and likely to become available to the fund for the payment of claims and the size and number of claims that are likely to be presented;

-
- (2) The amount of the claimant's loss as compared with the amount of losses sustained by other eligible claimants;
 - (3) The degree of hardship suffered by the claimant as a result of the loss;
 - (4) The degree of negligence, if any, of the claimant that may have contributed to the loss;
 - (5) Any special or unusual circumstances.

To preserve the fund, the board may adopt rules implementing a sliding scale whereby eligible claims are compensable at fixed percentages of the total loss but not to exceed the maximum award allowed by this rule.

The determination of the Board shall be final.

Rev. 8/1/03



FORMER COMMISSIONERS

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(2003 – 2008)

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(1998 – 2000)

HON. PATRICIA ANN BLACKMON
(2004 – 2009)

KATHLEEN BURKE
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(1996 – 2001)

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