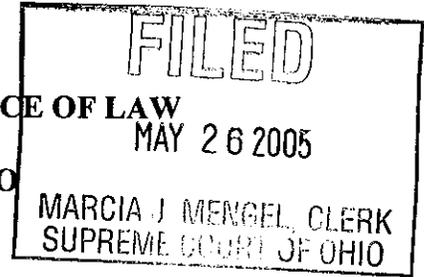


BOARD ON THE UNAUTHORIZED PRACTICE OF LAW
OF
THE SUPREME COURT OF OHIO



CLEVELAND BAR ASSOCIATION,

Relator,

v.

NATHANIEL WASHINGTON,

and

CHRISTINE KOVACH,

Respondents.

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Sup. Ct. Case No. 04-2110

Case No. UPL 03-10

FINAL REPORT ON REMAND

This matter came on for formal hearing before the Board of Commissioners on the Unauthorized Practice of Law ("Board") on July 21, 2004. Members of the Board present and participating in this decision were Ralph Dill, Chairman, and John Polito, James Ervin, James Young and Frank R. DeSantis. Relator, Cleveland Bar Association, ("Relator") was represented by Russell A. Moorehead and Respondent Nathaniel Washington ("Washington") and Respondent Christine Kovach ("Kovach"), (collectively "Respondents"), appeared *pro se*.

The Relator's Complaint, filed November 3, 2003, alleged that Respondents, though not attorneys at law, engaged in the unauthorized practice of law by counseling clients, preparing legal documents, filing, and participating in the filing of pleadings in the Cuyahoga County Court of Common Pleas Division of Domestic Relations.

In her Answer, filed on December 30, 2003, Kovach generally denied the allegations of the Complaint. In his Answer, filed on January 6, 2004, Washington denied giving legal advice and filing petitions. He did not deny preparing legal documents.

The Board's findings of fact, conclusions of law, and recommendation were filed with the Supreme Court on December 22, 2004. In Case No. 04-2110, on February 25, 2005, the

Supreme Court remanded the cause and ordered the Board to supplement the reasons for its recommendation.

FINDINGS OF FACT

1. Relator is duly authorized to investigate activities which may constitute the unauthorized practice of law within the State of Ohio. Gov. Bar R. VII, Section 2(A).
2. Washington and Kovach are not licensed to practice in Ohio. (Certificates of Richard Dove dated June 18, 2004.)
3. On multiple occasions, Washington met Kenneth Williams or Marselle Williams individually, and met them together on at least one occasion. Washington gave them legal advice concerning the difference between divorce and dissolution. At those occasions Washington gathered information for the drafting of pleadings and other court documents. Subsequently, he drafted pleadings for filing in court. These pleadings were filed in the case styled Williams v. Williams, Case No. D282513 in the Common Pleas Court of Cuyahoga County, Ohio, Division of Domestic Relations Division. Washington Depo. p. 16-25 (Exhibit 10); Exhibit 7.
4. Washington met with Karra Vasquez on four occasions in the course of a year in conjunction with his "services". Washington Depo. p. 32 (Exhibit 10). Washington obtained information for the production of a dissolution of marriage petition. Washington prepared and filed a petition for dissolution of marriage for Karra Vasquez and Robert Vasquez. These pleadings were filed in the case styled Vasquez v. Vasquez, Case No. DR02-286590 in the Court of Common Pleas of Cuyahoga County, Ohio, Division of Domestic Relations. Washington Depo. p. 32-34 (Exhibit 10); Exhibit 8.

5. Washington cooperated in the investigation of this matter and ceased the type of activities of which the Relator has complained.

CONCLUSIONS OF LAW

1. The Supreme Court of Ohio has original jurisdiction regarding admission to the practice of law, the discipline of persons so admitted, and all other matters relating to the practice of law. Section 2(B)(1)(g), Article IV, Ohio Constitution; *Royal Indemnity Co. v. J.C. Penny Co.* (1986), 27 Ohio St. 3d 31, 501 N.E.2d 617; *Judd v. City Trust & Savings Bank* (1937), 133 Ohio St. 81, 10 O.O.95, 12 N.E.2d 288.
2. The unauthorized practice of law consists of rendering legal advice for another by any person not admitted to practice in Ohio. Gov. Bar R. VII, Section 2(A).
3. The practice of law is not limited to the conduct of cases in court. It embraces the preparation of pleadings and other papers incident to the lawsuit and the management of such proceedings on behalf of clients. *Land Title Abstract & Trust Co. v. Dworken* (1934), 129 Ohio St. 23, 1 O.O. 313, 193 N.E. 650.
4. Washington engaged in the unauthorized practice of law by preparing legal papers on behalf of Kenneth and Marselle Williams and on behalf of Karra Vasquez. Washington further engaged in the unauthorized practice of law by rendering legal advice to Kenneth and Marselle Williams and Karra Vasquez.
5. There is not sufficient evidence to find that Kovach engaged in the unauthorized practice of law.

DISMISSAL ENTRY

The Board hereby dismisses all proceedings against Kovach.

RECOMMENDATIONS

The Board recommends that the Supreme Court of Ohio issue an Order finding that Washington has engaged in the unauthorized practice of law.

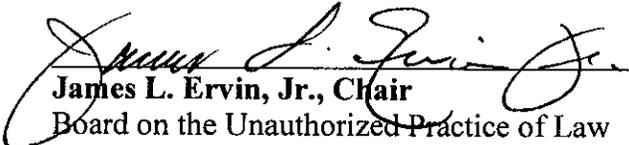
The Board does not recommend monetary sanctions. It appears that Washington did not enter an appearance in any court proceeding nor did he attempt to represent any person. Rather, Washington began with the idea of providing a service of filing in the blanks of publicly available document forms for filing with a court. However, Washington became more than a “mere scrivener” in the process of preparing documents. Ultimately he made legal decisions in that preparation process and he gave at least some legal advice to his customers.

It appears to the Board that Washington did not understand that his activities had crossed the line into the unauthorized practice of law. As noted above, he ceased activities of this nature and cooperated in the investigation of his activities. In light of those circumstances the Board declines to recommend sanctions.

However, the Board further recommends that the Supreme Court of Ohio issue a further Order prohibiting Washington from engaging in the unauthorized practice of law in the future.

STATEMENT OF COSTS

Attached as Exhibit A is a statement of costs incurred by Relator and the Board.


James L. Ervin, Jr., Chair
Board on the Unauthorized Practice of Law

**BOARD ON THE UNAUTHORIZED PRACTICE OF LAW
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Exhibit "A"

STATEMENT OF COSTS

Cleveland Bar Association v. Nathaniel Washington and Christine Kovach,
Case No. UPL 03-10

Armstrong & Okey, Inc., 7/21/04 Hearing and Transcript	\$213.50
Frank DeSantis, Commissioner Expenses -7/21/04 Hearing	59.75
John Polito, Commissioner Expenses -7/21/04 Hearing	58.50
James E. Young, Commissioner Expenses – 7/21/04 Hearing	144.50
Reimbursement to Cleveland Bar Association	251.05
TOTAL	\$727.30

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Final Report was served by certified mail upon the following this 26th day of MAY, 2005: Cleveland Bar Association, 1301 E. Ninth Street, Second Level, Cleveland, OH 44114; William Doslak, Esq., 18151 Jefferson Park Road, #104, Middleburg Heights, OH 44130; Russell A. Moorhead, Esq., 614 Superior Avenue, West, #848, Cleveland, OH 44113; Nathaniel Washington, d.b.a. Your Legal Assistant, 5916 Madison Avenue, Lakewood, OH 44107; Christine Kovach, d.b.a. Your Legal Assistant, 5912 Beverly Court, Cleveland, OH 44119; Christine Kovach, 5918 Madison Avenue, Cleveland, OH 44012; Nathaniel Washington, 5916 Madison Avenue, Cleveland, OH 44102; Office of Disciplinary Counsel, 250 Civic Center Drive, Ste. 325, Columbus, OH 43215; Ohio State Bar Association, Unauthorized Practice of Law Committee, 1700 Lake Shore Drive, Columbus, OH 43204.


D. Allan Asbury, Secretary of the Board