

STATE OF MICHIGAN

Attorney Discipline Board

2003 Annual Report

January 1, 2003 to December 31, 2003

211 W. Fort St., Ste. 1410
Detroit, MI 48226-3236

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www.adbmich.org

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STATE OF MICHIGAN
ATTORNEY DISCIPLINE BOARD MEMBERS

THEODORE J. ST. ANTOINE, of Ann Arbor, Chairperson
Term Expires: September 30, 2005

WILLIAM P. HAMPTON, of Farmington Hills, Vice-Chairperson
Term Expires: September 30, 2004

MARIE E. MARTELL, of East Lansing, Secretary
Term Expires: September 30, 2006

RONALD L. STEFFENS,[†] of Metamora
Term Expires: September 30, 2005

REVEREND IRA COMBS, Jr.,[†] of Jackson
Term Expires: September 30, 2004

GEORGE H. LENNON, of Kalamazoo
Term Expires: September 30, 2006

BILLY BEN BAUMANN, M.D.,[†] of Bloomfield Hills
Term Expires: September 30, 2006

LORI M. SILSBURY, of Lansing
Term Expires: September 30, 2005

HON. RICHARD F. SUHRHEINRICH, of Lansing
Term Expires: September 30, 2005

[†]Non-lawyer member

ATTORNEY DISCIPLINE BOARD STAFF

JOHN F. VAN BOLT
Executive Director

MARK A. ARMITAGE
Associate Director

SHERRY MIFSUD
Office Administrator

JENNIFER M. PETTY
Legal Assistant/Webmaster

KATHY LEAL-PAREDES
Case Manager

ALLYSON M. PLOURDE
Case Manager

JULIETTE M. LOISELLE
Receptionist

STATE OF MICHIGAN
ATTORNEY DISCIPLINE BOARD
ANNUAL REPORT

January 1, 2003 - December 31, 2003

Organization and Composition

The Attorney Discipline Board is the adjudicative arm of the Michigan Supreme Court for the discharge of the Court's exclusive constitutional responsibility to supervise and discipline Michigan attorneys. The Board, along with its prosecutorial counterpart, the Attorney Grievance Commission, is part of the bifurcated system of discipline described in Chapter 9.100 of the Michigan Court Rules.

The Attorney Discipline Board consists of six lawyers and three public members (non-lawyers) appointed by the Supreme Court. A member may not serve more than two three-year terms. All members serve without compensation. The Board's chairperson and vice-chairperson are appointed to one year terms by the Supreme Court. The Board's secretary is elected by its members. The Board's officers for one year terms ending September 30, 2004 are Theodore J. St. Antoine of Ann Arbor, Chairperson; William P. Hampton of Farmington Hills, Vice-Chairperson; and Marie E. Martell of East Lansing, Secretary.

Staff

Michigan Court Rule 9.110 authorizes the Attorney Discipline Board to appoint an attorney as its counsel. The Board's full-time staff consists of: John F. Van Bolt, Executive Director and General Counsel; Mark A. Armitage, Associate Director; Sherry Mifsud, Office Administrator; Jennifer M. Petty, Legal Assistant/Webmaster; Kathy Leal-Paredes, Case Manager; Allyson M. Plourde, Case Manager; and Juliette M. Loiselle, Receptionist.

Office and Hearing Facility

On April 1, 2002, the Attorney Discipline Board relocated to 211 W. Fort St., Suite 1410, Detroit. The Board's facilities include hearing and conference rooms for the public hearings conducted by the Board and hearing panels.

Proposed Michigan Standards for Imposing Lawyer Sanctions

In its June 27, 2000 opinion in Grievance Administrator v Lopatin, 462 Mich 235; 612 NW2d 120 (2000), the Supreme Court directed the Attorney Discipline Board to explore the development of permanent Michigan Standards for Imposing Lawyer Sanctions and to report its proposed Michigan Standards to the Court within two years. On June 26, 2002, the Board filed its report containing proposed Michigan Standards for Imposing Lawyer Sanctions which follow the format of the Standards for Imposing Lawyer Sanctions adopted by the American Bar Association in 1986 but with revisions intended to improve readability and clarity, simplify the process of applying the standards, and align the Standards with ranges of discipline articulated in Michigan precedent.

On July 29, 2003, the Supreme Court published for comment proposed Michigan Standards. The Court has invited comment and is expected to conduct a public administrative hearing on the proposed Standards during 2004. A chart comparing the Sanction Standards published for comment by the Court and the proposed Standards submitted by the Attorney Discipline Board is available on the Board's home page www.adbmich.org.

Amendments to the Michigan Court Rules and Adoption of Administrative Orders Affecting the Discipline System

On October 14, 2003, the Supreme Court adjusted the time limits for filing appeals from Attorney Discipline Board orders of discipline or dismissal under MCR 9.118. The time within which the Grievance Administrator, the respondent or a complainant may file an application for leave to appeal an order of the Board was increased from 21 days to 28 days.

During 2003, the Court also gave effect to two administrative orders bearing upon the discipline system. In an order entered July 22, 2003, the Court approved the joint request of the Attorney Discipline Board and Attorney Grievance Commission to increase the discipline

component of the annual dues paid by actively licensed Michigan lawyers from \$100 to \$120. The order also provided for a separate assessment of \$15 to be earmarked for the State Bar of Michigan's Client Protection Fund and modified the rules governing inactive membership or resignation from the State Bar.

In Administrative Order 2003-27, entered August 6, 2003, the Court directed the State Bar of Michigan to modify its annual dues statement by requiring all members of the State Bar to disclose; 1) other jurisdictions in which the member is or has been licensed to practice law, and whether the member has been disciplined in those jurisdictions; 2) criminal convictions since the member was licensed to practice law; and 3) whether or not the member is covered under a malpractice insurance policy.

Summary of Disclosure Requests

Under MCR 9.126(D)(7) and 9.126(E)(4), a person may seek disclosure of otherwise confidential information contained in the files and records of the Discipline Board, the Grievance Commission and the Grievance Administrator by filing a request for disclosure with the Board. Rule 9.126(F) requires the Board to include in its annual report an accounting of all requests for disclosure that have been filed with the Board during the year. There were no requests for disclosure filed with the Board under MCR 9.126(D)(7) or MCR 9.126(E)(4) during the year 2003.

Volunteer Hearing Panelists

The Board maintains a current roster of more than 450 attorneys appointed annually to serve on three-member hearing panels. Hearing panelists are currently drawn from 45 of Michigan's 83 counties. The 2003 hearing panelist roster is attached as Appendix "E." 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 Women Lawyers Association, the Wolverine Bar Association, and other special interest bar associations, the Board actively encourages 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 trial in a circuit court and the Michigan Rules of Evidence. During 2003, the Board's hearing panels conducted 128 public hearings.

The charges of misconduct must be established by a preponderance of the evidence. If the charges of misconduct are 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). In a discipline matter decided July 15, 1997, the Supreme Court held that under rare circumstances a finding of professional misconduct may result in an order of discipline which effectively imposes no discipline on the attorney. Grievance Administrator v Deutch, 455 Mich 149, 163 (1997). There were no orders finding misconduct but imposing no discipline in 2003.

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. Orders of reprimand or 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, an order of discipline entered by a hearing panel constitutes a final order and may be enforced in civil contempt proceedings by the Grievance Administrator.

Board Review

In addition to its administrative responsibility of appointing and supervising the hearing panels which serve as the trial level of the discipline system, the nine appointed members of the Attorney Discipline Board serve as the intermediate appellate level of Michigan's discipline system. The respondent, the Grievance Administrator or the complainant may petition the Attorney Discipline Board for a review of an order entered by a hearing panel. The Board's review in such cases is based upon the record presented to the hearing panel and the written and oral arguments presented by the parties on appeal. Following its review, the Board may enter an order affirming, reversing or modifying the panel's order. In addition, the Board regularly considers and disposes of various motions seeking stays of discipline, extensions of time to pay costs, consolidation or severance of pending matters and the institution of show cause proceedings for alleged violations of discipline orders. The Board held eight meetings in 2003, meeting five times at the Board's office in Detroit and three times in the Board of Commissioners Room at the State Bar of Michigan in Lansing.

The Board conducted public review hearings in 17 cases under the guidelines of MCR 9.118 in 2003. Of these, eight cases were appealed to the Board by the Respondent attorney only; three cases were appealed by the Grievance Administrator only; and five cases involved petitions for review filed by both parties. One case involved the appeal of a disbarred lawyer whose petition for reinstatement was denied by a hearing panel. Following its deliberations, the Board took the following actions:

Affirmed the discipline imposed by the hearing panel:	9
Increased the level of discipline:	3
Reduced the level of discipline:	2
Affirmed the hearing panel order of dismissal:	2
Affirmed denial of reinstatement:	<u>1</u>
TOTAL:	17

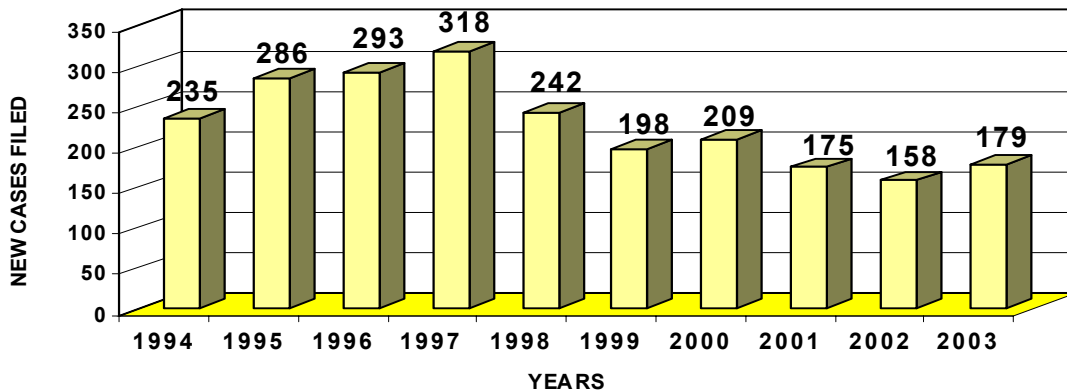
New Cases Filed

There were 130 new formal complaints filed in 2003. Of these, 123 complaints¹ contained original charges of misconduct following an investigation by the Attorney Grievance Commission. An additional seven formal complaints² were based solely upon the respondent/attorney's failure to answer the initial formal complaint, a separate violation under MCR 9.104(7). Such complaints are consolidated for hearing before the panel to which the original complaint has been assigned. The 123 GA formal complaints filed in 2003 represented an increase of 45% compared to 85 such complaints filed in 2002.

Seventeen new cases were commenced under MCR 9.120 with the filing of a judgment of conviction establishing that an attorney had been convicted of a crime. Five new matters were commenced with the filing of a petition seeking reciprocal discipline in accordance with MCR 9.104 as the result of a discipline order issued in another jurisdiction. Six new files were opened upon the filing of petitions for reinstatement in accordance with MCR 9.123(B).

The 179 new files opened by the Board in 2003 represented a 14% increase compared to 158 new cases in 2002. The following table (Table 1) illustrates the Board's annual intake of new cases since 1994.

Table 1. New Cases Filed, 1994 - 2003



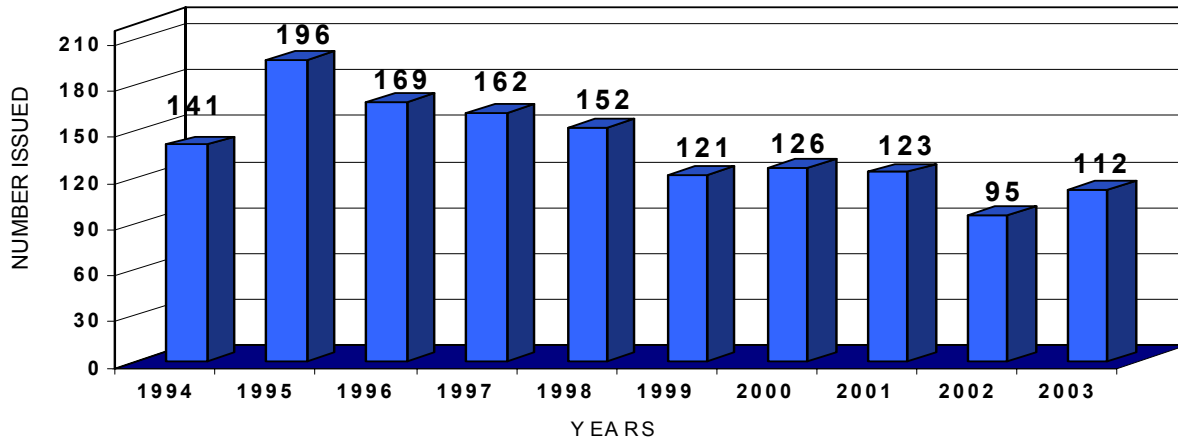
¹ Designated "GA" in Appendix "A."

² Designated "FA" in Appendix "A."

Orders of Discipline/Dismissal

The Attorney Discipline Board issued 136 final disposition orders in 2003, including orders of discipline, orders of dismissal and orders granting or denying reinstatement. Public discipline (revocation, suspension, reprimand or probation) was ordered in 112 cases, an increase of 18% compared to 2002. A complete list of the orders of discipline issued in 2003 appears in Appendix "C." Orders of discipline issued since 1994 are illustrated in Table 2, below.

Table 2. Discipline Orders Issued, 1994 - 2003



Discipline By Consent

The respondent and the Grievance Administrator may enter into a stipulation for a consent order of discipline. This procedure, described in MCR 9.115(F)(5), allows the respondent to admit the charges in the complaint, or plead no contest, in exchange for a stated form of discipline. Written notice of the stipulation must be provided to the complainant and the stipulation must be approved by both the Attorney Grievance Commission and a hearing panel.

Fifty-seven consent orders of discipline were issued in 2003, accounting for 51% of the discipline orders issued. By comparison, consent orders accounted for 36% of the discipline orders issued in 2002; 48% in 2001; and 46% in 2000.

Consent orders were issued in the following discipline categories in 2003:

<u>Type of Discipline</u>	<u>Consent Orders</u>	<u>Total Discipline Orders</u>	<u>% By Consent</u>
Revocation	2	27	7%
Suspension (3 yrs. or more)	1	4	25%
Suspension (180 days but less than 3 yrs.)	7	21	33%
Suspension (30 to 179 days)	12	18	67%
Reprimand	33	39	85%
Probation	2	3	67%

Types of Misconduct Resulting in Discipline

As in prior years, conduct characterized by a lack of diligence, lack of competence and/or neglect of client matters was the single largest category of professional misconduct, accounting for 52% of the discipline orders issued in 2003. These cases ranged from an attorney’s failure to provide competent or diligent representation on behalf of a single client to, in a few cases, complete abandonment of the attorney’s practice. In some cases in this category, the attorney’s neglect or mishandling of client matters was accompanied by additional misconduct including misrepresentations to the client about the status of the matter; a failure to return unearned fees; and failure to answer request(s) for investigation. (See Appendix “B,” page 13.)

The next largest category of misconduct, accounting for 13% of all discipline orders, involved an attorney’s mishandling of funds entrusted by a client or a third party. The discipline imposed in these cases in 2003 ranged from consent orders of reprimand in two cases in which the attorney failed to safe keep funds held in escrow or failed to deposit a retainer into a segregated trust account to disbarment in six cases involving an attorney’s intentional misappropriation of client funds.

Twelve Michigan lawyers were disciplined as the result of their violation of the criminal laws. The eight felony convictions and four misdemeanor convictions accounted for 11% of the public discipline orders issued in 2003.

Other types of misconduct resulting in discipline in 2003 included the practice of law in violation of a prior discipline order (6%); failure to answer a request for investigation (2%); misrepresentation to a client or Court (2%); and engaging in a conflict of interest (2%).

Reinstatements

Attorneys suspended for 179 days or less are automatically reinstated upon the filing of an affidavit of compliance with the Supreme Court. In cases of revocation or suspensions of 180 days or more, the attorney must file a petition for reinstatement which is followed by an investigation by the Grievance Administrator and a hearing before a panel to determine the applicants fitness to re-enter the practice of law. Attorneys suspended for three years or more must also undergo examination and recertification by the State Board of Law Examiners. In Michigan, a disbarred attorney may petition for reinstatement after five years.

Six reinstatement petitions were filed with the Board and assigned to panels for hearing in 2003. The Board or its panels issued six orders reinstating attorneys whose licenses had been suspended. Two reinstatement petitions were denied or dismissed.

Pending Caseload

As of December 31, 2003, there was a total of 137 open discipline or reinstatement cases pending before a hearing panel, the Attorney Discipline Board or the Michigan Supreme Court, as follows:

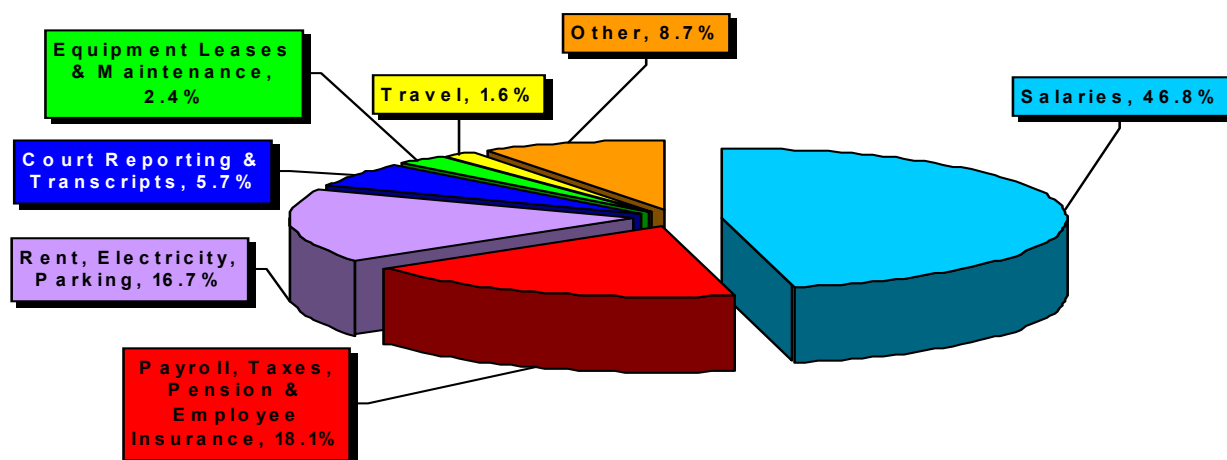
	<u>Pending 12-31-03</u>	<u>Pending 12-31-02</u>
Supreme Court:	3	5
Attorney Discipline Board:	11	9
Hearing Panels:	<u>123</u>	<u>100</u>
Total:	137	114

Funding and Expenses

The Attorney Discipline Board receives no public funds. Michigan’s Attorney Discipline System (Attorney Discipline Board and Attorney Grievance Commission) is funded entirely from the discipline component of the dues paid by all active members of the State Bar of Michigan. Under the dues structure approved by the Supreme Court for fiscal year 2003-2004, annual dues are \$315, of which \$120 (38%) is specifically allocated to the Attorney Discipline System Fund. For the fiscal year which ended September 30, 2003, the Attorney Discipline System had total operating expenses of \$3,542,962. The Board’s operating expenses were \$789,355, an increase of less than

1% compared to the Board's expenses for the previous year. A chart summarizing the Board's expenses for 2002-2003 is included below (Table 3). A complete itemization of the Board's approved budget and actual expenses for the fiscal year is attached to this report as Appendix "D."

Table 3. ADB Expenses 2002-2003 Fiscal Year



Outreach and Professional Development

Through its Executive Director and Associate Director, the Attorney Discipline Board represented Michigan in the field of attorney discipline and regulation at the national level during 2003. In August 2003, Associate Director Mark Armitage assumed the office of President of the National Organization of Bar Counsel at that organization's Annual Meeting in San Francisco. Earlier in the year, Mark was invited to participate in a symposium on lawyer competence hosted by Emory University Law School in Atlanta, Georgia. Mark was also invited by the American Bar Association's Center for Professional Responsibility to join a select team of discipline counsel to conduct an on-site evaluation of another jurisdiction's attorney discipline system at the request of that state's Supreme Court.

In February 2003, The Board's Executive Director, John Van Bolt, was invited to address the Board on Professional Responsibility and the District of Columbia Court of Appeals at the District of Columbia's 30th Annual Disciplinary Conference. John also represented the Board at a

meeting in February 2003 with representatives from seven other jurisdictions to explore the creation of a national organization for attorney disciplinary agencies charged solely with adjudicative or administrative functions. As a result of that meeting, the National Council of Lawyer Disciplinary Boards was incorporated in the fall of 2003 and conducted its first annual meeting in San Antonio, TX in February 2004. John Van Bolt is the President Elect of that organization.

Website Development

The Attorney Discipline Board continues to expand and update its website: www.admich.org. The site includes: recent Board opinions and notices of discipline; access to the discipline history of all attorneys disciplined in Michigan since October 1, 1978; a searchable data base including the full text of all opinions of the Attorney Discipline Board since October 1, 1978; and links to related sites in the fields of attorney discipline, regulation and ethics.

For further information regarding the operation of the Michigan Attorney Discipline Board, please contact:

Attorney Discipline Board
211 W. Fort Street
Suite 1410
Detroit, MI 48226-3236

Telephone: (313) 963-5553 Facsimile: (313) 963-5571

John F. Van Bolt, Executive Director

Theodore J. St. Antoine, Chairperson

APPENDIX "A"
ANNUAL ACTIVITY REPORT
JANUARY 1, 2003 THROUGH DECEMBER 31, 2003

I. CASES FILED

A.	Formal Complaints (total)	130
1.	New Formal Complaints (GA)	123
2.	Failure-to-Answer Complaints (FA)	7
B.	Automatic Interim Suspensions (AI)	8
C.	Judgment of Conviction (JC)	17
D.	Petitions for Reciprocal Discipline (RD)	5
E.	Petitions for Transfer to Inactive Status (PI)	12
F.	Petitions for Reinstatement (RP)	6
G.	Miscellaneous (MZ)	11
H.	TOTAL CASES FILED	179

II. FINAL DISPOSITIONS

A.	Final Orders of Discipline	112
1.	Revocations	27
2.	Suspensions	43
a.	Subject to MCR 9.123(A)	18
b.	Subject to MCR 9.123(B)	21
c.	Subject to MCR 9.123(B) & (C)	4
3.	Reprimands	39
4.	Misconduct But No Discipline	0
5.	Probations	3
B.	Transfers to Inactive Status	0
C.	Dismissals	15
D.	Reinstatements Granted	6
E.	Reinstatements Denied/Dismissed	2
F.	Other	1
G.	TOTAL FINAL DISPOSITION ORDERS	136
H.	Total Cases Closed (Including All Consolidated Cases)	148

III. OTHER NOTICES ISSUED

A.	Automatic Interim Suspensions Under MCR 9.120	6
B.	Interim Suspensions Ordered By Hearing Panel	1
C.	Automatic Reinstatements Under MCR 9.123(A)	12
D.	TOTAL OTHER NOTICE ISSUED	22

IV. HEARINGS

A.	Scheduled	329
B.	Held	128

V. COSTS

Total Costs Reimbursed to the State Bar of Michigan by Respondents and Petitioners	\$86,520.89
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APPENDIX "B"
SANCTIONS IMPOSED - 2003
By Type of Misconduct³

	REVOCATION	SUSP 3 YR +	SUSP 180 DAYS LESS 3 YR	SUSP 30 - 179 DAYS	REPRIMAND	PROBATION	TOTAL
NEGLECT ⁴			3	4	19	2	28
NEGLECT (Accompanied by Failure to Answer R/I)	8	3	7	5	1		24
NEGLECT (Aggravated by Misrepresentation to Client)	2		2	2			6
MISAPPROPRIATION	7		2				9
OTHER MONEY OFFENSES	1				5		6
CONVICTION (Felony)	1		4	3			8
CONVICTION (Misdemeanor)			1		3		4
CONFLICT OF INTEREST		1			2		3
PRACTICE WHILE SUSPENDED	6						6
FAIL TO ANSWER REQUEST FOR INVESTIGATION				2			2
RECIPROCAL DISCIPLINE	1			1	1		3
OTHER	1		2	1	8	1	13
TOTAL:	27	4	21	18	39	3	112

³ Formal complaints filed by the Grievance Administrator commonly include multiple charges of misconduct. For this chart, the sanctions are categorized based on the most serious misconduct found by the panel or the Board.

⁴ For purposes of this chart, the term "neglect" encompasses the concepts of competence, neglect, diligence, and communication found in MRPC 1.1, 1.2, 1.3 and 1.4.

APPENDIX "C"
DISCIPLINED ATTORNEYS BY TYPE OF DISCIPLINE - 2003

REVOCATIONS (27)

RESPONDENT	EFFECTIVE DATE
BENDER, Craig W.	February 8, 2003
BENDER, Craig W.	February 22, 2003
CULP, Cleophas, Jr.	June 11, 2003
DEVERS, John J., Jr.	March 23, 1999
DULMAGE, Philip L.	February 19, 2001*
ELLIOTT, Leodis	January 30, 2003
FELDMAN, Bernard	April 2, 2003
HAMILTON, Reginald O.	April 16, 2003
LAYMAN, Randall J.	October 28, 2003
LIGHT, Mark T.	January 7, 2003
LIGHT, Mark T.	February 15, 2003
LUYENDYK, Charles W.	June 6, 2003
MAIRONIS, Mark D.	October 17, 2003
MARCUCCI, Thomas A.	October 3, 2002
MISCH, John S.	October 16, 2003
NURKIEWICZ, Dennis J.	July 29, 2003
O'NEILL, Dennis P.	June 26, 2003
ORR, Darryl L.	January 30, 2003*
ORR, Darryl L.	January 30, 2003*
ORR, Darryl L.	April 30, 2003
PETZ, Frederick A.	July 11, 2003
REID, Baylee	September 16, 2003
SCANDIRITO, James A.	August 16, 2002
SCHAEFER, Paul S.	December 2, 2003
SCOTT, Martin A.	January 8, 2003
STERMER, G. Scott	November 22, 2000
VAN CLEEF, Robert	March 1, 2003

SUSPENSIONS SUBJECT TO MCR 9.123(B) AND (C) [THREE YEARS OR MORE] (4)

RESPONDENT	LENGTH	EFFECTIVE DATE
ABDELNOUR, Joan Z.	Three Years	December 23, 2003
BAKER, Jonathan S.	Four Years	December 19, 2001*
HAMILTON, Reginald O.	Three Years	August 13, 2003
KLOMPARENS, A. Craig	Three Years	September 16, 2003

SUSPENSIONS SUBJECT TO MCR 9.123(B) [180 DAYS BUT LESS THAN THREE YEARS] (21)

RESPONDENT	LENGTH	EFFECTIVE DATE
ABESKA, Gary E.	180 Days	July 1, 2003
BALLARD, Travis W.	15 Months	March 8, 2002
DOMBROSKI, Robert S.	180 Days	October 28, 2003
EASTERDAY, Victoria Lynn	180 Days	July 1, 2003
FAYFER, Thomas J.	180 Days	July 18, 2003
FITTANTE, Martin F.	Two ½ Years	February 15, 2004
FLYNN, Kathleen	180 Days	July 1, 2003
GADALETO, David Mauro	30 Months	July 3, 2002
GODFREY, Keith	180 Days	May 22, 2003
HAMED, Mosabi	One Year	August 5, 2003
HARLEY, Robert L., Jr.	One Year	December 2, 2002
HUNTER, William D.	15 Months	June 1, 2003
LAMBRIGHT, Donald L.	180 Days	July 1, 2003
LAYMAN, Randall J.	180 Days	April 30, 2003
LEDWIDGE, Paul M.	180 Days	July 21, 2003
NOLAN, Terry J.	180 Days	January 15, 2003
POPE, Mark L.	180 Days	September 27, 2002
RAAFLAUB, David H.	One Year	August 25, 2003
REED, Kenneth C.	Two Years	June 24, 2003
SCHWARTZ, Steven L.	Two years	June 19, 2003
SIMMONS, Joan Marsh	180 Days	December 22, 2001*

SUSPENSIONS SUBJECT TO MCR 9.123(A) [LESS THAN 180 DAYS] (18)

RESPONDENT	LENGTH	EFFECTIVE DATE
ALBRITTON, Brian D.	90 Days	February 22, 2003
COLEMAN, Sterling G., Jr.	60 Days	October 20, 2002
EDWARDS, Patrick M.	60 Days	July 2, 2003
FRIED, David H.	30 Days	September 6, 2003
GODFREY, Keith	120 Days	March 1, 2003
GRENKE, John E.	60 Days	April 29, 2003
GUERRA, Ronald	30 Days	July 11, 2003
HERBACH, Barry D.	30 Days	September 16, 2003
HEYBOER, David R.	30 Days	September 26, 2003
JACOBS, George E.	30 Days	July 1, 2003
JOYCE, James M.	90 Days	March 1, 2003
LAVENDER, James P.	30 Days	February 15, 2003
LAVENDER, James P.	30 Days	December 1, 2003
LITTLEFIELD, Richard	60 Days	February 12, 2003
MITCHELL, Darryl P.	30 Days	February 8, 2003
PURCELL, Miles J.	30 Days	July 1, 2003
VALLADARES, Bruce A.	45 Days	June 26, 2002
WILSON, Timothy James	179 Days	October 12, 2003

REPRIMANDS (39)

RESPONDENT	EFFECTIVE DATE
BENNETT, H. Eugene	June 19, 2003
CHAPMAN, Ronald A.	December 3, 2003
COLLETTE, Angela D.	June 20, 2003
COTTON, Horace D.	October 9, 2003
CZUPRYNSKI, Edward M.	November 4, 2003
DOBKIN, Donald S.	November 13, 2003
FEINBERG, Daniel P.	March 22, 2003
FREDERICK, James A.	January 29, 2003
FROST, J. Edmund	November 19, 2003
GREEN, Russell L.	July 15, 2003

REPRIMANDS (Continued)

GRUNST, David G.	January 4, 2003
HAMED, Mosabi	January 29, 2003
HOLLER, John J., III	April 15, 2003
HOLST, Richard C.	August 18, 2003
HUBBARD, John D.	October 31, 2003
HUNT, James M.	March 29, 2003
JANNETT, Resa Joyce	February 22, 2003
KARASICK, Kenneth S.	June 7, 2003
KNIGHT, Charles Robert	June 18, 2003
LAZAR, Thomas	May 24, 2003
LILLY, Terrence J.	September 12, 2003
MACDONALD, Jon R.	April 12, 2003
MACDONALD, Raymond A.	April 8, 2003
MCKEEN, Brian J.	October 4, 2002
MIERENDORF, David A.	June 2, 2003
PANNUCCI, Ronald H.	April 30, 2003
PIRTLE, H. Edward	November 12, 2003
PLATSI, George J.	December 1, 2003
RANDA, Jeffrey J.	March 26, 2003
ROBERTSON, Andrew G., II	March 25, 2003
ROCCHIO, James A.	August 20, 2003
ROGOW, Mark G.	July 18, 2003
SAILLER, Kendall L.	April 8, 2003
SHELTON, Ivie J.	February 8, 2003
SILVER, Carl C.	March 13, 2003
STOJANOV, Dragan	September 27, 2003
TRACEY, James J.	February 11, 2003
WELLMAN, Scott M.	April 2, 2003
ZIPSER, Richard P.	May 6, 2003

PROBATIONS (3)

RESPONDENT	EFFECTIVE DATE
APPEL, Catherine	March 11, 2003
DEVLIN, Patrick J.	August 15, 2003
MCCORMICK, R. Dillon	September 18, 2003

REVOCATIONS	27
SUSPENSIONS - MCR 9.123(B) and (C)	4
SUSPENSIONS - MCR 9.123(B)	21
SUSPENSIONS - MCR 9.123(A)	18
REPRIMANDS	39
PROBATIONS	3
MISCONDUCT BUT NO DISCIPLINE	0

APPENDIX "D"

**Statement of Attorney Discipline Board Expenditures (Budget and Actual)
Fiscal Year Ended September 30, 2003**

<u>Expense Item</u>	<u>2002 - 2003 Actual</u>	<u>2002 - 2003 Budget</u>	<u>% Used</u>
Salaries	369,329	421,800	88%
Payroll Taxes	26,761	32,267	83%
Employee Insurance	90,637	97,605	93%
Pension Contribution	25,666	67,487	38%
Rent	118,407	118,123	100%
Electricity	3,738	4,800	78%
Parking	9,625	11,520	84%
Law Clerks and Professional Fees	765	5,000	15%
Bookkeeping and Audit	6,000	6,000	100%
Hearing Panel Expenses	44,917	64,000	70%
Machine Rental	15,617	16,500	95%
Meetings	4,842	8,000	61%
Travel	12,819	15,000	85%
Telephone	4,511	7,000	64%
Books and Subscriptions	5,240	5,500	95%
Office Supplies	9,687	13,000	75%
Printing and Stationery	1,025	5,000	21%
Postage	8,410	16,000	53%
Insurance	8,976	8,243	109%
Repairs and Maintenance	3,629	8,500	43%
Dues	1,164	1,200	97%
Miscellaneous	3,767	2,500	151%
TOTAL	789,355	935,045	84%

APPENDIX "E"
2003 HEARING PANEL ROSTER⁵

ALLEGAN
Allegan County

TOOMAN, Lester J.

ANN ARBOR
Washtenaw County

BURKE, Joseph F.
CARTER, Stefani A.
CONNORS, Margaret A.
DEW, Thomas E.
FINK, Sally Claire
LAX, Jerold
LOVERNICK, Richard N.
NICHOLS, Margaret J.
ROSEWARNE, Philip J.
SACKS, Monika H.
SAFRANEK, Stephen J.
STARK, Sheldon J.[%]
SUGERMAN, Donald F.
VARTANIAN, Michael G.

AUBURN HILLS
Oakland County

BUSACCA, David W.
DEAGOSTINO, Thomas M.
LYON, Mark W.

BATTLE CREEK
Calhoun County

BLASKE, E. Robert
CHRIST, Chris T.
GEIL, Thomas D.
KARRE, Nelson T.
STEFFEL, Vern J., Jr.

BAY CITY
Bay County

LEARMAN, Richard C., Sr.
PIGGOTT, John W.

BEVERLY HILLS
(Oakland County)

NORMAN, Keith J.

BINGHAM FARMS
Oakland County

ALSPECTOR, Jacob I.
HARNISCH, Alan C.
HAROUTUNIAN, Edward L.
LOGAN, Leslie Anne
RYAN, Stephen M.
TUCK, Marsha Lynn
ZIVIAN, Etta B.
ZUPPKE, David F.

BIRMINGHAM
Oakland County

FELDMAN, Barry M.
HOUGHTON, Ralph H., JR.
McCANN, D. Michael
OCHS, Norman P.
PIA, Joseph
SCHNELZ, Kurt E.
SHERR, Paul D.
VICTOR, Steven I.
WELLS, Steven W.
WILLIAMS, James J.

BLOOMFIELD HILLS
Oakland County

BAUM, Martin S.
BERNSTEIN, Douglas C.
BUESSER, Frederick G., III
BURDICK, James W.
CANVASSER, Sue Ann
CRANMER, Thomas W.
DAMREN, Samuel C.
DEVINE, Daniel C., Sr.
EGGENBERGER, Robert E.
FEMRITE, Marsha E.
FRYHOFF, Timothy T.
GAGE, William C.
GARIEPY, Robert L.
GOETZ, Angus G., Jr.
GOLD, Edward D.
GOLDMAN, Barry
GOOGASIAN, George A.
KANTER, Alan M.
KOVACH, Susan A.[#]
LEITMAN, Bruce T.

BLOOMFIELD HILLS
Oakland County
(Continued)

LEONARD, Norbert B.
LUJAN, Joseph G.
MORGANROTH, FRED^{*}
PAPPAS, Edward H.
PARKER, Joyce E.
ROGERS, John T.
ROY, William A.
SCHEIBLE, Eric D.
SILVER, Kenneth F.
SIMPSON, Thomas C.
STEWART, Jeffrey T.
TEICHER, Mark L.
TOOHEY, Robert E.

BRIGHTON
Livingston County

GARDELLA, Robert C.

BOYNE CITY
Charlevoix County

ARNER, Timothy D.
KLEVORN, Kevin G.

CADILLAC
Wexford County

McCURDY, David S.
PETERSON, David R.

CENTERLINE
Macomb County

SCHOENHERR-WARNEZ, Florence M.

CHAMPION
Eaton County

HANSEN, Walter L.

CHARLOTTE
Eaton County

SCHLOSSBERG, Allen

⁵ Deceased.
[#]Retired or resigned as panelist.
[%]Inactive panelist.
[&]All full-time judges removed as hearing panelists.

CHELSEA
Washtenaw County

FLINTOFT, Peter C.

CLARE
Clare County

TRUCKS, Jay F.

CLARKSTON
Oakland County

BULLARD, Rockwood W., III
CARUSO, Kathryn M.

CLINTON TOWNSHIP
Macomb County

BOLANOWSKI, Eugene R.
DIXON, Ronald R.
HRIBAR, Robert J.
JANSEN, Wendy A.
McCULLOUGH, Max D.
PUZZUOLI, Joseph P.
RINI, James W.

COMMERCE
Oakland County

CALLUM, Alice W.#

DEARBORN
Wayne County

VIEGAS, Christine Bernhard
LAKE, Timothy W.
VENDITTELLI, Nicholas J.
WYGONIK, Richard

DEARBORN HEIGHTS
Wayne County

HURWITZ, Miles A.
LEMIRE, John J.
RIVARD, Donald M., Jr.

DETROIT
Wayne County

BAGNO, Anne Warren
BAUMHART, A. David, III
BARTOS, Suzanne P.
BOLDEN, Carl B., Jr.
BOLTON, Robert S.
BROOKS, Keefe A.
BUFFINGTON, Lamont E.
BURGESS, Laurence C.
CALILLE, Albert

DETROIT
Wayne County
(Continued)

CHADWELL, Kenneth R.
COSTELLO, Margaret A.
COTHORN, John A.
DAKMAK, George P.
DINGES, Robert J.
EDWARDS, Sharon-Lee
EISENBERG, Stuart B.
ELLIOTT, Sylvia J.
ESSHAKI, Gene J.
FIELDMAN, Elaine S.
FISCHER, Paul J.
GERSHEL, Alan M.
GOLDSMITH, Mark A.
GRUSKIN, Michael A.
GURWIN, Howard E.
GUSHEÉ, Richard B.
HAMPTON, Verne C., II
HELLAND, Lynn A.
JACOBS, John P.
JOHNSON, John E., Jr.
JONES, Jeffrey S.
KASIBORSKI, Chester E., Jr.
KITCH, Richard A.
LICHTERMAN, Susan S.
LORENCE, Gerald M.
MacMILLAN, Mary Rose
MANION, Paul J.
MAVEAL, Gary M.
MILLER, Bruce A.
MILLER, C. David
NIFOROS, Lambro
PAPISTA, Anthea E.
PEREGORD, Jennifer J.
PHILLIPS, Dwight W.
PITTS, Stanley H.
PLUMB, Frederick B.
RODWAN, Gail O.
RONAYNE, John J., III
ROSS, Steven P.
SAUGET, William J.
SCHONBERG, Edward R.
SCOTT, John E. S.
SELLERS, Jacqueline H.
SERYAK, Richard J.
SIMON, Basil T.
SMITH, James A.
SUSSER, Danielle F.
TALON, Lawrence S.
TALON, Marianne G.
TEALL, Graham L.
THOMAS, Cynthia G.
THOMAS, James C.
TRZCINSKI, Thomas J.
TUKEL, Jonathan
URSO, John R.
VAN HOEK, Dawn A.

DETROIT
Wayne County
(Continued)

WALKER, David R.
WATZA, Michael J.
WEBER, Richard D.#
WEINER, Stuart S.
WELLER, Robert Y., II
WILLIAMS, Avery K.
WIRTH, George N.
WYNNE, James E.
YOTT, Cynthia K.
ZEMMOL, Allen

EAST LANSING
Ingham County

BOSENENBROOK, Arlyn J.
EDGAR, Mary C.
FORESMAN, Raymond J., Jr.
HOOVER, C. Mark
HORNBACK, Oskar M.
McCARTHY, Robert E.
STROUD, Ted W.

ESCANABA
Delta County

CLARK, Richard C.
GREEN, Nino E.
PETERSON, Ralph B.K.

FARMINGTON HILLS
Oakland County

ABRAMS, Nina Dodge
AUGUST, Gary K.
BATTERSBY, Michael L.
BERNSTEIN, Samuel I.
BERNSTEIN, Stephen R.
COLTON, Michael W.
FOX, Sharon Mullin
FREILICH, Diane M.
MARVIN, Ronald S.
MATZ, Steven J.
SEIFMAN, Barry A.
STULBERG, Elaine Grand
WAX, Harvey I.
YOCKEY, Kurt D.
YOCKEY, Michael J.
ZAUSMER, Mark J.

FENTON
Genesee County

MINER, Sharon K.S.

FLINT
Genesee County

BAESSLER, Joseph E.
BARKEY, Brian M.
GOLDSTEIN, Richard M.
GRIFFIN, Walter P.
HALDY, Ronald L.
HENNEKE, Edward G.
KNECHT, Timothy H.
KRELLWITZ, Michael W.
MANGAPORA, Michael J.
PABST, Thomas R.
PIPER, Randolph P.
SHULMAN, Leonard B.
SMITH, Alan M.
SPENDER, Steven F.
TREMBLEY, James J.
TURNAGE, Frank G.
WHEATON, Robin L.

FORT GRATIOT
St. Clair County

McNAMEE, John B.

FRANKFORT
Benzie County

McKAY, Joan S.

FRANKLIN
Oakland County

FENTON, Jerome L.
SHULMAN, Marc I.

GAYLORD
Otsego County

BLUMBERG, Elliot J.
COTANT, James C.

GLADWIN
Gladwin County

KRECKMAN, Thomas I.

GRAND BLANC
Genesee County

BUCKLEY-O'NEILL, Kathleen
CARL, Jean P.
DIESEL, Peter L.
TUCKER, John R.

GRAND HAVEN
Ottawa County

McNALLY, Sheila F.

GRAND RAPIDS
Kent County

BACON, Terrance R.
BLACK, James G.
BRASIC, Jon J.
COURTADE, Bruce Anthony
DUGAN, Robert J.
EDGAR, Christopher L.
FARR, William S.
McCARTHY, Paul A.
McGLADDERY, Patrick C.
MELTON, Scott R.
MUDIE, Kent W.
REAMON, Martha E.
REAMON, William G., Jr.
SAALFELD, James R.
SPALDING, Arthur C.
THEIME, R. Kevin
VAN'T HOF, William K.
WALTON, Michael C.
WOOD, Rock A.

GRANDVILLE
Kent County

SMIETANKA, John Allen

GROSSE ILE
Wayne County

YOUMANS, Edward G.

GROSSE POINTE FARMS
Wayne County

LIZZA, John B.
WILSON, Edward Reilly, III

HARBOR SPRINGS
Emmet County

RAMER, James T.
SMITH, W. Richard

HAZEL PARK
Oakland County

WILSON, Eric S.

HIGHLAND
Oakland County

HICKOX, J. Michael

HOLLAND
Ottawa County

HANN, Donald H.
MARQUIS, John R.
MULDER, Andrew J.

HOUGHTON
Houghton County

DAAVETTILA, Robert T.

HOWELL
Livingston County

CHRISTIAN, Stewart A.
DRICK, Jay A.

IONIA
Ionia County

O'CONNOR, Rex P.

IRONWOOD
Gogebic County

McDONALD, David E., Sr.

JACKSON
Jackson County

BARTON, Bruce A.

KALAMAZOO
Kalamazoo County

BARNARD, Robert J., Jr.
BAUCKHAM, John H.
CONTOS, Harry, Jr.
DELEHANTY, Mary E.
FENTON, Stuart L.
GETTING, Jeffrey S.
HAYTER, Karen M.
KNEAS, John W.
LENNON, Robert R.
LEVINE, Sharan Lee
RUSSELL, Gregory W.
RYAN, William J.
ZAUSNER, Henry T.

LANSING
Ingham County

BYERLEY, Thomas K.
CASEY, Nan Elizabeth
DE VINE, Barry F.
DOSTER, Eric E.
EMERY, Lawrence J.
FINK, Joseph A.

LANSING
Ingham County
(Continued)

FRIEDMAN, Leo H.
HOGAN, Patrick R.
JAMO, James S.
LANCASTER, James R., Jr.
LATTERMAN, Mark A.
LOOSE, John J.
MALLORY, Susan L.
PELOT, Michael J.
STROPKAI, James L.
SUHRHEINRICH, Richard J.
TIMMER, Amy
WADDELL, David D.
WARD, James R.

LIVONIA
Wayne County

CUMMINGS, Owen J.
SHERROD, Patricia L.

LUDINGTON
Masonn County

ANDREWS, Robert D., Jr.
NICHOLSON, Gary L.

MANISTEE
Manistee County

KELEHER, Dennis L.

MARQUETTE
Marquette County

CASSELMAN, Thomas P.
KEEFE, Ronald D.
PENCE, Steven L.

MEMPHIS
Macomb County

DELEKTA, Diane Hubel

MENOMINEE
Menominee County

BURGESS, Janis M.

MIDLAND
Midland County

HANDLON, Richard M.
HEINS, Sharon S.
MADDOX, Mark R.
MORRIS, Patricia T.

MONTAGUE
Oceana County

ROSE, James M.

MOUNT CLEMENS
Macomb County

ANDERSON, Philip J.
FINAZZO, Lori J.
GLIME, Raymond G.
HACKER, James M.
KAPLAN, Steven M.
LEGGHIO, Brian M.
RUSSELL, Karen
WYSS, William A.

MOUNT PLEASANT
Isabella County

BLOEM, Gordon M.
THOMPSON, William R.

MUSKEGON
Muskegon County

BALGOOYEN, Fredric F.
BOSENBROEK, David L.
CHESSMAN, Robert O.
KOLENIC, Anthony J., Jr.
NEAL, Gary T.
SNIDER, I. John, II

NEGAUNEE
Marquette County

KOCH, Kevin Wm.

NORTHVILLE
Wayne County

JORDAN, Brian J.

NOVI
Wayne County

KOHL, David D.

OKEMOS
Ingham County

BEHAN, Michael R.
BEHAN, Raymond R.
LOVIK, Mary M.
McLEOD, Ian C.
ZULAKIS, George

ORCHARD LAKE
Oakland County

EISENBERG, Marsha Katz

OXFORD
Oakland County

BUNTING, Robert L.

PARCHMENT
Kalamazoo County

HATCH, H. Van Den Berg

PAW PAW
Van Buren County

DUBAY, Mark D.

PETOSKEY
Emmet County

MURRAY, James J.
STROUP, Nathaniel W.
TRESIDDER, Stephen J.

PLYMOUTH
Wayne County

ESPER, David J.#

PONTIAC
Oakland County

LOWENTHAL, Betty L.
STERLING, J. Robert

PORT HURON
St. Clair County

BANKSON, S. Keith
HILL, Steven L.
KELLY, Charles G.
LANE, Cynthia A.
STAIGER, Frank O., Jr.
WHIPPLE, David C.

PORTAGE
Kalamazoo County

SMITH, C. Giles, Jr.

PRUDENVILLE
Roscommon County

MEIRING, Ronald C.

ROYAL OAK
Oakland County

LERNER, Joshua A.

SAGINAW
Saginaw County

CHAKLOS, Robert G., Sr.
COLLISON, Charles C., Sr.
MOSSNER, Eugene D.
SMITH, Lawrence William, Jr.

ST. CLAIR SHORES
Macomb County

GARVEY, Paul T.
GARVEY, Robert F.
MERRY, Cynthia E.
SHATZMAN, Pearl P.
SIEGAN, Reneé S.

ST. JOSEPH
Berrien County

BURDICK, Carl R.
CONYBEARE, Bruce C.
TAGLIA, Paul A.

SAUGATUCK
Allegan County

OYLER, W. Tedd

SAULT STE. MARIE
Chippewa County

VEUM, Thomas J.

SHELBY TWP.
Macomb County

WOMACK, P. Douglas, Jr.

SHELBY
Oceana County

PRINCE, Clifford W.

SOUTHFIELD
Oakland County

ACKER, Gerald H.
ANTONE, N. Peter
APPEL, Jeffrey S.
AUGER, Cheryl J.
BENSON, Gail S.
BRUKOFF, William M.
COLLINS, Morton B.
CUTLER, Donald M.
GOODMAN, Barry J.
GROFFSKY, Richard L.

SOUTHFIELD
Oakland County
(Continued)

JACOBS, Mark S.
JOHNSON, Duane R.
KINSLEY, Stephen L.
KRATCHMAN, D. Michael
KUHN, Loraine R.
LASSER, Marshall D.
LINDEN, Howard T.
LOWER, Lynn L.
MARTENS, William L.
THURSWELL, Gerald E.
TRIENT, Brent S.
TURNER, Lee I.
VOS, John F., III
WALLACH, Howard I.
WARSH, Richard L.
WEINER, Cyril V.
WILLIS, Robert L., Jr.
WOLOCK, Steven M.

STERLING HEIGHTS
Macomb County

CARDAMONE, Emil E.
COLMAN, Neil M.
GOLDSTEIN, Ronald A.
GOODMAN, Mark D.
KATZ, Lawrence S.
LASCOE, John S.
O'REILLY, Paul J.*
SCHOENHERR, Craig S., Sr.

SYLVAN LAKE
Oakland County

CHARTRAND, Douglas A.
RONAYNE, Colleen V.
RYAN, Thomas J.

TECUMSEH
Lenawee County

COOPER, David J.

THREE RIVERS
St. Joseph County

TUCKER, Theodore J.

TRAVERSE CITY
Grand Traverse County

ASSENDELFT, Barbara A.
BUDROS, Barbara D.
CHRISTOPHERSON, James A.
DENOYER, Lucy Knight*
FISHER, Joseph C.
STARK, Harry S.

TROY
Oakland County

ACKERMAN, Alan T.
BAIERS, James E.
BARKER, Lori A.
BASILE, Andrew R.
BINKLEY, David A.
BOOKHOLDER, Ronald W.
FABRIZIO, Joseph J.
HOHAUSER, Michael S.
HUDSON, Clarence L.
HUTSON, Michael W.
KELLY, Dale F.
KUPLICKI, Francis P.
LANGE, Craig W.
LEWIS, Michael B.
MANTESE, Gerard V.
MILIA, Robert P.
MORROW, Raymond L.
NOVAK, Richard A., Jr.
SAWYER, Thomas G.
STEFANI, Michael L.
STERLING, Raymond J.
TALARICO, Paula M.
TARTT, Tyrone Chris
THOMAS, Joseph W.

WARREN
Macomb County

GUERRIERO, Timothy M.
HEWSON, James F.

WEBBERVILLE
Livingston County

COX, Joseph C.

WEST BLOOMFIELD
Oakland County

KUTHY, Douglas E.
SALTZMAN, Shirley A.

YPSILANTI
Washtenaw County

DODD, Gregory L.
EGGAN, Andrew M.
MURPHY, John J.
VINCENT, Michael J.

ZEELAND
Ottawa County

HOESCH, Kenneth W.