

STATE OF MICHIGAN

FILED
ATTORNEY DISCIPLINE BOARD

Attorney Discipline Board

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GRIEVANCE ADMINISTRATOR,
Attorney Grievance Commission,

Petitioner/Appellee,

Case No. 15-140-GA

v

R. REID KRINOCK, P 36162,

Respondent/Appellant,
_____ /

ORDER AFFIRMING HEARING PANEL ORDER OF SUSPENSION WITH CONDITIONS

Issued by the Attorney Discipline Board
211 W. Fort St., Ste. 1410, Detroit, MI

Washtenaw County Hearing Panel #5 of the Attorney Discipline Board issued an order of suspension with conditions on July 5, 2016, which ordered the suspension of respondent's license to practice law in Michigan for a period of 90 days, and further ordered that reinstatement of respondent's license is subject to various conditions. The well-pleaded allegations of the formal complaint were established by default. Respondent filed a petition for review, arguing his misconduct was merely an accounting error and the sanction imposed far exceeds the alleged misconduct. The discipline ordered by the hearing panel was automatically stayed pursuant to MCR 9.115(K).

The Attorney Discipline Board has conducted review proceedings in accordance with MCR 9.118, including review of the record before the hearing panel and consideration of the briefs and arguments presented by the parties at a review hearing conducted on October 19, 2016.

The Board reviews panel decisions on sanctions "to ensure a level of uniformity and continuity in discipline imposed for similar violations." *Grievance Administrator v Joseph Edward Ernst*, 14-116-GA (ADB 2016). The Board has considered the rationale expressed by the hearing panel in its report filed July 5, 2016, and is persuaded that the panel's decision to impose a suspension of 90 days is within the guidelines of the American Bar Association's Standards for Imposing Lawyer Sanctions and is otherwise appropriate under the facts and circumstances presented.

NOW THEREFORE,

IT IS ORDERED that the hearing panel's order of suspension with conditions issued July 5, 2016, is **AFFIRMED**.

IT IS FURTHER ORDERED that respondent's license to practice law in Michigan is **SUSPENDED FOR 90 DAYS, EFFECTIVE MAY 9, 2017**, and until the respondent's filing of an affidavit of compliance with the Supreme Court, the Attorney Discipline Board and the Attorney Grievance Commission in accordance with MCR 9.123(A).

IT IS FURTHER ORDERED that reinstatement of respondent's license is conditioned upon respondent's submission of documentation showing that the checks that were returned for insufficient funds in this matter have been paid; documentation that the IOLTA has either been closed or maintains a positive balance; and, submission of an affidavit by respondent that, if the IOLTA remains open and personal funds have been deposited into the IOL TA, that they are not in excess of an amount reasonably necessary to pay financial institution service charges.

IT IS FURTHER ORDERED that from the effective date of this order and until reinstatement in accordance with the applicable provisions of MCR 9.123, respondent is forbidden from practicing law in any form; appearing as an attorney before any court, judge, justice, board, commission or other public authority; or holding himself out as an attorney by any means.

IT IS FURTHER ORDERED that, in accordance with MCR 9.119(A), respondent shall, within seven days after the effective date of this order, notify all of his active clients, in writing, by registered or certified mail, return receipt requested, of the following:

1. the nature and duration of the discipline imposed;
2. the effective date of such discipline;
3. respondent's inability to act as an attorney after the effective date of such discipline;
4. the location and identity of the custodian of the clients' files and records which will be made available to them or to substitute counsel;
5. that the clients may wish to seek legal advice and counsel elsewhere; provided that, if respondent was a member of a law firm, the firm may continue to represent each client with the client's express written consent;
6. the address to which all correspondence to respondent may be addressed.


IT IS FURTHER ORDERED that in accordance with MCR 9.119(B), respondent must, on or before the effective date of this order, in every matter in which respondent is representing a client in litigation, file with the tribunal and all parties a notice of respondent's disqualification from the practice of law.

IT IS FURTHER ORDERED that, respondent shall, within 14 days after the effective date of this order, file with the Grievance Administrator and the Attorney Discipline Board an affidavit of compliance as required by MCR 9.119(C).

IT IS FURTHER ORDERED that respondent's conduct after the entry of this order but prior to its effective date, shall be subject to the restrictions set forth in MCR 9.119(D); and respondent's compensation for legal services shall be subject to the restrictions described in MCR 9.119(F).

IT IS FURTHER ORDERED that respondent shall, on or before May 9, 2017, pay costs in the amount of **\$1,904.11**, consisting of costs assessed by the hearing panel in the amount of \$1,831.45 and court reporting costs incurred by the Attorney Discipline Board in the amount of \$72.66 for the review proceedings conducted on October 19, 2016. Check or money order shall be made payable to the Attorney Discipline System and submitted to the Attorney Discipline Board, 211 West Fort St., Ste. 1410, Detroit, MI 48226, for proper crediting. (See attached instruction sheet).

ATTORNEY DISCIPLINE BOARD

By: 
Louann Van Der Wiele, Chairperson

DATED: April 10, 2017

Board members Louann Van Der Wiele, Rev. Michael Murray, Dulce M. Fuller, James A. Fink, John W. Inhulsen, Jonathan E. Lauderbach, Barbara Williams Forney, Karen O'Donoghue, and Michael B. Rizik, Jr., concur in this decision.