

ORIGINAL

IN THE SUPREME COURT OF OHIO

CINCINNATI BAR ASSOCIATION : Case No. 12-0189
: Relator, :
: v. :
MARY GOEKE BACKSMAN :
Respondent. :
:

RESPONDENT'S RESPONSE TO RELATOR'S MOTION TO HOLD
RESPONDENT IN CONTEMPT

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CLERK OF COURT
SUPREME COURT OF OHIO

RESPONSE TO MOTION TO HOLD RESPONDENT IN CONTEMPT

For her Response to Relator's Motion to Hold Respondent in Contempt, Respondent Mary Goeke Backsman ("Ms. Backsman") states a follow:

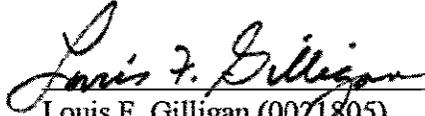
Ms. Backsman generally does not dispute the factual allegations contained in the Relator's Motion. Ms. Backsman would like to point out, however, that when she retired from the practice of law on May 4, 2011, she was counsel of record for probate matters that were ready to be closed. With respect to these matters, Ms. Backsman's understanding was that even though she had retired from the practice of law, she could still perform certain ministerial tasks to facilitate the closing of the matters in the probate court. Ms. Backsman's understanding stemmed from a situation (Estate of Margaret L. Kay, Deceased, Hamilton County Probate Case No. 2010002414), in which Hamilton County Magistrate Rogena Stargel informed Ms. Backsman that she did not need to substitute counsel because the matter was ready to be closed. Whether Ms. Backsman's understanding was correct or not, this is why she believed she could perform certain functions to help wrap up matters that were ready to be closed.

Regardless of her understanding about these probate matters, Ms. Backsman admits that mistakes were made and certain things should have been handled differently. Ms. Backsman takes full responsibility for her actions. Notably, Ms. Backsman has had no prior disciplinary actions taken against her. Most importantly, Ms. Backsman has been removed as counsel of record for all matters pending in the Hamilton County Probate Court and she is no longer functioning as an attorney in any capacity.

Ms. Backsman's counsel has contacted Relator's counsel and indicated that Ms. Backsman has ceased practicing law and will not do so in the future. Relator's counsel indicated that keeping Ms. Backsman from practicing law was the intended goal of the Motion.

Accordingly, Ms. Backsman respectfully requests that the Court consider her mitigating factors, as well as the corrective measures that she has taken, and conclude this matter without any further action.

Respectfully submitted,



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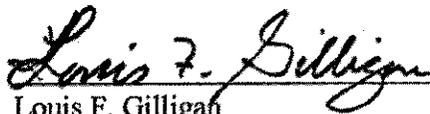
CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon the following by ordinary mail this 13th day of February, 2012:

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