

1 Toledo Bar Association v. Christensen.

2 [Cite as Toledo Bar Assn. v. Christensen (1996), ____ Ohio St. 3d ____.]

3 *Attorneys at law -- Misconduct -- Indefinite suspension -- Engaging*
4 *in conduct that adversely reflects on fitness to practice law --*
5 *Failure to comply with attorney registration requirements --*
6 *Failure to comply with sanctions imposed for not meeting*
7 *continuing legal education requirements -- Failure to*
8 *cooperate with grievance investigation.*

9 (No. 96-1427-- Submitted September 10, 1996 -- Decided November
10 6, 1996.)

11 On Certified Report by the Board of Commissioners on Grievances
12 and Discipline of the Supreme Court, No. 94-66.

13 On September 20, 1994, the Toledo Bar Association (“relator”) filed
14 a complaint charging David C. Christensen of Toledo, Ohio, Attorney
15 Registration No. 0002576 (“respondent”), in one count with violating DR 3-
16 101(B)(engaging in the unauthorized practice of law), and in a second count
17 with violating Gov. Bar R. V(4)(G), DR 1-102(A)(1) and 1-102(A)(6)
18 (failing to cooperate with a grievance investigation).

19 Respondent failed to answer the complaint, and relator moved for a
20 default judgment. Based on the complaint and affidavits attached to a

1 supplemental motion for default judgment, a panel of the Board of
2 Commissioners on Grievances and Discipline of the Supreme Court
3 (“board”) found that respondent was admitted to the practice of law in Ohio
4 in 1955 but is not currently registered to practice law in Ohio and has not
5 been in good standing since September 1, 1991. In April 1993 the Supreme
6 Court sanctioned respondent for failure to comply with the continuing legal
7 education requirements for the 1990-1991 reporting period and imposed a
8 sanction fee which he has not paid. After September 1, 1991 and until
9 March 1993, respondent represented Gretchen A. Good in various legal
10 matters including estate and tax representation, but, according to the panel,
11 never advised Good that he was not registered to practice law in Ohio.
12 After Good filed a grievance, relator began an investigation of Good’s
13 allegations. Although relator advised respondent by mail of the
14 investigation and asked for his cooperation, respondent failed to
15 communicate or cooperate with relator.

16 In its decision, the panel found that the respondent had been served
17 with the complaint; that the facts alleged in the complaint were true; and
18 that respondent not only had failed to cooperate with relator, but had failed

1 to respond to the complaint or appear at the hearing scheduled thereon. The
2 panel concluded that respondent had violated DR 3-101(B) (by engaging in
3 the unauthorized practice of law) and, further, that respondent had violated
4 Gov. Bar R. V(4)(G), DR 1-102(A)(1) and 1-102(A)(6) (because of his
5 failure to cooperate in the relator's investigation). The panel recommended
6 that respondent be indefinitely suspended from the practice of law in Ohio.

7 The board adopted the findings of fact, conclusions of law, and
8 recommendation of the panel.

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10 *Deborah K. Rump and Harold M. Steinberg*, for relator.

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12 *Per Curiam.* We adopt the findings of fact of the board. Further, we
13 conclude that respondent has engaged in conduct that adversely reflects on
14 his fitness to practice law in violation of DR 1-102(A)(6) by (1) undertaking
15 the representation of Good when he had failed to comply with the
16 registration requirements of Gov. Bar R. VI, (2) failing to comply with the
17 sanctions imposed for not meeting the continuing legal education
18 requirements of Gov. Bar R. X, and (3) failing to cooperate with the

1 grievance investigation as required by Gov. Bar R. V(4)(G). Therefore,
2 respondent is indefinitely suspended from the practice of law in Ohio.

3 Costs taxed to respondent.

4 *Judgment accordingly.*

5 MOYER, C.J., RESNICK, F.E. SWEENEY, PFEIFER and STRATTON, JJ.,

6 concur.

7 COOK, J., dissents.

8 DOUGLAS, J., not participating.

9 COOK, J., dissenting. Respondent's conduct, in the aggregate, displays a
10 flagrant disregard of this court's rules, orders, and grievance procedures, and
11 warrants permanent disbarment from the practice of law.

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