



FREQUENTLY ASKED QUESTIONS

Complaints Against Lawyers and Judges

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

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. Judges take an oath to fairly and impartially perform their duties. The Supreme Court of Ohio regulates the conduct of lawyers and judges through the [Rules of Professional Conduct](#) and a [Code of Judicial Conduct](#). Ohio lawyers and judges must obey their oaths of office and the rules outlined in the Codes. These Codes include ethical standards that each lawyer must follow.

For example, an Ohio lawyer is not allowed to:

- 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.

An Ohio judge is required to:

- avoid impropriety and the appearance of impropriety
- uphold the independence, integrity, and impartiality of the judiciary
- perform judicial duties impartially, competently, and diligently
- avoid engaging in extra-judicial activities that conflict with the obligations of judicial office
- avoid engaging in political conduct that is inconsistent with judicial independence, integrity, or impartiality.

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?

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

- the certified grievance committee of a local bar association*
- [Office of Disciplinary Counsel](#)
250 Civic Center Drive, Ste. 325
Columbus, Ohio 43215-7411
Tel. 614.461.0256, 800.589.5256
Fax: 614.461.7205
- Ohio State Bar Association
1700 Lake Shore Drive
P.O. Box 16562
Columbus, OH 43216-6562
614.487.2050 or 800.282.6556

* For the address and telephone number of certified grievance committee near you, please telephone the Board of Professional Conduct: 614.387.9370.

An ethics complaint against a judge or magistrate must be in writing and filed with either the Office of Disciplinary Counsel or the Ohio State Bar Association. With very limited exceptions, a certified grievance committee does not have jurisdiction to investigate allegations of judicial misconduct.

Should I File More Than One Complaint?

A complaint should be filed with only one office. For complaints against lawyers you may file with either the Office of Disciplinary Counsel or a certified grievance committee. For complaints against judges, you may file with the Office of Disciplinary Counsel or the Ohio State Bar Association.

What Can I Expect?

The grievance 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 with the Board of Professional Conduct. The Board of Professional Conduct, 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 results 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 Procedure?

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 money damages or losses is not the purpose of the ethics complaint procedure.

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 money 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 caused by the dishonest conduct through filing a claim with the [Lawyers' Fund for Client Protection](#), 65 South Front Street, 5th Floor, Columbus, OH 43215-3431, telephone 1.800.231.1680 or 614.387.9390. You do not need the assistance of a lawyer to file this claim: you may file it yourself.