

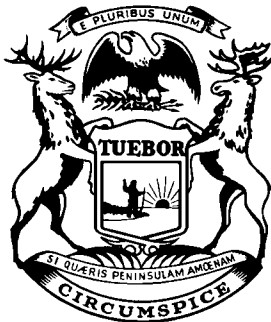


# 2007

STATE OF MICHIGAN

## Attorney Discipline Board and Attorney Grievance Commission

Joint Annual Report



### **Attorney Discipline Board**

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## ATTORNEY GRIEVANCE COMMISSION MEMBERS

Michael Murray, Chairperson  
Lansing, Michigan

Richard B. Poling, Jr., Vice-Chairperson  
Troy, Michigan

Martha D. Moore, Secretary  
Rochester, Michigan

Kent J. Vana, Member  
Grand Rapids, Michigan

Karen M. Dunne Woodside, Member  
Detroit, Michigan

Russell E. Mohny, M.D., Member  
Kalamazoo, Michigan

David L. Porteous, Member  
Reed City, Michigan

Pastor Deborah L. Butler, Member  
Southfield, Michigan

Jan A. Brandon, Member  
Ann Arbor, Michigan

**ATTORNEY GRIEVANCE COMMISSION**

Robert L. Agacinski, Grievance Administrator  
Robert E. Edick, Deputy Administrator  
Cynthia C. Bullington, Asst. Deputy Administrator  
Bonnie R. Metty, Office Manager

**Associate Counsel:**

Wendy A. Neeley  
Ruthann Stevens  
Stephen P. Vella  
Patrick K. McGlenn  
Frances A. Rosinski  
Emily A. Downey  
Kimberly L. Uhuru  
Nancy R. Alberts  
Dina P. Dajani  
Rhonda Spencer Pozehl  
James W. Metz  
Nancy J. Westveld

**Investigators:**

Thomas Turkaly  
Nancy MacKenzie  
Roger Schutter

**Computer Analyst:**

C. Martin Rose

**Secretaries:**

Corinne Adcock  
Jane Brown  
Jason Harris  
Misty Primeau  
Demetra Shaw  
Barbara Todd  
Charlene Varacalli  
Rebecca Wilson

**Clerks:**

Rosa Fernandez  
Monica Garza

**Receptionist:**

Lula Hambrick  
Sabrina Cornell

## **State of Michigan**

### **Attorney Grievance Commission**

#### **Annual Report**

**January 1, 2007 - December 31, 2007**

#### **Overview**

The Attorney Grievance Commission was established by the Michigan Supreme Court on October 1, 1978, succeeding the former State Bar Grievance Board. The Commission acts as the prosecutorial arm of the Supreme Court for the discharge of its constitutional responsibility to supervise and discipline Michigan attorneys. The Commission exercises state-wide jurisdiction and is located in Detroit.

#### **Commission Composition**

The Commission consists of nine members, all appointed by the Supreme Court, who serve on a voluntary basis. There are six attorneys and three laypeople. Through September 30, 2007, Karen Quinlan Valvo, Esq., and Michael Murray, Esq. were the Chairperson and Vice Chairperson of the Commission, respectively. Other members were Barbara B. Gattorn, Richard B. Poling, Jr., Esq., Russell E. Mohny, M.D., Noelle A. Clark, Kent J. Vana, Esq., Karen Dunne Woodside, Esq., and Martha D. Moore, Esq.

The tenure of Chairperson Valvo concluded September 30, 2007. Commencing October 1, 2007, Michael Murray, Esq. was appointed to the position of Chairperson and Richard B. Poling, Jr., was appointed to the position of Vice Chairperson.

The vacancy left by Karen Quinlan Valvo was filled by the appointment of David L. Porteous, Esq.

Barbara B. Gattorn and Noelle A. Clark also concluded their service to the Commission. Their vacancies were filled, effective October 1, 2007, by Pastor Deborah L. Butler and Jan A. Brandon.

The Commission and the Grievance Administrator and his staff would like to express their gratitude and appreciation for the diligent and professional work of Chairperson Karen Quinlan Valvo and Commission Members Barbara B. Gattorn and Noelle A. Clark.

### The Grievance Administrator's Staff

The Grievance Administrator and Deputy Administrator are appointed by the Supreme Court pursuant to MCR 9.111. The Grievance Administrator is empowered by MCR 9.111 to hire legal and support staff. Grievance Administrator Robert L. Agacinski and Deputy Administrator Robert E. Edick have thirteen attorneys under their supervision, and a complement of 17 support staff. Additionally, the Commission accepts law students for the legal intern program in connection with their law school.

The Grievance Administrator possesses a staff of experienced discipline attorneys, with ten of the thirteen having been on staff at least five years. The staff attorneys bring a wide variety of criminal and civil experience to their work on disciplinary matters. The Grievance Administrator similarly enjoys an experienced support staff providing a wide range of administrative, secretarial, technical, and investigative assistance.

### Commission Procedure

The attorney discipline process is governed by subchapter 9.100 of the Michigan Court Rules. The disciplinary process is normally initiated when a request for investigation is filed with the Administrator against an attorney, or when the Administrator commences an investigation in his/her name.

Upon the filing of a request for investigation, the Grievance Administrator must determine whether there exists a prima facie allegation of professional misconduct. The request for investigation may be rejected by the Grievance Administrator on its face or after preliminary investigation and/or analysis by the Intake Unit, or it may be assigned to a staff counsel for a full investigation. Common investigative procedures include legal research and analysis, witness interviews, and/or procurement of court records or banking records. When the investigation is concluded, the Grievance Administrator submits the investigative file to the Commission for their review and disposition.

On each investigative file, the Grievance Administrator, through his/her staff attorneys, recommends to the Commission that: (1) the matter be closed as there is insufficient evidence of professional misconduct to sustain the burden of proof at a disciplinary proceeding; (2) the respondent attorney be placed on contractual probation pursuant to MCR 9.114 and MCR 9.115; (3) the respondent attorney be admonished, with his or her acceptance and consent; or (4) authority be granted to file a formal complaint against the respondent attorney for allegations of professional misconduct.

## Investigations

During 2007, the Commission docketed 3,293 requests for investigation, or grievances. Table 1 below details the number of grievances docketed for the years 1997-2007, with a breakdown of the disposition of files by the Commission for the same time frame. The dispositions include grievances dismissed by the Grievance Administrator pursuant to MCR 9.112(C)(1)(a) and MCR 9.114(A)(1); grievances closed by the Commission; admonitions issued by the Commission; contractual probations approved by the Commission; and individual grievances approved by the Commission for the filing of a formal complaint.

**Table 1 - Dispositions of grievances, 1997-2007**

<b>Year</b>	<b>grievances received</b>	<b>grievances disposed</b>	<b>rejected by the GA or closed in Intake</b>	<b>closed by the AGC</b>	<b>admon-ishments</b>	<b>contractual probation</b>	<b>grievances approved for formal complaint</b>
<b>2007</b>	3,293	2,905	2,219	355	128	52	151
<b>2006</b>	3,575	3,280	2,654	275	118	30	203
<b>2005</b>	3,541	3,265	2,667	461	129	36	172
<b>2004</b>	3,475	3,315	2,382	533	178	15	207
<b>2003</b>	3,583	3,629	2,696	540	143	9	241
<b>2002</b>	3,557	3,551	2,477	739	132	3	200
<b>2001</b>	3,575	3,294	1,569	1,166	125	n/a	171
<b>2000</b>	3,373	3,195	1,132	1,333	185	n/a	227
<b>1999</b>	3,505	3,413	1,074	1,578	189	1	215
<b>1998</b>	3,935	3,796	1,358	1,676	179	n/a	241
<b>1997</b>	4,116	4,017	1,666	1,593	197	n/a	236

The dispositions of grievances for a particular year are not necessarily dispositions of the grievances filed for that year. The dispositions for 2007 may include grievances from previous years, and some of the 2007 grievances will be pending on January 1, 2008.

The number of individual grievances approved by the Commission for the filing of a formal complaint will not correlate directly to the number of new formal complaints filed with the Attorney Discipline Board. Multiple grievances against a single respondent, all of which have been approved for prosecution, may be, and often are, consolidated in a single complaint for purposes of efficiency and judicial economy.

Table 2 reflects that the areas of practice most likely to lead to a grievance are criminal law, domestic relations, probate, and personal injury law.

**Table 2 - Subject matter most prevalent in grievances, 2007**

<b>subject matter</b>	<b>% of total grievances</b>
criminal law	40
domestic relations	17
probate law	8
personal injury law	6
commercial law	5
bankruptcy law	4
real estate transactions	3
immigration law	3
employment/labor law	2

### Prosecutions and other litigation

When the Commission authorizes that a prosecution be commenced, a formal complaint is filed with the Attorney Discipline Board (ADB) setting forth the alleged misconduct, pursuant to MCR 9.115. The matter is scheduled before a hearing panel of the ADB. Upon the conclusion of the hearing, the Grievance Administrator, the respondent, and the complainant all possess the right to appeal to the ADB. Further appeals may be taken by leave to the Supreme Court.

The Grievance Administrator alone is empowered by MCR 9.120 to initiate Judgment of Conviction (JOC) proceedings against attorneys who are convicted of a crime. These proceedings are show cause proceedings in which the level of discipline is the principal issue. Attorneys who are convicted of a felony are automatically suspended from the practice until a hearing panel of the ADB has issued a final order of discipline. Attorneys who are convicted of misdemeanors are not automatically suspended. The Grievance Administrator will regularly file a JOC proceeding for a felony conviction, while exercising discretion in initiating a JOC proceeding for a misdemeanor conviction.

Attorneys who are disciplined in other jurisdictions (state or federal) will be subject to a reciprocal discipline proceeding initiated by the Grievance Administrator [MCR 9.104(B)]. These proceedings, like JOC proceedings, are similar to a show cause proceeding in which the principal issues are whether the attorney received due process in the initial litigation and whether a reciprocal discipline should be imposed.

Michigan judges who have discipline recommended against them by the Judicial Tenure Commission (JTC) may be subject to a formal complaint under MCR 9.116. The discretion to file such a complaint rests with the Commission.

The Grievance Administrator also is a party in ADB reinstatement proceedings initiated by attorneys who have been suspended for more than 180 days. The burden of proof is on the attorney to establish his or her fitness by clear and convincing evidence. These proceedings are often contested.

The above-recited proceedings, which are similarly reported in the ADB's annual report, are only part of the full picture.

The Grievance Administrator may be involved in federal district court reinstatement proceedings. The district court for the Eastern District of Michigan automatically suspends any lawyer who receives a suspension or revocation and who is also a member of its bar. That attorney must petition for reinstatement, regardless of the length of suspension. The court routinely appoints the Commission as an interested party to provide information and assistance to the court in their consideration of the reinstatement petition. In 2007, there were 12 new federal reinstatement proceedings for the Eastern District of Michigan.



The Grievance Commission is a party in superintending control<sup>1</sup> filings with the Michigan Supreme Court by complainants who take issue with the Administrator's or the Commission's decision on an investigative file. For 2007, 23 such complaints were filed with the Court. The Grievance Administrator also has a long-standing policy of accepting requests for reconsideration of files concluded by the Intake Unit or the Commission. This process acts as a quality control measure while also providing further accountability to complainants. Upon the receipt of a request for reconsideration, a senior attorney will review the file and the request to determine whether an issue or a relevant fact was overlooked by the Intake Unit or the Commission, or whether new information is provided that could change the analysis or outcome of the matter. If such information is provided, then the file may be reopened for further investigation and analysis. For the year 2006, approximately 420 such requests were received.

Respondent-attorneys who fail to comply with their orders of discipline may be faced with a show cause proceeding filed by the Grievance Administrator in circuit court, pursuant to MCR 9.115(I)(2). Increasingly, these proceedings have been the result of respondent-attorneys who fail to pay the restitution and costs that were contained in the order of discipline.

Receiverships, under MCR 9.119(G), to protect clients of deceased, incapacitated, and absconded attorneys have increased over the last few years. The Grievance Administrator may file with a circuit court a petition for a receivership. When there is no potential conflict, the Grievance Administrator acts as receiver for the files of the subject attorney. A very work-intensive process follows in which the files are identified, cataloged, and prioritized between pending and closed. Letters and/or phone calls are then sent and placed to clients advising of the receivership, and advising that the attorney is no longer available and that the file will be provided, at their request. Courts, in which matters are identified as pending, are contacted so that the attorney's non-appearance does not prejudice the client. Mail is received and forwarded to the appropriate file and client. When necessary, bank accounts are taken so that claims may be made for refunds or distributions. For 2007, the Grievance Administrator commenced 8 new receiverships.

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<sup>1</sup> MCR 7.304(A) provides that a petition for superintending control may be filed to implement the Court's superintending control over the Board of Law Examiners, the Attorney Discipline Board, or the Attorney Grievance Commission.

## Funding

The Attorney Grievance Commission is entirely funded by a yearly assessment paid by each Michigan lawyer with their State Bar dues. The yearly assessment is set by the Supreme Court. In the fiscal year ending September 30, 2007, the Commission's actual expenditures were \$3,298,862.

## Looking forward

2008 will bring the continued efficiency of the internal goals for efficient, thorough, and prompt investigations. The Grievance Administrator and members of his attorney staff continue to cooperate with the State Bar in presenting the ethics seminars to improve the knowledge and professionalism of the Bar. The Grievance Administrator will continue to speak to the Bar and civic groups to improve the communication and understanding of the attorney discipline process and will continue to participate in various State Bar Committees focusing on the good of the profession.

The Supreme Court is in the final stages of reviewing and adopting substantial amendments to the Michigan Rules of Professional Conduct, as well as adopting a tailored set of sanction guidelines. The Commission and the Grievance Administrator are fully prepared to assist in the implementation, education, and enforcement of these anticipated changes. In addition, the Commission, with the work of the Grievance Administrator and his staff, has submitted revisions updating the Michigan Court Rule Chapter 9.100 which the Court will be considering.

Conclusion

The past year reflected the ongoing changes in the attorney discipline process. The mission continues to be to protect the public and improve the quality of the bar. To accomplish this, the work of the Commission, the Grievance Administrator, and the staff goes well beyond the investigation and prosecution of attorneys.

For further information regarding the Attorney Grievance Commission, please contact:

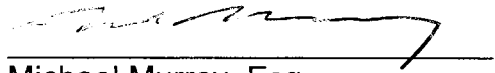
Attorney Grievance Commission  
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[www.agcmi.com](http://www.agcmi.com)



Robert L. Agacinski  
Grievance Administrator



Michael Murray, Esq.  
Chairperson, AGC

STATE OF MICHIGAN  
**Attorney Discipline Board**  
**2007 Annual Report**

January 1, 2007 to December 31, 2007

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**STATE OF MICHIGAN**  
**ATTORNEY DISCIPLINE BOARD MEMBERS**

LORI McALLISTER, of Lansing, Chairperson  
Term Expires: September 30, 2008

WILLIAM J. DANHOF, of Lansing, Vice-Chairperson  
Term Expires: September 30, 2008

WILLIAM L. MATTHEWS, CPA,<sup>†</sup> of Southfield, Secretary  
Term Expires: September 30, 2008

GEORGE H. LENNON, of Kalamazoo  
Term Expires: September 30, 2009

BILLY BEN BAUMANN, M.D.,<sup>†</sup> of Bloomfield Hills  
Term Expires: September 30, 2009

HON. RICHARD F. SUHRHEINRICH, of Lansing  
Term Expires: September 30, 2008

ANDREA L. SOLAK, of Grosse Pointe Park  
Term Expires: September 30, 2009

THOMAS G. KIENBAUM, of Birmingham  
Term Expires: September 30, 2010

EILEEN LAPPIN WEISER,<sup>†</sup> of Ann Arbor  
Term Expires: September 30, 2010

<sup>†</sup>Non-lawyer member

**ATTORNEY DISCIPLINE BOARD STAFF**

JOHN F. VAN BOLT  
Executive Director

MARK A. ARMITAGE  
Deputy 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/Secretary

**STATE OF MICHIGAN**  
**ATTORNEY DISCIPLINE BOARD**  
**ANNUAL REPORT**

**January 1, 2007 - December 31, 2007**

**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.

On September 30, 2007, lawyer member William P. Hampton completed his second three-year term as a member of the Board. Mr. Hampton was appointed by the Michigan Supreme Court to serve as the Board's chairperson in October 2005 and he was appointed to a second term in 2006. The courts, the public and the legal profession in Michigan are deeply indebted to William P. Hampton for his dedicated services as a member of the Attorney Discipline Board. He leaves with the lasting respect and affection of the Board's members and staff.

September 30, 2007 also marked the completion of a second three-year term by lay member, Bishop Ira Combs, Jr. Bishop Combs served with dedication and integrity. The public, the courts and the legal profession in Michigan are also indebted to Bishop Combs for his service.

Appointed to new three-year terms commencing October 1, 2007 were lawyer member Thomas G. Kienbaum, of Birmingham and lay member Eileen Lappin Wieser, of Ann Arbor. Further biographical information for the nine members of the Attorney Discipline Board may be found in Appendix "E" of this report.

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



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**ATTORNEY DISCIPLINE BOARD**  
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jury trial in a circuit court and the Michigan Rules of Evidence. During 2007, hearing panels conducted 201 public hearings throughout the state.

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 \$139,570.16 from disciplined lawyers in 2007. 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, an order of discipline entered by a hearing panel, including disbarment and suspension, constitutes a final order and may be enforced in civil contempt proceedings by the Grievance Administrator.

### **Board Review**

In addition to their administrative and oversight responsibilities, 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 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 to the full Board. Following its review, the Board may enter an order affirming, reversing or modifying the panel's order. A party or the complainant may seek further review by the Michigan Supreme Court by filing an application for leave to appeal. 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 six meetings in 2007,

meeting three times at the Board's office in Detroit, twice at the Michael Franck Building, State Bar of Michigan in Lansing and at the Michigan Court of Appeals in Grand Rapids. The Board conducted public review hearings in 21 cases under the guidelines of MCR 9.118 in 2007.

Following its deliberations, the Board took the following actions:

Affirmed dismissal by the hearing panel:	2
Affirmed the discipline imposed by the hearing panel:	12
Increased the level of discipline:	4
Reduced the level of discipline:	1
Disposition pending:	<u>2</u>
<b>TOTAL:</b>	<b>21</b>

### **New Cases Filed**

There were 112 new formal complaints filed in 2007. Of these, 108 complaints<sup>1</sup> contained original charges of misconduct following an investigation by the Attorney Grievance Commission. This was a 13% decrease in the number of original complaints compared to 2006. An additional four formal complaints<sup>2</sup> 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 generally consolidated for hearing before the panel to which the original complaint has been assigned.

Forty one 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. This number represented an increase of 28% over the 32 criminal convictions filed by the Grievance Administrator in 2006 and is approximately a three fold increase over the 14 criminal conviction cases filed in 2005. Twelve petitions for reinstatement in accordance with MCR 9.123(B) were filed in 2007 by attorneys suspended for 180 days or more. (Seven such petition were filed in 2006.) In addition, the Grievance Administrator filed 11 petitions for enforcement of an earlier discipline order, three petitions seeking an attorney's transfer to inactive status, and five reciprocal discipline actions based upon the imposition of discipline in another jurisdiction.

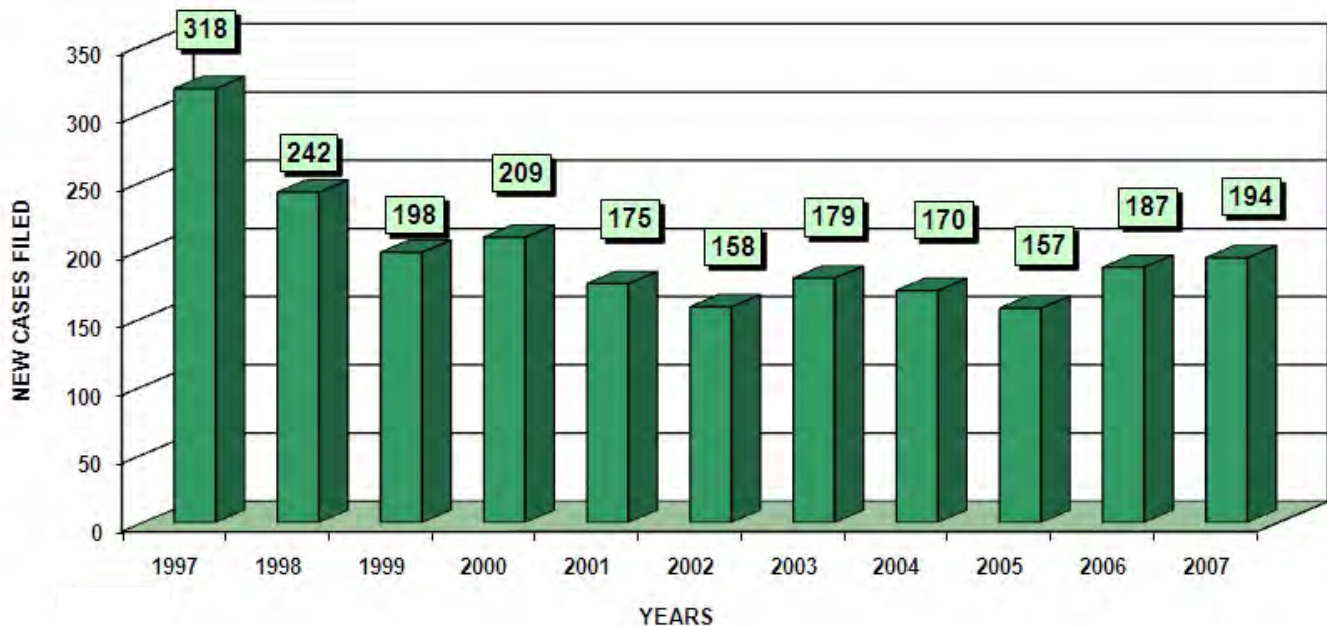
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<sup>1</sup> Designated "GA" in Appendix "A."

<sup>2</sup> Designated "FA" in Appendix "A."

The 194 new files opened by the Board in 2007 represented a 4% increase compared to 187 new cases in 2006. The following table (Table 1) illustrates the Board's annual intake of new cases since 1997.

**Table 1. New Case Filed, 1997 - 2007**

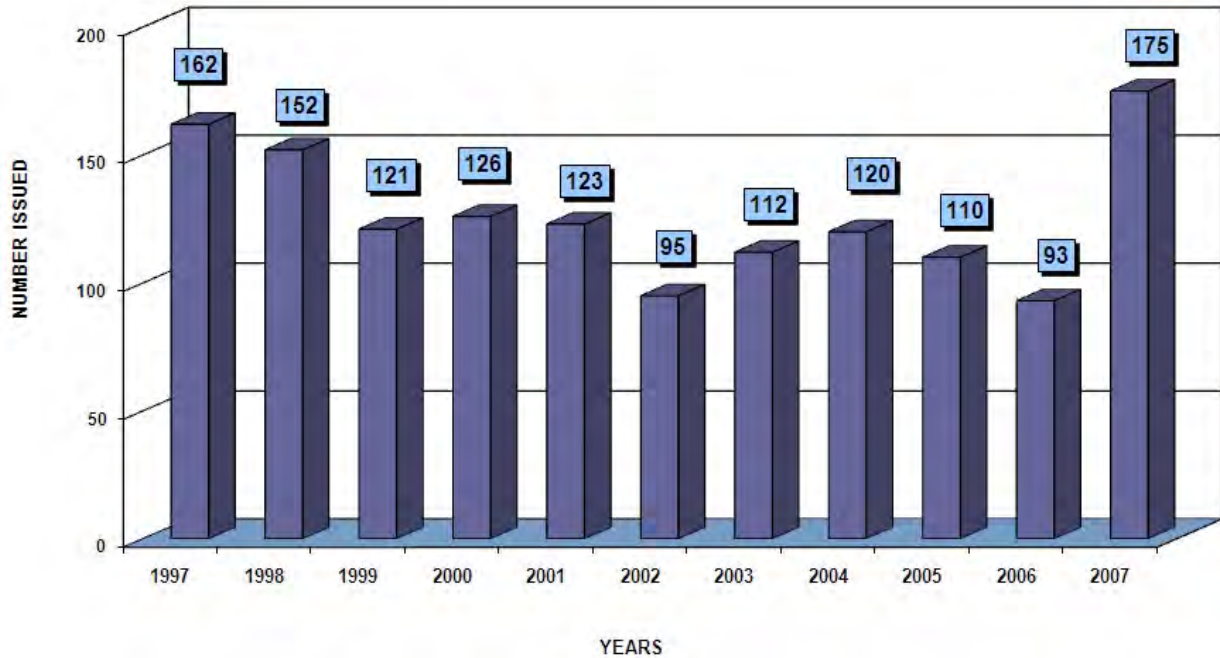


**Orders of Discipline/Dismissal**

The Attorney Discipline Board issued 175 final disposition orders in 2007, including orders of discipline, orders of dismissal and orders granting or denying reinstatement. Discipline (revocation, suspension, reprimand or probation) was ordered in 139 cases. A complete list of the orders of discipline issued in 2007 appears in Appendix "C." Orders of discipline issued since 1997 are illustrated in Table 2, below.

A total of 21 cases were dismissed or withdrawn voluntarily, as follows: cases dismissed by hearing panel order: 11; dismissal orders affirmed by the Attorney Discipline Board on review: 2; cases voluntarily terminated or withdrawn by the Grievance Administrator: 8.

**Table 2. Discipline Orders Issued, 1997 - 2007**



**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.

Seventy four consent orders of discipline were finalized in 2007, accounting for 53% of all discipline orders finalized.

Consent orders were finalized in the following discipline categories in 2007:

<b>Type of Discipline</b>	<b>Consent Orders</b>	<b>Total Discipline Orders</b>	<b>% By Consent</b>
Revocation	5	17	29%
Suspension (3 yrs. or more)	1	7	14%
Suspension (180 days but less than 3 yrs.)	15	32	47%
Suspension (30 - 179 days)	6	25	24%
Reprimand	31	40	78%
Probation	16	18	89%

### **Types of Misconduct Resulting in Discipline**

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 38% of the discipline orders issued in 2007. These cases ranged from an attorney's failure to provide diligent representation on behalf of a single client to complete abandonment of the attorney's practice. In some cases, 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/or failure to answer request(s) for investigation.

Thirty four Michigan lawyers were disciplined in 2007 as the result of a criminal conviction. The 13 felony convictions and 21 misdemeanor convictions, accounting for 24% of the discipline orders issued, included 15 driving related offenses.

The next largest category of misconduct, accounting for 11% of all discipline orders, involved 15 attorneys who mishandled funds entrusted by a client or third party. Other types of misconduct resulting in discipline in 2007 included failure to answer one or more requests for investigation; conflicts of interest; misrepresentations to courts or opposing counsel; and engaging in the practice of law while suspended.

### **Reinstatements**

Attorneys suspended for 179 days or less are automatically reinstated upon the filing of an affidavit of compliance with the Supreme Court. Eleven attorneys were automatically reinstated under this rule in 2007. 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 applicant's 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.

Twelve reinstatement petitions were filed with the Board and assigned to panels for hearing in 2007. The Board or its panels issued five orders reinstating attorneys whose licenses had been suspended. Three reinstatement petitions were denied or dismissed.

**Pending Caseload**

As of December 31, 2007, there were a total of 151 open discipline or reinstatement cases pending before a hearing panel, the Attorney Discipline Board or the Michigan Supreme Court.

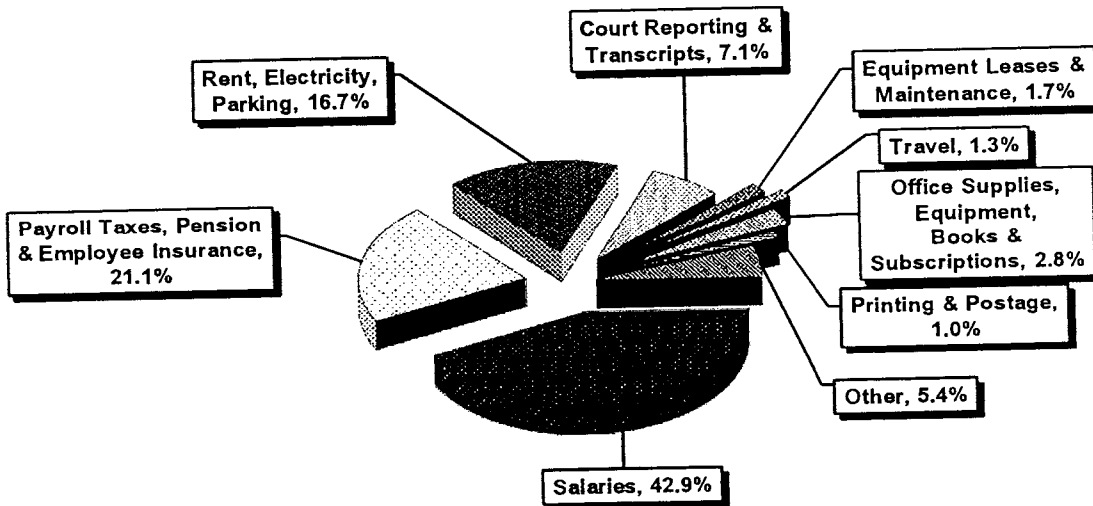
**Year-End Caseloads 2006 - 2007**

	<u>Pending 12-31-06</u>	<u>Pending 12-31-07</u>
Supreme Court:	2	4
Attorney Discipline Board:	16	25
Hearing Panel:	<u>135</u>	<u>122</u>
<b>Total:</b>	<b>153</b>	<b>151</b>

**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, annual dues are \$315, of which \$120 (38%) is specifically allocated to the Attorney Discipline System. For the fiscal year which ended September 30, 2007, the Attorney Discipline System had total operating expenses of \$4,281,927. The Attorney Discipline Board's operating expenses in FY 2006 - 2007 were \$983,065. A chart summarizing the Board's expenses for 2006-2007 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 2006-2007 Fiscal Year**



## **Proposed Standards and Rules**

### **Michigan Standards for Imposing Lawyer Sanctions**

Proposed Michigan Standards for Imposing Lawyer Sanctions were published for comment by the Supreme Court on July 29, 2003. These proposed standards are based in part upon the Discipline Board's June 26, 2002 report recommending revisions to the American Bar Association's Standards for Imposing Lawyer Sanctions and, in part, upon alternate proposals submitted to the Court by an individual. (A chart comparing the Sanction Standards published for comment by the Court, the proposed Standards submitted by the Attorney Discipline Board and the alternative proposal is available on the Board's home page [www.adbmich.org](http://www.adbmich.org) under: "Proposed Standards.")

The proposed Michigan Sanction Standards remained under consideration by the Supreme Court at the end of 2007.

### **Michigan Rules of Professional Conduct**

The rules governing the conduct for which Michigan attorneys may be disciplined are contained in the Michigan Rules of Professional Conduct. They were adopted by the Supreme Court effective October 1, 1988 and are largely drawn from the American Bar Association's Model Rules of Professional Conduct. Proposed new Michigan Rules of Professional Conduct were published for comment by the Supreme Court on July 2, 2004 (available online at <http://courts.michigan.gov/supremecourt/resources/administrative/2003-62.pdf>) and a public administrative hearing was conducted in September 2005. Those proposals remained under consideration by the Supreme Court at the end of 2007.

### **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 or the Supreme Court. 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 2007.



**Website**

The Attorney Discipline Board continues to expand and update its website: [www.adbmich.org](http://www.adbmich.org). The site includes: recent Board opinions and notices of discipline; access to the disciplinary 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) 961-5571

  
\_\_\_\_\_  
John F. Van Bolt, Executive Director

  
\_\_\_\_\_  
Lori McAllister, Chairperson

**APPENDIX "A"**  
**ANNUAL ACTIVITY REPORT**  
**JANUARY 1, 2007 THROUGH DECEMBER 31, 2007**

**I. CASES FILED**

A.	Formal Complaints (total)	112
1.	New Formal Complaints (GA)	108
2.	Failure-to-Answer Complaints (FA)	4
B.	Automatic Interim Suspensions (AI)	10
C.	Judgment of Conviction (JC)	41
D.	Petitions for Reciprocal Discipline (RD)	5
E.	Petitions to Transfer to Inactive Status (PI)	3
F.	Petitions for Reinstatement (RP)	12
G.	Miscellaneous (MZ)	11
H.	<b>TOTAL CASES FILED</b>	<b>194</b>

**II. FINAL DISPOSITIONS**

A.	Final Orders of Discipline	139
1.	Revocations	17
2.	Suspensions	64
	a. Subject to MCR 9.123(A)	25
	b. Subject to MCR 9.123(B)	32
	c. Subject to MCR 9.123(B) & (C)	7
3.	Reprimands	40
4.	Misconduct But No Discipline	0
5.	Probation	18
B.	Transfer to Inactive Status	2
C.	Dismissals	21
D.	Reinstatements Granted	5
E.	Reinstatements Denied/Dismissed	3
F.	Other	5
G.	<b>TOTAL FINAL DISPOSITION ORDERS</b>	<b>175</b>

**III. OTHER NOTICES ISSUED**

A.	Automatic Interim Suspensions Under MCR 9.120	17
B.	Interim Suspensions Ordered By Hearing Panel	2
C.	Automatic Reinstatements Under MCR 9.123(A)	11
D.	<b>TOTAL OTHER NOTICES ISSUED</b>	<b>30</b>

**IV. HEARINGS**

A.	Scheduled	477
B.	Held	201

**V. COSTS**

Total Costs Reimbursed to the State Bar of Michigan by Respondents and Petitioners	\$139,570.16
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**APPENDIX "B"**  
**SANCTIONS IMPOSED - 2007**  
**By Type of Misconduct<sup>3</sup>**

	REVOCAION	SUSP. 3 YRS +	SUSP. 180 DAYS LESS 3 YRS	SUSP. 30 - 179 DAYS	REPRIMAND	PROBATION	NO DISCIPLINE	TOTAL
NEGLECT <sup>4</sup>			5	4	15	1		25
NEGLECT (Accompanied by Failure to Answer R/I)	3	2	5	6	1	2		19
NEGLECT (Aggravated by Misrepresentation to Client or Court)	3	1	4	1				9
MISAPPROPRIATION	3		4	1				8
OTHER MONEY OFFENSES		1		2	2	2		7
CONVICTION (Felony)	5	1	5	1		1		13
CONVICTION (Misdemeanor)			3	2	4	12		21
CONFLICT OF INTEREST				2	3			5
FAIL TO COMPLY/PRACTICE WHILE SUSPENDED		1	2	2	2			7
MISREPRESENTATION/ FRAUD	1		1	1	2			5
FAIL TO ANSWER REQUEST FOR INVESTIGATION			1	2	2			5
RECIPROCAL DISCIPLINE/ JUDICIAL DISCIPLINE	1	1	1		1			4
FAILURE TO SUPERVISE					4			4
OTHER	1		1	1	4			7
<b>TOTAL:</b>	<b>17</b>	<b>7</b>	<b>32</b>	<b>25</b>	<b>40</b>	<b>18</b>		<b>139</b>

<sup>3</sup> 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.

<sup>4</sup> 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 - 2007**

**REVOCATIONS (17)**

<b>RESPONDENT</b>	<b>EFFECTIVE DATE</b>
CAMPBELL, Keino D.	August 8, 2007
CAMPBELL, Keino D.	August 8, 2007
CENTALA, Michael S.	July 18, 2006
CLYNE, Arthur J.	July 5, 2006
DINGLE, John, Jr.	May 31, 2007
HARWOOD, Stanley A., II	March 3, 2007
HUGHES, Yvonne L.	October 18, 2007
LARSON, James R.	November 13, 2006
MADY, Charles G.	February 26, 2006
McQUILLAN, Richard	July 5, 2007
NIEMER, Kathryn M.	July 6, 2007
RITCHIE, David C.	November 2, 2004
WACLAWSKI, Steven	July 20, 2006
WATTS, Rodney	February 16, 2007
WILKINS, Andrew K.	June 17, 2006
WILKINS, Andrew K.	June 22, 2007
ZORZA, John L.	May 4, 2007

**SUSPENSIONS SUBJECT TO MCR 9.123(B) AND (C) [THREE YEARS OR MORE] (7)**

<b>RESPONDENT</b>	<b>LENGTH</b>	<b>EFFECTIVE DATE</b>
BROWN, Stephanie J.	Four Years and Six Months	November 29, 2006
DARDEN, Terry	Three Years	February 24, 2007
HOLLAND, V. Gregory	Three Years	May 16, 2007
LAVENDER, James P.	Three Years	July 29, 2005
POMEROY, Randall L.	Three Years	June 22, 2007
STOFFAN, Phillip M.	Three Years	December 1, 2006
TRUDEL, Gerard	Three Years	February 22, 2007

**SUSPENSIONS SUBJECT TO MCR 9.123(B) [180 DAYS BUT LESS THAN THREE YEARS] (32)**

<b>RESPONDENT</b>	<b>LENGTH</b>	<b>EFFECTIVE DATE</b>
ALLEN, Glenda M.	180 Days	October 10, 2007
BROADWORTH, Jon Allen	180 Days	July 15, 2007
BRUMMEL, Suzanne	180 Days	September 22, 2007
BURGER, Mark C.	180 Days	January 3, 2007
CAMPBELL, Keino D.	One Year	May 16, 2007
CANZANO, Roger S.	30 Months	September 29, 2005
CATON, Gregory S.	180 Days	May 15, 2007
COOPER, Rene A.	180 Days	July 6, 2007
DAVIS, Wendell N., Jr.	Two and One-Half Years	April 17, 2007
DINGLE, John, Jr.	180 Days	January 11, 2007
FUKSA, George	180 Days	April 29, 2005
GAULT, Brian J.	180 Days	August 2, 2007
GIBSON, Jack A., Jr.	One Year	June 29, 2006
HALMAGY, Walter W.	One Year	March 13, 2007
HATCHETT, William M.	24 Months	August 17, 2006
HIDALGO, Michael X.	18 Months	September 7, 2007
HOLST, Richard C.	180 Days (with credit given for 60 days)	June 29, 2007
KNAPP, James Richard	30 Months	May 3, 2007
LIPPMAN, Noel L.	One Year	April 25, 2007
MAJKOWSKI, James P.	180 Days	April 6, 2007
MILLER, James R.	180 Days	March 3, 2007
MOFFETT, Dennis E.	One Year	September 7, 2006
MONTGOMERY, Pamela C.	24 Months	August 7, 2007
OSTROWE, Eugene	Two Years	June 17, 2011
PITCHER, Shannon H.	180 Days	September 14, 2007
PLUNKETT, Ronald J.	Two Years	August 9, 2007
REID, Dennis W.	One Year	April 26, 2004
RIEMERSMA, Jeffrey K.	Six Months	October 27, 2007
ROSS, Mark E.	180 Days	November 28, 2007
SAWYER, Paul W.	180 Days	October 5, 2006
TITUS, Christopher G.L.	Two Years	January 22, 2007
YAKER, Bradford T.	18 Months	December 31, 2006

**SUSPENSIONS SUBJECT TO MCR 9.123(A) [LESS THAN 180 DAYS] (25)**

<b>RESPONDENT</b>	<b>LENGTH</b>	<b>EFFECTIVE DATE</b>
BAKER, John D.	30 Days	October 10, 2007
BARNES, James C.	90 Days	June 28, 2007
BOTHELL, Burt A.	60 Days	February 16, 2007
BURLEY, C. Melvin, Jr.	90 days	July 20, 2007
BUTCHER, Robert E.	90 Days	November 20, 2007
GRACE, John L., III	30 Days	July 7, 2007
HARRIS, James M.	179 Days	August 24, 2007
HEUERMANN, Richard Bachleda	30 Days	August 21, 2007
HOLST, Richard C.	60 Days	December 15, 2006
ISLES, Scott A.	60 Days	July 18, 2007
JACKSON, Kerry Leon	75 Days	November 20, 2007
JONES, Robert E.	90 Days	April 15, 2006
KELLY, John M.	90 Days	December 29, 2007
LAZAR, Thomas	30 Days	December 29, 2007
LUND, Michelle L.	45 Days	November 2, 2007
RAAFLAUB, David H.	30 Days	July 6, 2007
ROCHAU, Craig A.	90 Days	January 31, 2007
SKLADD, Michael	179 Days	July 21, 2006
SLOCOMBE, Jeffrey A.	90 Days	February 22, 2007
SMITH, Jerold C.	30 Days	May 1, 2007
THOMPSON, Edrick T.	30 Days	October 23, 2007
WEIDEMAN, Carl M., III	30 Days	April 21, 2007
WELLMAN, Scott W.	179 Days	May 22, 2007
YAKER, Barry D.	30 Days	October 1, 2007
ZAMECK, Harvey J.	120 Days	August 24, 2008

**REPRIMANDS (40)**

<b>RESPONDENT</b>	<b>EFFECTIVE DATE</b>
ASH, Timothy R.	January 10, 2007
BALDWIN, Gary R.	September 11, 2007
BALLARD, Travis w.	September 7, 2007
BARNETT, Marvin	January 3, 2007
BATEY, Scott P.	August 22, 2007

REPRIMANDS (Continued)

RESPONDENT	EFFECTIVE DATE
BLUM, Murray L.	January 11, 2007
BUNTING, Lawrence J.	May 22, 2007
CRAIG, Geoffrey L.	September 14, 2007
CROMER, Ronnie E.	December 27, 2007
DIB, Albert J.	December 14, 2006
DONALDSON, Michael L.	April 11, 2007
DUNN, Michael J.	May 15, 2007
EIFLER, Susan M.	November 6, 2007
FIEGER, Geoffrey N.	January 18, 2007
FIEGER, Geoffrey N.	August 21, 2007
GREEN, Russell L.	March 9, 2007
HAMED, Mosabi	October 31, 2007
JOCUNS, Bernard A.	October 25, 2007
KAREGA, Che A.	February 2, 2007
KNUTH, Eric J.	March 27, 2007
KOZERA, Daniel J., Jr.	May 15, 2007
LANFEAR, R. Carl	May 8, 2007
LEVITT, Todd L.	June 15, 2007
LINCOLN, Bruce A.	June 8, 2007
LONG, Marcellus, Jr.	June 5, 2007
MACAULEY, James T.	June 14, 2007
MAIR, Gregory W.	March 28, 2007
MALSON, David A., Jr.	May 15, 2007
MOLLICA, Joseph G.	March 9, 2007
O'CONNELL, Patrick M.	December 29, 2007
PATTON, Carol P.	October 14, 2006
POMMERENING, Louis A.	October 3, 2007
PUSHMAN, Susan S.	April 4, 2007
PUTRYCUS, David P.	June 1, 2007
RAMSEY, R. Jean	June 7, 2007
ROYAL, John F.	October 18, 2007
SCARFONE, Richard B.	May 8, 2007
SCHWARTZ, Peter I.	July 25, 2007
SUTTON, Laura Kathleen	January 12, 2007
THORNTON, Paula D.	September 5, 2006



**PROBATIONS (18)**

<b>RESPONDENT</b>	<b>EFFECTIVE DATE</b>
ALEXANDER, K.	June 1, 2007
BEEDING, John Milton, Jr.	June 5, 2007
CASTERLINE, Brian C.	August 22, 2007
CHAMPION, David C.	October 16, 2007
FLEISCHMANN, Frank A.	January 26, 2007
HEUERMANN, Richard B.	February 16, 2007
LAWRENCE, Frank, Sr.	August 28, 2007
LEWIS, John Wesley	April 17, 2007
MACDONALD, Karyn L.	September 28, 2007
MOOTHART, Jonathan R.	July 6, 2006
PRINGLE, Carolyn S.	June 21, 2007
RUSSELL, A. Lawrence	June 8, 2007
SCHWARTZ, Marc S.	September 8, 2007
SHEEHAN, Terrance P.	October 27, 2007
WATTS, John A.	December 29, 2007
WEDDELL, Pamela M.	September 28, 2007
WHITE, Richard I.	May 22, 2007
ZYBURSKI, Paul F.	November 21, 2007

REVOCATIONS .....	17
SUSPENSIONS - MCR 9.123(B) and (C) .....	7
SUSPENSIONS - MCR 9.123(B) .....	32
SUSPENSIONS - MCR 9.123(A) .....	25
REPRIMANDS .....	40
PROBATIONS .....	18
MISCONDUCT BUT NO DISCIPLINE .....	0

**APPENDIX "D"**

**Attorney Discipline Board Expenditures  
Fiscal Year Ended September 30, 2007**

<b><u>Expense Item</u></b>	<b><u>2006 - 2007</u></b>
Salaries	419,816
Longevity	2,240
Payroll Taxes	30,911
Employee Insurance	130,826
Pension Contribution	45,530
Rent	150,150
Electricity	3,617
Parking	10,080
Law Clerk and Professional Fees	6,280
Bookkeeping and Audit	8,000
Hearing Panel Expenses	69,414
Machine Rental	13,010
Meetings	7,236
Travel	12,770
Telephone	5,267
Books and Subscriptions	6,138
Office Supplies	7,968
Printing and Stationery	767
Postage	9,255
Insurance	10,502
Repairs and Maintenance	3,997
Office Expenditures	13,425
Professional Education	5,285
Dues	1,634
Miscellaneous	4,319
Depreciation	4,628
<b>TOTAL</b>	<b>983,065</b>

**APPENDIX "E"**  
**ATTORNEY DISCIPLINE BOARD**  
**MEMBERS' BIOGRAPHICAL INFORMATION**

**LORI McALLISTER of LANSING**

**Chairperson**

Term Expires: September 30, 2008

Ms. McAllister is a member of the law firm of Dykema Gossett, PLLC and is resident in the Lansing office where she leads the office's litigation practice. She also serves as the law firm's General Counsel. Ms. McAllister received her bachelor's degree (summa cum laude) from Central Michigan University and a Juris Doctor degree (cum laude) from the University of Michigan Law School. Ms. McAllister focuses her practice on complex commercial litigation and the defense of class-action lawsuits, appellate work, and the representation of regulated entities before the Michigan Office of Financial and Insurance Services. She is a member of the American Bar Association, the State Bar of Michigan, and the Ingham County Bar Association. Ms. McAllister is currently President of the MSU College of Law chapter of the America Inns of Court. Ms. McAllister was appointed by the Supreme Court to a three-year term on the Board in October 2002 and to a second term commencing October 1, 2005. After serving two one-year terms as the Board's Vice-Chairperson, Ms. McAllister was appointed Chairperson for a one-year term commencing October 1, 2007.

**WILLIAM J. DANHOF, ESQ., of LANSING**

**Vice-Chairperson**

Term Expires: September 30, 2008

Mr. Danhof is a principal and leader of the Public Law Practice Group at the Lansing office of the law firm of Miller, Canfield, Paddock and Stone, P.L.C. He is a member of the National Association of Bond Lawyers and is a past president and founding member of the American College of Bond Counsel. Since 2004, Mr. Danhof has been listed in The Best Lawyers in America in the areas of banking law and public finance. He has been associated with the Miller Canfield firm since his graduation from the University of Michigan Law School in 1974. He received his undergraduate degree from Michigan State University. Mr. Danhof is a former member of the State Bar of Michigan's Client Protection Fund Committee and is a fellow of the Michigan State Bar Foundation and the American Bar Association Foundation. In 2004, he was appointed by President George W. Bush to the United States Holocaust Memorial Council. Mr. Danhof was appointed by the Michigan Supreme Court to a three-year term on the Attorney Discipline Board commencing October 1, 2005 and to a one-year term as Vice-Chairperson commencing October 1, 2007.

**WILLIAM L. MATTHEWS, CPA of WEST BLOOMFIELD**

**Secretary**

Term Expires: September 30, 2008

Mr. Matthews is a former partner of Plante & Moran, having served as the firm's managing partner and currently is a board member of Plante & Moran Financial Advisors. Mr. Matthews received his bachelor of science degree in business administration from the University of Detroit. He is a member of the American Institute of Certified Public Accountants, the Michigan Association of Certified Public Accountants and is a former chairman and member of the Board of Governors of The American Group of Certified Public Accountants. A former director of the Detroit Economic Club, Mr. Matthews currently serves on the alumni board of Catholic Central High School and is vice-chairman of the board of trustees of Brighton Hospital. Mr. Matthews was appointed by the Supreme Court to a three-year term on the Attorney Discipline Board, effective October 1, 2005. Mr. Matthews was also elected by the members of the Board to serve a second one-year term as Secretary, commencing October 1, 2007.

### **GEORGE H. LENNON, ESQ. of KALAMAZOO**

Term Expires: September 30, 2009

Mr. Lennon is a principal in the Kalamazoo law firm of Early, Lennon, Crocker & Bartosiewicz PLC, with a practice concentrated in taxation, business law and estate planning. He has served as an Attorney Discipline Board hearing panelist since 1994. Mr. Lennon attended the University of Michigan as a regent's alumni scholar and received a bachelor of business administration degree in 1957. He attended the University of Michigan Graduate Business School and the Michigan Law School, receiving master of business administration (with distinction) and juris doctor degrees in 1960. Mr. Lennon is a former secretary, director and president of the Kalamazoo County Bar Association and has served on the State Bar's Representative Assembly. He is a co-founder of the Kalamazoo County Probationary Authority, an early release on recognizance program. Mr. Lennon is a member of the Tax, Probate, Trust and Real Estate Sections of the State Bar of Michigan and the Taxation Section of the American Bar Association. His community activities include terms as president of the Rotary Club of Kalamazoo; first president of the Hackett High School Foundation; trustee of the James S. Gilmore Foundation and the William and Katherine Van Domelen Foundation; and member of the Advisory Board of the Caring Network of Kalamazoo. In 2006, the Michigan Supreme Court reappointed Mr. Lennon to the Board for a three-year term commencing October 1, 2006.

### **BILLY BEN BAUMANN, M.D. of BLOOMFIELD HILLS**

Term Expires: September 30, 2009

Dr. Baumann is a former Medical Director and Chief of Staff of North Oakland Medical Centers where he specialized in surgical pathology and hematopathology. A former Lieutenant-Colonel in the U.S. Army Medical Corps, he is a graduate of Harvard University (B.A.) and Washington University (St. Louis) where he received his medical degree. Dr. Baumann is a past President of the Michigan State Medical Society, Physician Service Group, Oakland County Medical Society and Michigan Society of Pathologists. He currently serves on the Boards of Directors of Group Insurance Trust, the Michigan State Medical Society Foundation and American Physicians Capital, Inc. Dr. Baumann is the chair of the Michigan delegation to the American Medical Association. The Michigan Supreme Court reappointed Dr. Baumann to the Board for a three-year term commencing October 1, 2006.

### **HON. RICHARD F. SUHRHEINRICH of LANSING**

Term Expires: September 30, 2008

The Honorable Richard F. Suhrheinrich has served on the United States Court of Appeals for the Sixth Circuit since August 1990. From 1984 to 1990, he was a District Judge of the United States District Court for the Eastern District of Michigan. Prior to his appointment to the federal bench, he was a senior partner in the Detroit firm of Kitch, Suhrheinrich, Smith, Saubier & Drutchas, P.C. In addition to his practice with that firm, Judge Suhrheinrich was an Adjunct Associate Professor of Law at the Detroit College of Law (1975-1985) and at the University of Detroit School of Law (1988). Judge Suhrheinrich holds a Bachelor of Science degree from Wayne State University, a Juris Doctor (cum laude) from Detroit College of Law and a Master of Law (LL. M) from the University of Virginia School of Law. He also holds honorary Doctor of Law (LL. D) degrees from the Detroit College of Law and Michigan State University. Judge Suhrheinrich has been a member of the Board of Trustees of the Michigan State University-Detroit College of Law since 1985, serving as president of that body from 1999 to 2001. He is currently on the faculty of the Thomas M. Cooley Law School in Lansing. A former member of the Board of Trustees of Marygrove College, Southwest Detroit Hospital Corp., Sparrow, Inc., and Hutzel Hospital, Judge Suhrheinrich currently serves on the Board of Trustees of Brighton Hospital. The Michigan Supreme Court appointed Judge Suhrheinrich to the Board for a three-year term commencing October 1, 2002. In September 2005, the Michigan Supreme Court re-appointed Judge Suhrheinrich to a second three-year term commencing October 1, 2005.

**ANDREA L. SOLAK of GROSSE POINTE PARK**

Term Expires: September 30, 2009

Ms. Solak received her undergraduate and law degrees from Wayne State University (JD 1975). During her 25 year career as an Assistant Prosecuting Attorney in Wayne County, she served as an Appellate Prosecutor, and was, for 10 years, the Chief of Special Operations in the Prosecutor's office. Ms. Solak also served as the legislative liaison to the Wayne County Prosecutor and the Prosecuting Attorney's Association of Michigan. She is a former chair of the Criminal Law Section of the State Bar of Michigan. Her service on law enforcement committees has included the Automated Fingerprint Identification System (AFIS), and the Criminal Justice Information System (CJIS), which she chaired for five years. In 1999, Ms. Solak was appointed by the Michigan Supreme Court as a member of the Attorney Grievance Commission and she completed two full terms as a member of that body on September 30, 2005. On October 1, 2006, she was appointed by the Supreme Court to a three-year term on the Attorney Discipline Board.

**THOMAS G. KIENBAUM of BIRMINGHAM**

Term Expires: September 30, 2010

Mr. Kienbaum is a founding member of the Birmingham law firm of Kienbaum, Opperwall, Hardy & Pelton, P.L.C, a firm specializing in labor and employment matters. He is a graduate of the University of Michigan and of the Wayne State University Law School, where he graduated magna cum laude, served on the Law Review, and was awarded the Order of the Coif. Mr. Kienbaum is a former President of the State Bar of Michigan, the Detroit Metropolitan Bar Association, and the Detroit Barristers Association. He is a Fellow of the American and Michigan Bar Foundations and was inducted into the College of Labor and Employment Lawyers. Mr. Kienbaum serves on the Advisory Board of the National Employment Law Institute and lectures frequently on behalf of that institute and the Michigan Institute of Continuing Legal Education.

**EILEEN LAPPIN WEISER of ANN ARBOR**

Term Expires: September 30, 2010

Ms. Weiser has served as a board member for numerous community arts and civic affairs non-profit organizations, including 11 years on the Michigan Council for Arts and Cultural Affairs, and three years as the Executive Director of the McKinley Foundation, an Ann Arbor based non-profit organization for innovative community projects. In 1998, Ms. Weiser was elected to the State Board of Education. During her eight years on the Board of Education, she co-chaired the Board's 2002 task force on Ensuring Excellent Educators and participated in the National Association of State Board's of Education (NASBE) study groups on teacher coordination and accountability and E-Learning. In 2003, she was appointed by the U.S. Secretary of Education to serve a four year term as the State Board of Education member on the National Assessment Governing Board, the body which designs, administers, and reports student achievement on the National Assessment of Educational Process, also known as the *Nation's Report Card*. Ms. Weiser holds piano performance degrees from Michigan State University (B.M.) and the University of Michigan (M.M.). In addition to her appointment by the Supreme Court to a three-year term on the Attorney Discipline Board, commencing October 1, 2007, Ms. Weiser was appointed in 2007 by the State Board of Education to its Professional Standards Commission for Teachers.

**APPENDIX "F"**  
**2007 HEARING PANEL ROSTER<sup>5</sup>**

**ALLEGAN COUNTY**

OYLER, W. Tedd

**ALPENA COUNTY**

WHITE, Daniel W.

**ANTRIM COUNTY**

HOUGHTON, Ralph H., Jr.

**BAY COUNTY**

GIUNTA, Rozanne M.  
LEARMAN, Richard C.  
MOROSI, John M.  
MORRIS, Patricia T.  
PIGGOTT, John W.

**BENZIE COUNTY**

McKAY, Joan S.

**BERRIEN COUNTY**

ANDERSON, Kevin S.  
BURDICK, Carl R.  
CONYBEARE, Bruce C.  
DESEMBERG, Louis A.  
DEWANE, John E.  
KRAGT, Timothy A.  
PETERSON, David M.  
SMITH, Peter W.  
STRAUB, James M.  
TAGLIA, Paul A.

**CALHOUN COUNTY**

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

**CHARLEVOIX COUNTY**

ARNER, Timothy D.  
KLEVORN, Kevin G.

**CHIPPEWA COUNTY**

VEUM, Thomas J.

**DELTA COUNTY**

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

**EATON COUNTY**

SCHLOSSBERG, Allen

**EMMET COUNTY**

BUCKINGHAM, Michael B.  
MURRAY, James J.  
RAMER, James T.  
SMITH, W. Richard  
TRESIDDER, Stephen J.  
WURSTER, Joel D.

**GENESEE COUNTY**

BAESSLER, Joseph E.  
BARKEY, Brian M.  
BUCKLEY-O'NEILL, Kathleen  
CULLARI, Francine  
DIESEL, Peter L.  
GRIFFIN, Walter P.  
HALDY, Ronald L.  
HART, Clifford  
HENNEKE, Edward G.  
KNECHT, Timothy H.  
KRELLWITZ, Michael W.  
MANGAPORA, Michael J.  
MINER, Sharon K. S.  
PABST, Thomas R.\*  
PIPER, Randolph P.  
REISING, H. William  
SIMMINGTON, Glen M.  
SMITH, Alan M.  
SPENDER, Steven F.  
TREMBLEY, James J.  
TUCKER, John R.  
TURNAGE, Frank G.  
WHEATON, Robin L.

**GOGEBIC COUNTY**

McDONALD, David E., Sr.\*

**GRAND TRAVERSE COUNTY**

ASSENDELFT, Barbara A.  
BICKEL, Mark P.  
BIMBER, Frederick R.  
BUDROS, Barbara D.  
CHRISTOPHERSON, James A.  
FISHER, Joseph C.  
STARK, Harry S.

**HOUGHTON COUNTY**

DAAVETILA, Robert T.

**INGHAM COUNTY**

BEHAN, Michael R.  
BEHAN, Raymond R.  
BOSSENBROOK, Arlyn J.  
BYERLEY, Thomas K.\*  
CASEY, Nan Elizabeth  
CUNNINGHAM, Janice K.  
DE VINE, Barry F.  
DOSTER, Eric E.\*  
EDGAR, Mary C.  
EMERY, Lawrence J.  
FINK, Joseph A.  
FORESMAN, Raymond J., Jr.\*  
FRIEDMAN, Leo H.  
HOGAN, Patrick R.  
HOOVER, C. Mark  
HORNBACK, Oskar M.  
JAMO, James S.  
LANCASTER, James R., Jr.\*  
LOOSE, John J.  
LOVIK, Mary M.  
MALLORY, Susan L.  
McCARTHY, Robert E.  
McLEOD, Ian C.  
PELOT, Michael J.\*  
STROPKAI, James L.  
STROUD, Ted W.  
SUHRHEINRICH, Richard J.  
TIMMER, Amy  
WADDELL, David D.  
WARD, James R.  
ZULAKIS, George

**IONIA COUNTY**

O'CONNOR, Rex P.

**ISABELLA COUNTY**

BLOEM, Gordon M.

**JACKSON COUNTY**

BARTON, Bruce A.  
HAMILTON, Janet L.

**KALAMAZOO COUNTY**

BAUCKHAM, John H.  
CONTOS, Harry, Jr.  
DELEHANTY, Mary E.  
FENTON, Stuart L.  
GETTING, Jeffrey S.  
HATCH, H. Van Den Berg  
HAYTER, Karen M.  
KEISER, W. Jack  
KNEAS, John W.

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<sup>5</sup> \*Deceased.  
\*Retired or resigned as panelist.  
\*Inactive panelist.  
\*All full-time judges removed as hearing panelists.

**KALAMAZOO COUNTY**  
**(Continued)**

LENNON, Robert R.  
LEVINE, Sharan Lee  
RUSSELL, Gregory W.  
RYAN, William J.  
SHARMA, Namita  
SMITH, C. Giles, Jr.  
ZAUSNER, Henry T.

**KENT COUNTY**

BACON, Terrance R.  
BLACK, James G.  
BRASIC, Jon J.  
COURTADE, Bruce Anthony  
DAVID, Ronald E.  
DUGAN, Robert J.  
EDGAR, Christopher L.\*  
FARR, William S.  
FIELDS, Geoffrey A.  
KOLENIC, Anthony J., Jr.  
KOSTA, Michael J.  
McCARTHY, Paul A.  
McGLADDERY, Patrick C.  
MELTON, Scott R.  
MUDIE, Kent W.  
O'DOWD, Kevin J.  
RABIDEAU, Christopher J.  
REAMON, Martha E.  
SAALFELD, James R.  
SMIETANKA, John Allen  
SPALDING, Arthur C.  
THEIME, R. Kevin  
VAN'T HOF, William K.  
WALTON, Michael C.  
WOOD, Rock A.

**LAPEER COUNTY**

PETERS, Neill T.

**LENAWEE COUNTY**

COOPER, David J.

**LIVINGSTON COUNTY**

BALON-VAUGHN, Roberta S.  
CHRISTIAN, Stewart A.  
DRICK, Jay R.  
GARDELLA, Robert C.  
MILLER, Bonnie J.  
TROST, Richard M.

**MACOMB COUNTY**

ANDERSON, Philip J.  
BOLANOWSKI, Eugene R.  
CAPUTO, Anthony J.  
CARDAMONE, Emil E.  
COLMAN, Neil M.  
DELEKTA, Diane Hubel  
DIXON, Ronald R.  
FINAZZO, Lori J.  
GARVEY, Paul T.  
GARVEY, Robert F.

**MACOMB COUNTY**  
**(Continued)**

GOODMAN, Mark D.  
GUERRIERO, Timothy M.  
HEWSON, James F.  
HRIBAR, Robert J.  
JANSEN, Wendy A.  
KAPLAN, Steven M.  
KATZ, Lawrence S.  
LASCOE, John S.  
LEGGHIO, Brian M.  
LUJAN, Joseph G.  
McCULLOUGH, Max D.  
MERRY, Cynthia E.  
PESSINA, Cyril C.  
PUZZUOLI, Joseph P.  
RINI, James W.  
RUSSELL, Karen  
SCHOENHERR, Craig S., Sr.  
SHATZMAN, Pearl P.  
WOMACK, P. Douglas, Jr.  
WYSS, William A.

**MANISTEE COUNTY**

KELEHER, Dennis L.

**MASON COUNTY**

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

**MARQUETTE COUNTY**

CASSELMAN, Thomas P.  
KEEFE, Ronald D.  
KOCH, Kevin Wm.  
PENCE, Steven L.

**MENOMINEE COUNTY**

BURGESS, Janis M.

**MIDLAND COUNTY**

DURANCE, Stephen E.  
HEINS, Sharon S.\*  
MADDOX, Mark R.  
MATHIEU, James H.

**MONROE COUNTY**

HORKEY, Christian J.  
LAVOY, Jill M.  
WETZEL, Robert  
ZAGORSKI, Maria

**MUSKEGON COUNTY**

BALGOOYEN, Fredric F.  
BLEAKLEY, Frederick W.  
BOSSENBROEK, David L.  
CHESSMAN, Robert O.  
DAVIS, Shawn P.  
NEAL, Gary T.  
SCOTT, Brianna  
SNIDER, I. John, II

**OAKLAND COUNTY**

ABBO, Peter  
ABRAMS, Nina Dodge  
ACKER, Gerald H.  
ANTONE, N. Peter  
APPEL, Jeffrey S.  
AUGER, Cheryl J.  
AUGUST, Gary K.  
BAIERS, James E.  
BALIAN, Michael J.  
BARKER, Lori A.  
BASILE, Andrew R.  
BATTERSBY, Michael L.  
BAUM, Martin S.  
BENSON, Gail S.  
BERNSTEIN, Douglas C.  
BERNSTEIN, Samuel I.  
BERNSTEIN, Stephen R.  
BINKLEY, David A.  
BOLTON, Robert S.  
BOOKHOLDER, Ronald W.  
BROOKS, Keefe A.  
BRUKOFF, William M.  
BUESSER, Frederick G., III  
BULLARD, Rockwood W., III  
BURDICK, James W.  
BUSACCA, David W.  
CANVASSER, Sue Ann  
CARUSO, Kathryn M.  
CHARTRAND, Douglas A.  
COLBERT, James P.  
COLLINS, Morton B.  
COLTON, Michael W.  
CRANMER, Thomas W.\*  
CUTLER, Donald M.  
DAMREN, Samuel C.  
DEAGOSTINO, Thomas M.\*  
DE VINE, Clifford, J.  
EICHENHORN, Emily J.  
EISENBERG, Marsha Katz  
FABRIZIO, Joseph J.\*  
FELDMAN, Barry M.  
FOX, Sharon Mullin  
FREILICH, Diane M.  
FRYHOFF, Timothy T.  
GAGE, William C.  
GARIEPY, Robert L.  
GOETZ, Angus G., Jr.  
GOLD, Edward D.  
GOLDMAN, Barry  
GOLDSTEIN, Ronald A.  
GOODMAN, Barry J.  
GOOGASIAN, George A.  
GRAMZOW, Kirsten E.  
GROFFSKY, Richard L.  
HARNISCH, Alan C.  
HAROUTUNIAN, Edward L.  
HOHAUSER, Michael S.  
HUDSON, Clarence L.  
HUTSON, Michael W.  
JACOBS, Mark S.  
JORDAN, Brian J.  
KANTER, Alan M.  
KELLY, Dale F.  
KINSLEY, Stephen L.  
KUHN, Loraine R.  
KUPLICKI, Francis P.

OAKLAND COUNTY  
(Continued)

KUTHY, Douglas E.  
LANGE, Craig W.  
LASSER, Marshall D.  
LEITMAN, Bruce T.  
LEONARD, Norbert B.  
LERNER, Joshua A.  
LICHTERMAN, Susan S.  
LINDEN, Howard T.  
LINDEN, Jeffrey B.  
LOGAN, Leslie Anne  
LOWENTHAL, Betty L.  
LYON, Mark W.  
MANTESE, Gerard V.  
MARTENS, William L.  
MARVIN, Ronald S.  
MATZ, Steven J.  
McCANN, D. Michael  
MILIA, Robert P.  
MORROW, Raymond L.  
NORMAN, Keith J.  
NOVAK, Richard A., Jr.  
OCHS, Norman P.  
PALETZ, Susan E.  
PAPPAS, Edward H.  
PARKER, Joyce E.  
PERLMUTER, Gary  
PIA, Joseph  
RICE, Cinnamon A.  
RONAYNE, Colleen V.  
RYAN, Stephen M.  
RYAN, Thomas J.  
SALTZMAN, Shirley A.  
SAWYER, Thomas G.  
SEIFMAN, Barry A.  
SCHEIBLE, Eric D.  
SCHNELZ, Kurt E.  
SHERR, Paul D.  
SHULMAN, Marc I.  
SILVER, Kenneth F.  
SIMPSON, Thomas C.  
STEFANI, Michael L.  
STERLING, J. Robert  
STERLING, Raymond J.  
STEWART, Jeffrey T.  
SUSSER, Danielle F.  
TALARICO, Paula M.  
TARTT, Tyrone Chris  
TATE, Towana  
TEICHER, Mark L.  
THOMAS, Joseph W.  
TOOHEY, Robert E.  
TRIST, Brent S.  
TUCK, Marsha Lynn  
TURNER, Lee I.  
VICTOR, Steven I.  
WALLACH, Howard I.  
WARSH, Richard L.  
WAX, Harvey I.  
WEINER, Cyril V.  
WEINER, Stuart S.  
WELLS, Steven W.  
WERDER, Mark R.  
WILLIS, Robert L., Jr.  
WILSON, Eric S.  
WOLOCK, Steven M.

OAKLAND COUNTY  
(Continued)

YOCKEY, Kurt D.  
YOCKEY, Michael J.  
ZAUSMER, Mark J.  
ZEMMOL, Allen  
ZUPPKE, David F.

OCEANA COUNTY

PRINCE, Clifford W.  
ROSE, James M.

OTSEGO COUNTY

BLUMBERG, Elliot J.  
COTANT, James C.

OTTAWA COUNTY

HANN, Donald H.  
HOESCH, Kenneth W.  
MARQUIS, John R.  
McNALLY, Sheila F.  
MULDER, Andrew J.

ROSCOMMON COUNTY

MEIRING, Ronald C.

SAGINAW COUNTY

CHASNIS, John A.  
HAHN, Robert A.  
MOSSNER, Eugene D.  
SMITH, Lawrence Wm., Jr.  
WALLACE, David A.  
WASHBURN, Douglas S.

ST. CLAIR COUNTY

HILL, Steven L.  
KELLY, Charles G.  
LANE, Cynthia A.  
McGLYNN, Meghan A.  
McNAMEE, John B.  
WATSON, George C.  
WHIPPLE, David C.

ST. JOSEPH COUNTY

DAVIDSON, Matthew S.

VAN BUREN COUNTY

DuBAY, Mark D.  
SCHUITMAKER, Harold G.

WASHTENAW COUNTY

BARR, John  
BURKE, Joseph F.  
CARTER, Stefani A.\*  
CONNORS, Margaret A.  
DEW, Thomas E.  
DODD, Gregory L.  
EGGAN, Andrew M.

WASHTENAW COUNTY  
(Continued)

FINK, Sally Claire  
FLINTOFT, Peter C.  
GREEN, Philip\*  
JONES, Constance L.  
KESSLER, Barbara L.  
LAX, Jerold  
LOVERNICK, Richard N.  
NICHOLS, Margaret J.  
ROSEWARNE, Philip J.  
SACKS, Monika H.  
SAFRANEK, Stephen J.  
SENDELBACH, Karen S.  
SLANK, Eileen J.  
SUGERMAN, Donald F.  
VARTANIAN, Michael G.  
VINCENT, Michael J.  
WEBER, Deborah J. Hammerlind

WAYNE COUNTY

BARTOS, Suzanne P.  
BAUMHART, A. David, III  
BOLDEN, Carl B., Jr.  
BUFFINGTON, Lamont E.  
BURGESS, David M.  
BURGESS, Laurence C.  
CALILLE, Albert  
CHADWELL, Kenneth R.  
COSTELLO, Margaret A.  
COTHORN, John A.  
CUMMINGS, Owen J.  
DAKMAK, George P.  
EDWARDS, Sharon-Lee  
EISENBERG, Stuart B.  
ELLIOTT, Sylvia J.  
ENGSTROM, John C.  
ESSAD, Kenneth M.  
ESSHAKI, Gene J.  
FIELDMAN, Elaine S.  
FISCHER, Paul J.  
FISHER, Dodd B.  
GAZALL, Robert S.  
GERSHEL, Alan M.  
GRUSKIN, Michael A.  
GURWIN, Howard E.  
GUSHEE, Richard B.\*  
HAMMOND, Helen M.  
HAMPTON, Verne C., II  
HEARD, Kristine  
HELLAND, Lynn A.  
HURWITZ, Miles A.  
JACOBS, John P.  
KASIBORSKI, Chester E., Jr.  
KITCH, Richard A.  
KOHL, David D.  
LAKE, Timothy W.  
LEMIRE, John J.  
LIZZA, John B.  
LORENCE, Gerald M.  
MacMILLAN, Mary Rose  
MAVEAL, Gary M.  
McGRAW, Steve  
MILLER, Bruce A.  
MILLER, C. David, II  
NIFOROS, Lambro



**WAYNE COUNTY**  
**(Continued)**

PAPISTA, Anthea E.  
PHILLIPS, Dwight W.  
PITTS, Stanley H.  
PLUMB, Frederick B.  
RIVARD, Donald M., Jr.  
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.  
SHERROD, Patricia L.  
SIMON, Basil T.  
SINCLAIR, Jennifer J.  
SMITH, James A.  
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.  
VENDITTELLI, Nicholas J.  
VIEGAS, Christine Bernhard  
WALKER, David R.  
WATZA, Michael J.  
WELLER, Robert Y., II  
WHITSITT, Shirley J.\*  
WIDLAK, Anne Bagno  
WILLIAMS, Avery K.  
WIRTH, George N.  
WYNNE, James E.  
YOTT, Cynthia K.

**WEXFORD COUNTY**

McCURDY, David S.  
PETERSON, David R.