

Attorney Discipline Board

2020-Jul-13

GRIEVANCE ADMINISTRATOR,
Attorney Grievance Commission,

Petitioner/Appellee,

v

Case Nos. 18-16-JC; 18-17-GA

EDWARD M. CZUPRYNSKI, P 34114,

Respondent/Appellant.

ORDER AFFIRMING HEARING PANEL ORDER OF SUSPENSION AND AMENDING CONDITIONS

Issued by the Attorney Discipline Board
333 W. Fort St., Ste. 1700, Detroit, MI

On July 30, 2019, Tri-Valley Hearing Panel #2 of the Attorney Discipline Board entered an order in this matter, suspending respondent's license to practice law in Michigan for a period of 90 days, with conditions, including contacting the Lawyers and Judges Assistant Program (LJAP) within 30 days before filing for reinstatement pursuant to MCR 9.123(A) to participate in a Monitoring Agreement for one year. On August 14, 2019, respondent filed a timely petition for review and a request for a stay, which resulted in an automatic stay of the hearing panel's order.

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 to the Board at a review hearing conducted on October 16, 2019.

NOW THEREFORE, for the reasons set forth in the accompanying opinion,

IT IS ORDERED that the hearing panel's Order of Suspension with Conditions, issued July 30, 2019, is **AFFIRMED**.

IT IS FURTHER ORDERED that respondent's license to practice law in Michigan is **SUSPENDED FOR 90 DAYS, EFFECTIVE AUGUST 11, 2020**, and until respondent's filing of an affidavit of compliance with the Attorney Discipline Board and the Attorney Grievance Commission in accordance with MCR 9.123(A).

IT IS FURTHER ORDERED that respondent is subject to the following amended conditions:

1. Respondent shall, within 30 days before filing for reinstatement with an affidavit pursuant to MCR 9.123(A), contact the Lawyers and Judges Assistance Program (LJAP) of the State Bar of Michigan to participate in a one-year Monitoring Agreement for monitoring respondent's mental health.
2. For the duration of the Monitoring Agreement, Respondent shall provide, or cause to be provided, quarterly reports from LJAP to the Grievance Administrator or his designee. The initial report should generally include a diagnosis, prognosis, and recommendation. All reports thereafter shall report whether positive progress is being made.
3. Respondent shall sign any and all waivers necessary to allow LJAP to provide reports as to Respondent's progress in the LJAP program and, if known to LJAP and its agents, any violations by respondent of the Michigan Rules of Professional Conduct. The waivers shall be irrevocable until one year of the conclusion of Respondent's LJAP monitoring contract.
4. Respondent shall provide waivers allowing the Grievance Administrator, or his designee, to communicate with his other medical, psychological and counseling providers, if any, concerning his treatment during the period of the Monitoring Agreement. The waivers shall be irrevocable until one year of the conclusion of Respondent's LJAP monitoring contract.

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 August 11, 2020, pay costs in the amount of **\$3,777.35**, consisting of costs assessed by the hearing panel in the amount of \$3,652.35 and court reporting costs incurred by the Attorney Discipline Board in the amount of \$125.00 for the review proceedings conducted on October 16, 2019. Check or money order shall be made payable to the Attorney Discipline System and submitted to the Attorney Discipline Board, 333 West Fort St., Ste. 1700, Detroit, MI 48226, for proper crediting. (See attached instruction sheet).

ATTORNEY DISCIPLINE BOARD

By:


Jonathan E. Lauderbach, Chairperson

Dated: July 13, 2020

Board members Jonathan E. Lauderbach, Michael B. Rizik, Jr., Barbara Williams Forney, James A. Fink, Karen O'Donoghue, Linda Hotchkiss, MD, and Michael S. Hohausser concur in this decision.

Board Member Anna Frushour did not participate in the issuance of this opinion.

Board Member John W. Inhulsen was absent and did not participate.