

AKRON BAR ASSOCIATION GRIEVANCE INFORMATION & INSTRUCTIONS

TO FILE A GRIEVANCE

The Akron Bar Association Certified Grievance Committee limits its investigations to attorneys with a **Summit County**, Ohio address. You have the option of filing your grievance with the Akron Bar Association or the Supreme Court of Ohio's Office of Disciplinary Counsel, whose address is listed below.

The Akron Bar Association Certified Grievance Committee **does not investigate grievances against judges or magistrates**. You may file a grievance against a magistrate or judge with The Office of Disciplinary Counsel at:

The Office of Disciplinary Counsel
65 East State Street, Suite 1510
Columbus, Ohio 43215
1.800.589.5256
Website: <http://www.odc.ohio.gov>

Enclosed is an investigation form for you to complete. Please state in your own words what you think the attorney did that was unethical or unprofessional and indicate how or why you chose this attorney. Your written statement will be reviewed to determine if it contains allegations which, if proven, would constitute professional misconduct under the Ohio Rules of Professional Conduct. Note that the authority of the Akron Bar Association Certified Grievance Committee is limited to the investigation of grievances arising under the Ohio Rules of Professional Conduct. Please understand that the Certified Grievance Committee has no jurisdiction over and cannot involve itself in the legal merits of your case. The disciplinary process will not affect court decisions made in your case. The Certified Grievance Committee cannot give legal advice.

The Rules of the Supreme Court require that investigations be confidential, and you are asked to keep confidential the fact that you are submitting this grievance. Only the attorney under investigation may waive confidentiality. In filing a grievance, you are waiving the attorney-client privilege.

THE GRIEVANCE PROCESS

A grievance sent to the Disciplinary Counsel of the Supreme Court of Ohio or to a local bar association's certified grievance committee will be reviewed in the order it was received to determine whether the grievance alleges a violation of the Ohio Rules of Professional Conduct. You will receive a written response to your grievance within a few weeks. If a possible violation is found, a copy of your grievance will be provided to the attorney who will then be required to respond to the allegations. If there is evidence that supports the allegation of a violation, the grievance will be investigated. Following the investigation, if substantial, credible evidence is found that a violation has occurred, a formal complaint will be filed with the Board of Professional Conduct. A three-member panel of the Board will review the complaint and determine whether probable cause exists to certify it. If the complaint is certified by the Board, a hearing is then held before a different three-member panel of the Board. The panel considers the evidence and makes a recommendation to the full Board of Professional Conduct. The full Board then makes a recommendation to the Supreme Court of Ohio. The Court has final say on whether to discipline an attorney or judge and what sanction should be administered. A grievance is confidential until the Board certifies it as a formal complaint. A grievance or complaint can be dismissed at any point in the process.

TO REQUEST ARBITRATION OF AN ATTORNEY'S FEES

If you have a fee dispute with your attorney, please call the Akron Bar Association at (330) 253-5007 and request a Fee Arbitration Petition. The petition is also available on our website at www.akronbar.org.

FOR QUESTIONS OR ASSISTANCE

If you have additional questions or need assistance, please call the Akron Bar Association's Grievance Department at (330) 436-0111. Thank you for contacting the Akron Bar Association.

UNDERSTANDING THE GRIEVANCE PROCESS

The Supreme Court of Ohio has given the Certified Grievance Committee of the Akron Bar Association the authority to investigate grievances against attorneys with a **Summit County mailing address**. Matters which involve attorneys in other counties may be directed to the local bar association in that county or to the Office of Disciplinary Counsel, The Supreme Court of Ohio, 65 East State Street, Suite 1510, Columbus OH 43215 or <http://www.odc.ohio.gov>.

The authority of the Certified Grievance Committee is limited to the investigation of attorney misconduct which would be in violation of Ohio Rules of Professional Conduct. The Certified Grievance Committee has no authority to investigate other behavior by an attorney which the public may view as "unethical," but which is not covered by the Ohio Rules of Professional Conduct. A fee dispute between you and your attorney usually cannot be investigated by the Certified Grievance Committee because most fee disputes do not involve professional misconduct. Fees are a matter of contract between the attorney and the client and the Akron Bar Association is not a party to that contract. If you have a fee dispute with your attorney, you may contact the Akron Bar Association and ask for a Fee Arbitration Petition.

There are several important limitations on how and when the Certified Grievance Committee of the Akron Bar Association can take action in response to your allegations against an attorney. **First, the Grievance Committee cannot act as a court of appeals.** It cannot overrule any decisions that have been made by a court. The Certified Grievance Committee cannot change the outcome of your case or redeem your losses, whether monetary or otherwise. The only function of the Certified Grievance Committee is to investigate allegations of attorney misconduct and either to seek sanctions against the attorney with the Supreme Court of Ohio or to exonerate the attorney when no misconduct is found.

Second, the Certified Grievance Committee cannot interfere with ongoing court proceedings. The grievance process will not be used on behalf of one party in a lawsuit to put unfair pressure upon the other parties to that suit or upon the attorneys who are involved. The court system is the proper place for the resolution of civil or criminal disputes and the injection of an attorney grievance into court proceedings is disruptive to the court system itself and may unfairly influence an attorney's representation of his or her client.

Finally, it is important to recognize that the Akron Bar Association and its Grievance Committee cannot give you legal advice or represent you. The Certified Grievance Committee's function is to investigate and seek discipline for attorney misconduct. A person with a legal problem should consult an attorney and cannot rely on the Akron Bar Association or its Certified Grievance Committee for legal representation. The fact that you have filed a grievance with the Certified Grievance Committee of the Akron Bar Association will not affect the time limitations for the proper filing of a civil lawsuit, whether that suit is against your attorney or against anyone else. In addition, you need to be aware that, for various reasons, it is not possible for an investigation to proceed beyond a certain point if there is a court case pending that involves the parties and is relevant to the facts alleged in the grievance. In such cases, the Certified Grievance Committee may not be able to investigate your grievance until the court case is resolved. The initial investigation of a grievance by the Certified Grievance Committee normally will take 60-90 days.

The Certified Grievance Committee operates under rules adopted by the Supreme Court of Ohio which are designed to protect the public from attorney misconduct and to uphold the integrity of the Bar. It is the goal of the Grievance Committee members to thoroughly investigate allegations of attorney misconduct in a manner that is fair to both the accused attorney and to the interests of the public.

AKRON BAR ASSOCIATION
INVESTIGATIVE FORM: STATEMENT OF FACTS
Please return to: 57 S. Broadway Street – Akron, OH 44308

Your Name: **joseph edward senk**

Address: 78 beech avenue northfield ohio 44067
 Street address City State Zip

Telephone No. 216 323 2010 Email Address not applicable

Name & Address of the attorney you are complaining about: **John W. Greven**
137 south main street, suite 201, akron, ohio 44308 330 253 7171

Does this attorney represent you? YES NO

If no, name of the person represented

Your relationship:

Date the attorney was hired:

Has the attorney withdrawn or been dismissed? YES NO

Did you pay the attorney a fee/retainer? YES **X** NO If yes, how much? _____

Did you sign a written fee agreement/contract? YES **X NO** If yes, please attach a photocopy

Were you referred to this attorney by the Lawyer Referral Service of the Akron Bar Association?

YES NO

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APPOINTED BY THE COURT WITHOUT MY CONSENT.

Is your legal matter currently pending in a court of law? YES NO

If yes, what court? **SUMMIT COUNTY**

Case Number: **CR - 2020 - 10 - 2863**

Has the attorney sued you in a court of law for collection of fees? YES NO

Have you filed a complaint with any other disciplinary agency? YES **XNO**

Did you receive a response? YES **XNO** *If yes, please attach a photocopy*

Please state what the attorney did or failed to do that you believe may have been improper. Attach copies of any receipt, fee contract, correspondence, billing statement or additional documents which may support your grievance. Use additional pages if necessary.

Attorney Greven directly refused to defend my position in this case; on several occasions, and in front of a witness, he instructed me as in a *de facto co-counsel* for THE STATE stance.
When challenged, his response was to insist on a psychiatric evaluation. It was not until February 16, 2023, when informed by my personal aide, that Greven was even aware of the prior history of the case (it having been dismissed and then re-opened on no new evidence). Greven stated openly that his position was precisely that of THE STATE and multiple times told me that I “had no business even thinking about pleading anything besides guilty.” I attempted to discuss my position in common law with Greven multiple times but he acted like I was not even speaking. I requested repeatedly that he present my plea and request for a common law TRIAL BY JURY but instead he requested a jury trial. Greven never discussed with me the impossibility of me doing what THE STATE was accusing me of – driving a truck with scrap tires, lifting and moving scrap tires to dump them. I’m blind and crippled. I can barely walk, much less drive a car or move a tire. My attorney didn’t acknowledge or pursue this defense in any way. His refusal to even try to put forth a reasonable dispute of the charges could result in grave consequences for me since I cannot receive the medical care or physical assistance that I require

24/7 to complete even the most basic hygiene and bathroom activities. The last time I was behind bars for 21 days in this case, after I was accosted in my yard with no warrant or cause for arrest, I suffered constant debilitating pain with no access to the regular medical equipment or medications required. The permanent and increasing health problems I suffer are well known to officials in Summit County, as they were caused by Northfield Police beating me to death three decades ago. Since I came out of the subsequent coma from that beating, I have been blind, crippled and unable to function on my own without significant constant assistance; if I am incarcerated again by any agency in Summit County Ohio, I believe it will be for the clear and direct purpose of causing my death.

This foregoing statement is true to the best of my knowledge and belief. In addition, I understand that in filing this grievance, I am waiving the attorney-client privilege in my case.

Further affiant sayeth naught.

X

Signature **joseph edward senk** Date

How did you hear about the Akron Bar Association Grievance Committee?