

STATE OF MICHIGAN

Attorney Discipline Board

GRIEVANCE ADMINISTRATOR,
Attorney Grievance Commission,

Petitioner/Appellee,

v

Case No. 24-18-GA

MICHELLE L. ELOWSKI, P 74608,

Respondent/Appellant.

**ORDER AFFIRMING IN PART AND MODIFYING IN PART
HEARING PANEL ORDER OF DISBARMENT AND RESTITUTION**

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

On January 8, 2026, Tri-Valley Hearing Panel #2 issued an Order of Disbarment and Restitution in this matter disbaring respondent and ordering her to pay restitution totaling \$266,091.90, effective January 30, 2026. Respondent filed a timely petition for review on January 29, 2026, but did not request a stay of the order of discipline; accordingly, respondent's disbarment took effect on January 30, 2026. Although respondent raised numerous issues in her original petition for review, in her brief in support, she narrowed the focus to only a review of the restitution ordered by the panel, abandoning all other issues.

The Attorney Discipline Board has conducted review proceedings in accordance with MCR 9.118, including review of the evidentiary record before the panel and consideration of the briefs and arguments presented by the parties at a review hearing conducted via Zoom videoconferencing on April 8, 2026. For the reasons discussed below, we modify the restitution amount ordered by the hearing panel.

This disciplinary proceeding arose from a formal complaint filed February 26, 2024, alleging that respondent engaged in extensive misconduct while representing clients in civil and probate matters, most notably in connection with her representation of Earline White in a partition action. The record reflects that respondent received substantial funds from Ms. White and a third-party lender, Charles Meiser, including loan proceeds and client funds intended for litigation purposes, but misused those funds through repeated transfers between accounts, depletion of balances, and online gambling. Respondent also misappropriated funds from the Estate of Candice Massey to cover obligations in Ms. White's matter.

Respondent was subsequently charged and convicted in January 2025 of embezzlement and issuing a non-sufficient funds check, resulting in a jail sentence, restitution order, and the automatic suspension of her license to practice law, in accordance with MCR 9.120(B)(1). Following respondent's default in this disciplinary proceeding, the hearing panel found multiple violations of the Michigan Rules of Professional Conduct and court rules, ordered that respondent be disbarred, effective January 30, 2026, and ordered respondent to pay restitution totaling \$266,091.90; \$68,500 to Ms. White, \$100,000 to Mr. Meiser, and \$97,591.90 to the Massey Estate, on or before January 30, 2026.

Again, the Board's review in this matter is limited to the propriety of the restitution ordered by the hearing panel. Respondent has expressly abandoned all other issues; therefore, questions as to the hearing panel's findings of misconduct and the appropriateness of the disbarment imposed by the panel are not before the Board. The sole question on review is whether the restitution ordered is supported by the whole record. See *Grievance Administrator v August*, 438 Mich 296, 304 (1991).

After careful review, we conclude that the hearing panel's restitution award is not supported by proper evidentiary support and must be modified. With respect to Earline White, the record establishes that respondent received a total of \$74,000 from Ms. White in connection with the underlying litigation. However, it is equally undisputed that respondent caused \$70,000 to be paid on Ms. White's behalf to resolve that matter. While those funds were improperly taken from the Massey Estate, the fact remains that Ms. White received the full benefit of that payment. To the credit of counsel for the Grievance Administrator, at oral argument counsel acknowledged that the restitution amount may require modification in light of respondent's \$70,000 payment for Ms. White's benefit, and later stipulated to that fact on the record. (Tr 04/08/26, pp 24–26.)

The hearing panel erred by failing to credit this \$70,000 payment against the amount owed to Ms. White. The panel's reliance on the restitution ordered to be paid in the criminal proceeding is misplaced, as that amount was the product of a plea agreement and not an adjudicated determination which we would be bound to follow here. By ordering respondent to pay \$68,500 in restitution to Ms. White without accounting for the \$70,000 payment made on her behalf, the panel effectively awarded Ms. White more than she actually lost. On this record, Ms. White's net loss is \$4,000, representing the difference between the total amount she provided to respondent and the amount ultimately paid for her benefit. Accordingly, restitution to Ms. White must be reduced to \$4,000.

In contrast, the restitution awarded to Charles Meiser and the Estate of Candice Massey is supported by the record and is not meaningfully disputed. The evidence demonstrates that Mr. Meiser transferred \$100,000 to respondent, which has not been repaid, and that respondent misappropriated approximately \$97,591.90 from the Massey Estate, likewise not repaid. Those amounts were properly included in the hearing panel's order.¹

When the \$70,000 payment is properly credited, the total amount of funds misappropriated by respondent is reduced to approximately \$199,591.90. The panel's restitution award of \$266,091.90 therefore exceeds the actual loss by approximately \$66,500, reflecting a clear mathematical and analytical error. Accordingly, we conclude that the hearing panel's order of disbarment and restitution must be modified to reflect the actual losses sustained.

¹ Although respondent argues that her billing statements show she was entitled to a portion of the funds she received from Ms. White and the Massey Estate because of work she completed, fee forfeiture may be ordered in instances of misconduct, even where the lawyer has done some work. See *Grievance Administrator v Thomas J McCallum*, 90-18-GA; 90-42-FA (ADB 1990) (citing *Rippey v Wilson*, 280 Mich 233 (1937)).

NOW THEREFORE,

IT IS ORDERED that the hearing panel's order of disbarment and restitution is **AFFIRMED IN PART AND MODIFIED IN PART**. Specifically, the \$100,000 in restitution ordered to be paid to Charles Meiser and the \$97,591.90 in restitution ordered to be paid to the Estate of Candice Massey are both **AFFIRMED**. The \$68,500 in restitution ordered to be paid to Earline White is **REDUCED** to \$4,000.00.

IT IS FURTHER ORDERED that respondent shall not be eligible for reinstatement in accordance with MCR 9.123 unless she has fully complied with the restitution provisions of this order and with the restitution she agreed to pay as part of her plea agreement in *People v Michelle Lynn Elowski*, Oscoda County Circuit Court, Case Nos. 24-1953-FH, 24-1954-FH, and 24-1955-FH.

IT IS FURTHER ORDERED that all other provisions of the hearing panel's order of disbarment and restitution remain in full force and effect.

ATTORNEY DISCIPLINE BOARD

By: /s/ Alan Gershel, Chairperson

Dated: April 29, 2026

Board Members Alan Gershel, Peter A. Smit, Rev. Dr. Louis J. Prues, Linda M. Orlans, Jason M. Turkish, Andreas Sidiropoulos, MD, Katie Stanley, Tish Vincent, and Kamilia Landrum concur in this decision.