

## **Michigan Attorney Discipline Board Hearing Panelists**

The Board maintains a current roster of more than 470 attorneys appointed annually to serve on three-member hearing panels. Hearing panelists are currently located in 45 of Michigan's 83 counties. The Board has continued its efforts to appoint attorneys as panel members who represent a broad range of professional experience. With the cooperation of the Woman Lawyers Association, the Wolverine Bar Association, and other special interest bar associations, the Board has actively encouraged the participation of women and minorities in Michigan's discipline system.

### **Hearing Panel Proceedings**

Complaints submitted by clients, judges or other lawyers regarding an attorney's conduct are investigated by the Grievance Administrator and his or her staff under the supervision of the Attorney Grievance Commission, a separate agency. If formal disciplinary proceedings are authorized by the Commission, the charges of misconduct are set forth in a formal complaint filed by the Administrator.

Upon the filing of a formal complaint with the Attorney Discipline Board, the matter is assigned to a hearing panel and scheduled for hearing within 56 days. Proceedings before a panel are open to the public and are conducted under the Michigan Court Rules applicable to a civil non-jury trial in a circuit court and the Michigan Rules of Evidence.

Charges of misconduct must be established by a preponderance of the evidence. If misconduct is not established, the panel must enter an order of dismissal. Upon a finding of misconduct, the panel must conduct a separate phase of the hearing to determine the appropriate discipline. The levels of discipline provided in the court rules are reprimand, probation, license suspension and license revocation (disbarment).

Discipline orders must include an assessment of administrative costs together with the actual costs incurred by the Grievance Commission and Discipline Board, and may include an order of restitution to an aggrieved client. The Board collected total administrative and reimbursed costs

of \$202,023 from disciplined lawyers in fiscal year 2008. Orders of reprimand and suspension may include additional conditions relevant to the established misconduct, including legal education, reformation of law office practices and personal counseling.

Unless appealed to the Board within 21 days by the respondent, the Grievance Administrator or the complainant, orders of discipline entered by a hearing panel, including orders for disbarment and suspension, constitute final orders and may be enforced in civil contempt proceedings by the Grievance Administrator.