

Tully Rinckey Launches Legal Ethics Practice Group

Tully Rinckey PLLC has launched a new statewide Professional Responsibility and Legal Ethics practice that is headed by a lawyer whom the New York State Bar Association has named a “ray of hope” for troubled practitioners of the law. Mark S. Ochs, who has 30 years of experience practicing attorney discipline in New York, has joined Tully Rinckey PLLC as an of counsel attorney. He chairs the firm’s Professional Responsibility and Legal Ethics Group, which serves clients throughout New York State.

Prior to joining Tully Rinckey PLLC, Mr. Ochs worked for three decades for the Committee on Professional Standards of the New York State Supreme Court, Appellate Division, 3rd Judicial Department. During the last 20 years of his tenure there he served as the committee’s chief attorney. In that capacity he oversaw the investigation of complaints filed against an attorney population of nearly 45,000.

Between 2005 and 2009, an average 14,793 complaints against lawyers were filed annually throughout New York State. During the same period, an average 67 attorneys statewide were disbarred annually, according to data from annual reports by the New York State Bar Association’s Committee on Professional Discipline.

At Tully Rinckey PLLC, Mr. Ochs will represent attorneys in grievance committee and court disciplinary proceedings. He will also represent suspended and disbarred attorneys in reinstatement proceedings and law school graduates facing bar admission barriers. Mr. Ochs will provide preventative ethical counseling services and outside ethics counsel services to law firms statewide, including solo practitioners. Additionally, he will collaborate with criminal defense attorneys – either at Tully Rinckey PLLC or elsewhere – to provide coordinated criminal and ethics representation to attorneys facing criminal charges. Through such collaborations, he will address the legal issues as well as the potential ramifications a particular conviction will have on the attorney’s license to practice law.

“The adage, ‘He who represents himself has a fool for a client,’ applies as much to lawyers as to people not admitted to the bar,” said Tully Rinckey PLLC Managing Partner Greg T. Rinckey. “Attorneys need an attorney when a grievance committee reviews a complaint against them or when a court weighs disciplining them. Their career- their future as a practitioner of the law- is on the line and having an attorney of Mark’s caliber fight for them is the wise decision.”

Throughout his long career in attorney discipline, Mr. Ochs has left his mark on the field. In 2009, he was integral to the New York State Bar Association’s decision to replace its Code of Professional Responsibility with rules based upon the American Bar Association’s Model Rules of Professional Conduct. He created an escrow account analysis process that is used to determine whether an attorney’s trust account is properly maintained or if funds have been commingled or misappropriated. As a past chair of the New York State Bar Association’s Committee on Mass Disaster Response, Mark also acted to protect victims of mass disasters

by preventing unlawful solicitation by attorneys and providing free, short-term legal assistance to victims in the immediate aftermath of the disaster.

In 2010, Mark was recognized by the Capital District Lawyers Helping Lawyers Committee with its "Ray of Hope Award" for his significant contributions to helping lawyers struggling with addiction, depression, and other mental health concerns. He has written numerous articles on ethics issues and has lectured on legal ethics and practical skills at more than 150 programs before the New York State Bar Association, American Bar Association, state and federal agencies, and county bar associations.