



Contact:  
Rita Klein  
Cleveland Metropolitan Bar Association  
216-696-3525, 216-539-3713, 440- 263-3056  
[rklein@clemetrobar.org](mailto:rklein@clemetrobar.org)

## **Bar Association Responds to Arrests Today in the Cuyahoga County Corruption Scandal**

CLEVELAND – Sept. 15, 2010 – The Cleveland Metropolitan Bar Association issues the following statement on today’s arrests from President Michael N. Ungar.

This is unquestionably a sad day for the Cleveland legal community. The allegations leading to the arrests of two Common Pleas Court judges are appalling. We must keep in mind the presumption of innocence that is afforded to all defendants – and judges are no exception. However, if these two judges are indeed guilty as charged, then they should be afforded no special treatment and should be treated like any other criminal defendant.

Fortunately, this is not a reflection of the overall quality of our local judiciary, which remains very high.

A judge’s role is to be a fair and impartial arbitrator of conflicts – one who respects and follows the law, and is above influence. The vast majority of our judges respect that concept and practice it every day in their courtrooms. Despite today’s arrests, the legal community has enormous respect for the legal system in Northeast Ohio and has confidence in those who continue to serve it.

The judges on our Common Pleas Court bench continue to serve the citizens of Northeast Ohio with honor and distinction. We, as lawyers who practice every day before these other judges, continue to have every confidence in their honesty, integrity and fairness, and we urge the community to share in that confidence.

According to K. Ann Zimmerman, General Counsel to the Cleveland Metropolitan Bar Association, the regulations regarding situations like today’s arrest of two judges are as follows:

When a judge is accused of criminal misconduct, the alleged misconduct will be addressed not only by the criminal system, but also will be reviewed and addressed by the disciplinary system in Ohio. Charges in Cuyahoga County, for both attorneys and judges, may be investigated further by one of three disciplinary agencies: the Cleveland Metropolitan Bar Association’s Certified Grievance Committee, the Ohio State Bar Association’s Ethics Committee, or the Office of Disciplinary Counsel.

If a judge is indicted on felony charges, he or she is automatically “disqualified” from the bench. ([Gov. Jud.](#) R. III, Section 6 (A)). A disqualification means they are immediately removed from the bench. Upon receipt of the certified notice of a verdict of guilty, a

judicial finding of guilty, or a guilty or no contest plea, the Ohio Supreme Court will issue an order to immediately suspend the judge without pay. (Gov. Jud. R. III, Section 6 (B)).

In addition, any of the disciplinary agencies listed above may file a disciplinary complaint against the judge with the Ohio Supreme Court's Board of Commissioners on Grievances and Discipline. The disciplinary agency then serves as the prosecutor in the disciplinary case and investigates the charges and any violations of the Ohio Code of Judicial Conduct. If the allegations are proven true, the Ohio Supreme Court may suspend the judge's law license or even issue an order disbaring the judge from any future practice of law.

The CMBA offers a variety of resources to the public, including information on filing an ethics complaint against an attorney or judge. For more information, visit [www.clemetrobar.org](http://www.clemetrobar.org).

**About the CMBA**

The Cleveland Metropolitan Bar Association is a nonprofit organization, operating as a center for legal professionalism in the region and promoting the highest ethical and professionalism standards. Learn more at [www.clemetrobar.org](http://www.clemetrobar.org).

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