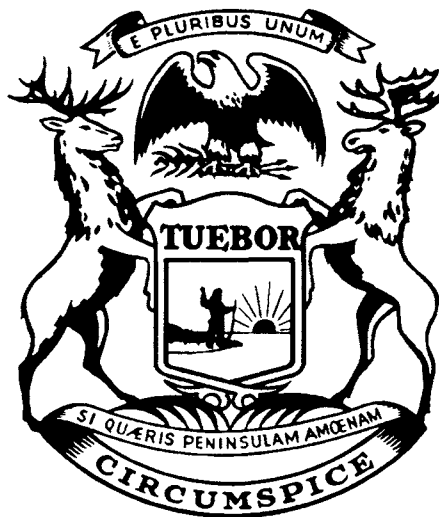


STATE OF MICHIGAN

Attorney Discipline Board and Attorney Grievance Commission

2008

JOINT ANNUAL REPORT



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STATE OF MICHIGAN
ATTORNEY GRIEVANCE COMMISSION
ANNUAL REPORT

January 1, 2008 to December 31, 2008

ROBERT L. AGACINSKI
Grievance Administrator

ROBERT E. EDICK
Deputy Administrator

243 W. Congress, Suite 256
Detroit, MI 48226

ATTORNEY GRIEVANCE COMMISSION MEMBERS

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

Kent J. Vana, Vice-Chairperson
Grand Rapids, Michigan

Martha D. Moore, Secretary
Rochester, Michigan

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

Michael Murray, Chairperson
Lansing, Michigan

Karen M. Dunne Woodside, Member
Detroit, 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
Todd A. McConaghy
John K. Burgess

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 L. Cornell

State of Michigan
Attorney Grievance Commission

Annual Report

January 1, 2008 - December 31, 2008

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. As of October 1, 2008, Richard B. Poling, Jr. and Kent J. Vana were the Chairperson and Vice Chairperson of the Commission, respectively. Other members were Martha D. Moore (Secretary), and Russell E. Mohny, M.D., Michael Murray, Esq., Karen Dunne Woodside, Esq., David L. Porteous, Esq., Pastor Deborah Butler, and Jan A. Brandon, members.

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 experienced trial 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, his staff, and the Commission note the untimely passing of staff attorney James W. Metz in 2008. Mr. Metz is fondly remembered and missed by all.

The Grievance Administrator possesses a staff of experienced trial attorneys, with eight of the thirteen having been on staff more than ten 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 2008, the Commission docketed 2,907 requests for investigation, or grievances. Table 1 below details the number of grievances docketed for the years 1998-2008, 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, 1997-2008

Year	grievances received	grievances disposed	rejected by the GA or closed in Intake	closed by the AGC	admon-ishments	contractual probation	grievances approved for formal complaint
2008	2,907	2,802	2,141	347	102	45	167
2007	3,293	2,905	2,219	355	128	52	151
2006	3,575	3,280	2,654	275	118	30	203
2005	3,541	3,265	2,667	461	129	36	172
2004	3,475	3,315	2,382	533	178	15	207
2003	3,583	3,629	2,696	540	143	9	241
2002	3,557	3,551	2,477	739	132	3	200
2001	3,575	3,294	1,569	1,166	125	n/a	171
2000	3,373	3,195	1,132	1,333	185	n/a	227
1999	3,505	3,413	1,074	1,578	189	1	215
1998	3,935	3,796	1,358	1,676	179	n/a	241

The dispositions of grievances for a particular year are not necessarily dispositions of the

grievances filed for that year. The dispositions for 2008 may include grievances from previous years, and some of the 2008 grievances will be pending on January 1, 2009.

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, 2008

subject matter	% of total grievances
criminal law	40
domestic relations	15
probate law	7
bankruptcy law	6
commercial litigation	5
personal injury law	4
real estate transactions	4
employment/labor law	3
immigration law	3

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. When an attorney is convicted of a crime, the court rules require that the prosecutor, the defense attorney, and the defendant/attorney must all report the conviction to the AGC and the ADB. Through significant outreach efforts, the Grievance Administrator has substantially increased compliance with the reporting requirement. These JOC 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 2008, there were 6 new federal reinstatement proceedings for the Eastern District of Michigan.¹

The Grievance Commission is a party in superintending control² 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 2008, 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 2008, approximately 450 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 2008, the Grievance Administrator commenced 4 new receiverships and provided substantial

¹ The Western District of Michigan has a similar disciplinary and reinstatement process. However, the Grievance Administrator does not take part in the proceeding as with the Eastern District.

² 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.

assistance and guidance in numerous matters so as to avoid the necessity of commencing a receivership.

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, 2008, the Commission's actual expenditures were \$3,901,727.

Looking forward

2009 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. Given the stress of the practice of law and the difficult economic times of the state and the country, increases in problems involving substance abuse, depression, and other mental conditions are expected.

The Supreme Court continues to review substantial proposed changes to the Michigan Rules of Professional Conduct, as well as revisions to chapter 9.100 of the Michigan Court Rules. The Commission and the Grievance Administrator are fully participating in the ongoing discussion of those proposed changes.

Conclusion

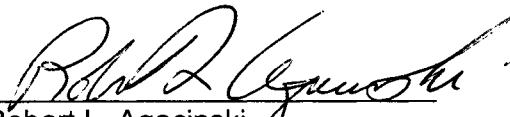
The past year reflected the ongoing changes in the attorney discipline process. The mission continues to be to protect the public and improve the quality of the bar. To accomplish this, the work of the Commission, the Grievance Administrator, and the staff goes well beyond the investigation and prosecution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

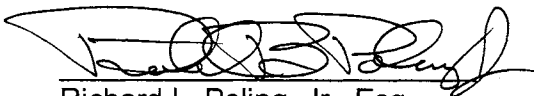
For further information regarding the Attorney Grievance Commission, please contact:

Attorney Grievance Commission
243 W. Congress, Suite 256
Detroit, MI 48226-3259

Telephone: (313) 961-6585
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www.agcmi.com


Robert L. Agacinski
Grievance Administrator


Richard L. Poling, Jr., Esq.
Chairperson, AGC

STATE OF MICHIGAN

Attorney Discipline Board

2008 Annual Report

January 1, 2008 to December 31, 2008

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STATE OF MICHIGAN
ATTORNEY DISCIPLINE BOARD MEMBERS

WILLIAM J. DANHOF, of Lansing, Chairperson
Term Expires: September 30, 2011

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

WILLIAM L. MATTHEWS, CPA,[†] of Southfield, Secretary
Term Expires: September 30, 2011

ANDREA L. SOLAK, of Grosse Pointe Park
Term Expires: September 30, 2012

ROSALIND E. GRIFFIN, M.D.,[†] of Farmington Hills
Term Expires: September 30, 2010

CARL E. VER BEEK, of Grand Rapids
Term Expires: September 30, 2011

CRAIG H. LUBBEN, of Kalamazoo
Term Expires: September 30, 2011

JAMES M. CAMERON, JR., of Ann Arbor
Term Expires: September 30, 2012

SYLVIA P. WHITMER, Ph.D.,[†] of West Bloomfield
Term Expires: September 30, 2012

[†] 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, 2008 - December 31, 2008

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, 2008, lawyer member Lori McAllister completed her second three-year term as a member of the Board as well as a one-year term as the Board's Chairperson. In addition to her six years of service to the public and the legal profession as a member of the Board, Ms. McAllister served two one-year terms as the Board's Vice-Chairperson prior to her appointment as Chairperson.

September 30, 2008 also marked the completion of a second three-year term by United States Circuit Court of Appeals Judge, Honorable Richard F. Suhrheinrich of Lansing.

Lawyer member George H. Lennon, III concluded over six years of service as a member of the Board in 2008. Mr. Lennon was first appointed to the Board in March 2002 for the remainder of a term ending September 30, 2003. He was appointed to a full three-year term effective October 1, 2003 and reappointed to a second three-year term effective October 1, 2006. Following Mr. Lennon's resignation, effective October 31, 2008, attorney Craig Lubben of Kalamazoo was appointed to fill the remainder of the unexpired term.

In July 2008, the Supreme Court also accepted the resignation of non-lawyer member Eileen Lappin Weiser of Ann Arbor who had been appointed to a three-year term effective October

1, 2007. Farmington Hills psychiatrist Rosalind Griffin, M.D. was appointed by the Supreme Court to fill the remainder of Ms. Weiser's term.

The Courts, the public and the legal profession in Michigan are deeply indebted to George Lennon, Lori McAllister, the Honorable Richard Suhrheinrich and Eileen Lappin Weiser for their dedicated service as members of the Attorney Discipline Board. Each leaves with a lasting respect, admiration and affection of the Board's members and staff.

Appointed to a new three-year term commencing October 1, 2008 was lawyer member Carl Ver Beek of Grand Rapids. Mr. Ver Beek is a former member and Chairperson of the Attorney Grievance Commission. Further biographical information for the nine current 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 year terms ending September 30, 2009 are William J. Danhof of Lansing; Chairperson, Thomas G. Kienbaum of Birmingham, Vice-Chairperson; and William L. Matthews of West Bloomfield, 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, Deputy 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/Secretary.

Office and Hearing Facility

The Attorney Discipline Board is located at 211 W. Fort St., Suite 1410, Detroit, Michigan 48226 (corner of Fort St. and Washington Blvd.). The Board's facilities include hearing and conference rooms for public hearings conducted by the Board and hearing panels.

Volunteer Hearing Panelists

The Board maintains a current roster of more than 470 attorneys appointed annually to serve on three-member hearing panels. Hearing panelists are currently located in 45 of Michigan's 83 counties. The 2008 hearing panelist roster is attached as Appendix "F." 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 Woman Lawyers Association, the Wolverine Bar Association, and other special interest bar associations, the Board has actively encouraged 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 non-jury trial in a circuit court and the Michigan Rules of Evidence. During 2008, hearing panels conducted 151 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 \$202,023 from disciplined lawyers in fiscal year 2008. 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, orders of discipline entered by a hearing panel, including orders

for disbarment and suspension, constitute final orders 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 at a public hearing before the 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 met seven times in 2008, and conducted review hearings at the Board's hearing room in Detroit, the State Bar of Michigan building in Lansing and at the Lansing campus of Cooley Law School. The Board conducted public review hearings in 28 cases in 2008. Following its deliberations, the Board took the following actions:

- Affirmed the discipline imposed by the hearing panel:	17
- Increased the level of discipline:	5
- Vacated probation and ordered no discipline	1
- Remanded to panel for further proceedings	3
- Affirmed denial of reinstatement	<u>2</u>
TOTAL:	28

New Cases Filed

There were 100 new formal complaints filed in 2008. Of these, 96 complaints¹ contained original charges of misconduct following an investigation by the Attorney Grievance Commission. This was an 11% decrease in the number of original complaints compared to 2007. An additional

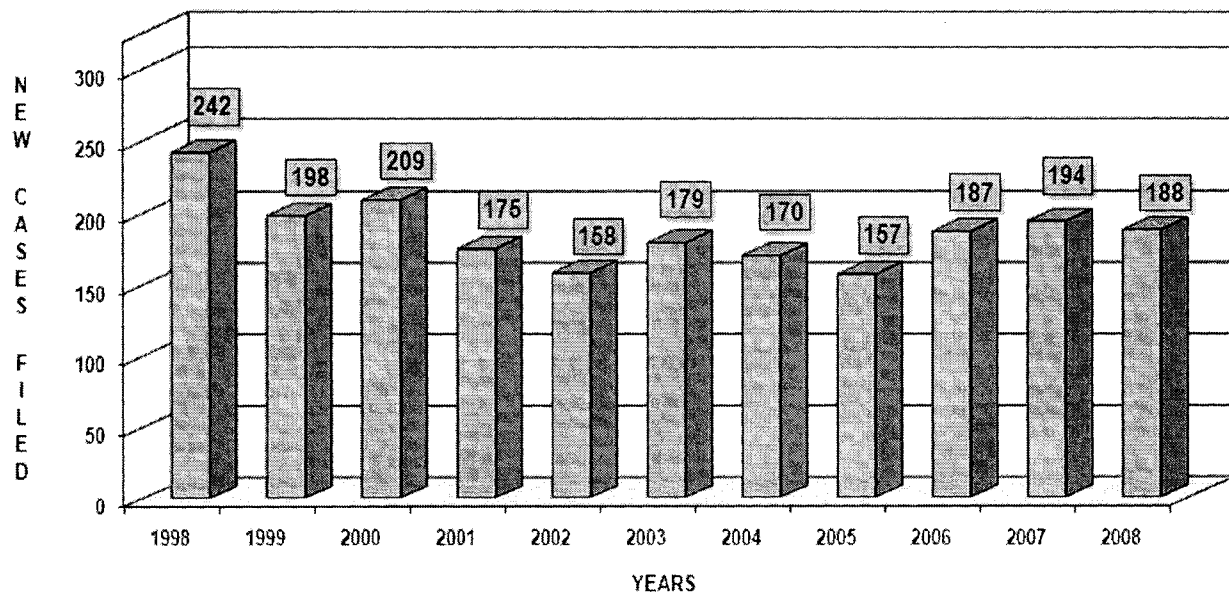
¹ Designated "GA" in Appendix "A."

four 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 generally consolidated for hearing before the panel to which the original complaint has been assigned.

Thirty-four new cases were commenced under MCR 9.120 with the filing of a judgment of conviction establishing that the attorney had been convicted of a crime. Sixteen petitions for reinstatement in accordance with MCR 9.123(B) were filed in 2008 by attorneys suspended for 180 days or more. (Twelve such petitions were filed in 2007.) In addition, the Grievance Administrator filed 14 petitions for enforcement of an earlier discipline order, one petition seeking an attorney's transfer to inactive status, one petition seeking miscellaneous relief and 12 reciprocal discipline actions based upon the imposition of discipline in another jurisdiction.

The 188 new files opened by the Board in 2008 compare to 194 new cases in 2007. The following table (Table 1) illustrates the Board's annual intake of new cases since 1998.

Table 1. New Case Filed, 1998 - 2008

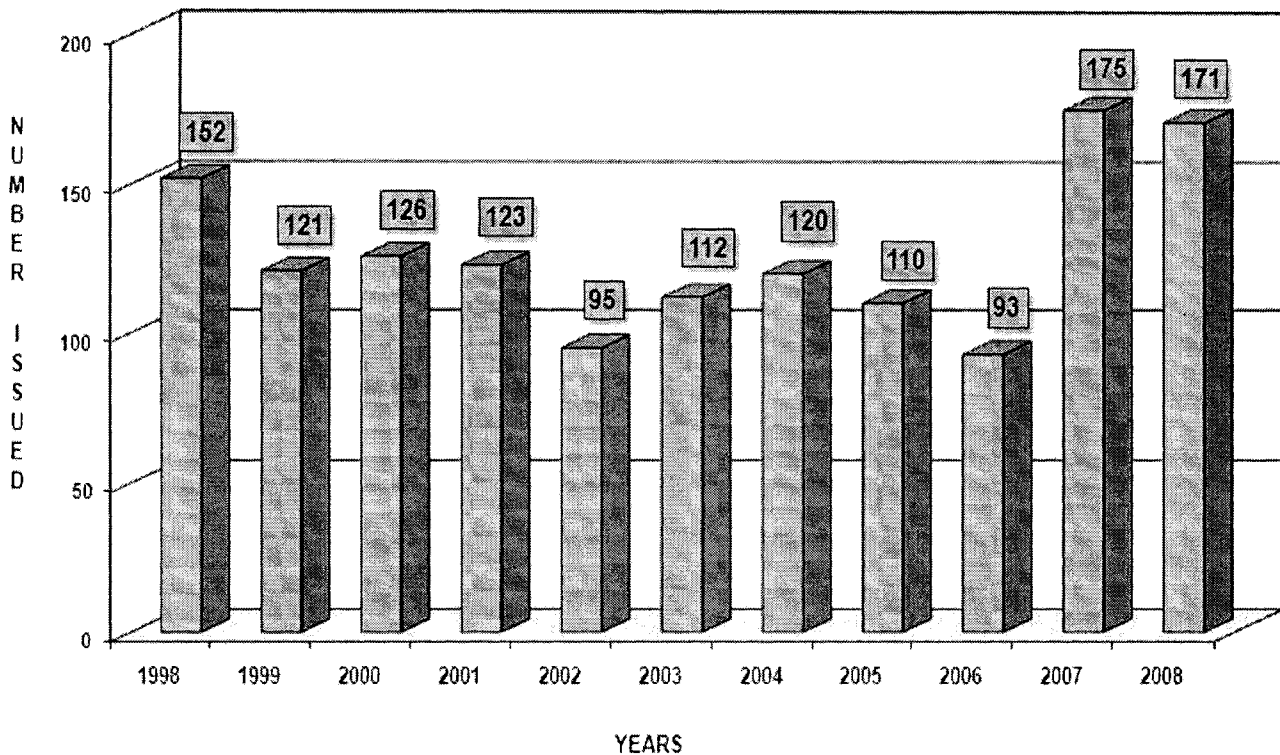


² Designated "FA" in Appendix "A."

Orders of Discipline/Dismissal

The Attorney Discipline Board issued 171 final disposition orders in 2008, including orders of discipline, orders of dismissal and orders granting or denying reinstatement. Public discipline (revocation, suspension, reprimand or probation) was ordered in 137 cases. In three cases, the respondent attorney was found to have engaged in minor misconduct but was subject to an order imposing no discipline. A complete list of the orders of discipline issued in 2008 appears in Appendix "C." Orders of discipline issued since 1998 are illustrated in Table 2, below.

Table 2. Discipline Orders Issued, 1998 - 2008



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-nine consent orders of discipline were finalized in 2008, accounting for 43% of all discipline orders finalized.

Consent orders were finalized in the following discipline categories in 2008:

<u>Type of Discipline</u>	<u>Consent Orders</u>	<u>Total Discipline Orders</u>	<u>% By Consent</u>
Revocation	3	23	13%
Suspension (3 yrs. or more)	1	8	13%
Suspension (180 days but less than 3 yrs.)	8	37	22%
Suspension (30 - 179 days)	12	25	48%
Reprimand	29	37	78%
Probation	6	7	86%

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 35% of the discipline orders issued in 2008. 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/or failure to answer request(s) for investigation.

Thirty-three Michigan lawyers were disciplined in 2008 as the result of a criminal conviction. The 11 felony convictions and 22 misdemeanor convictions accounted for 24% of the discipline orders issued in 2008.

The next largest category of misconduct, accounting for 9% of all discipline orders, involved 12 attorneys who failed to comply with the terms of a prior discipline order. Other types of misconduct resulting in discipline in 2008 included failure to answer one or more requests for investigation; conflicts of interest; and misrepresentations to courts or opposing counsel.

Reinstatements

Attorneys suspended for 179 days or less are automatically reinstated upon the filing of an affidavit of compliance with the Supreme Court. Nineteen attorneys were automatically reinstated

under this rule in 2008. 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.

Sixteen reinstatement petitions were filed with the Board and assigned to panels for hearing in 2008. 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, 2008, there were a total of 143 open discipline or reinstatement cases pending before a hearing panel, the Attorney Discipline Board or the Michigan Supreme Court.

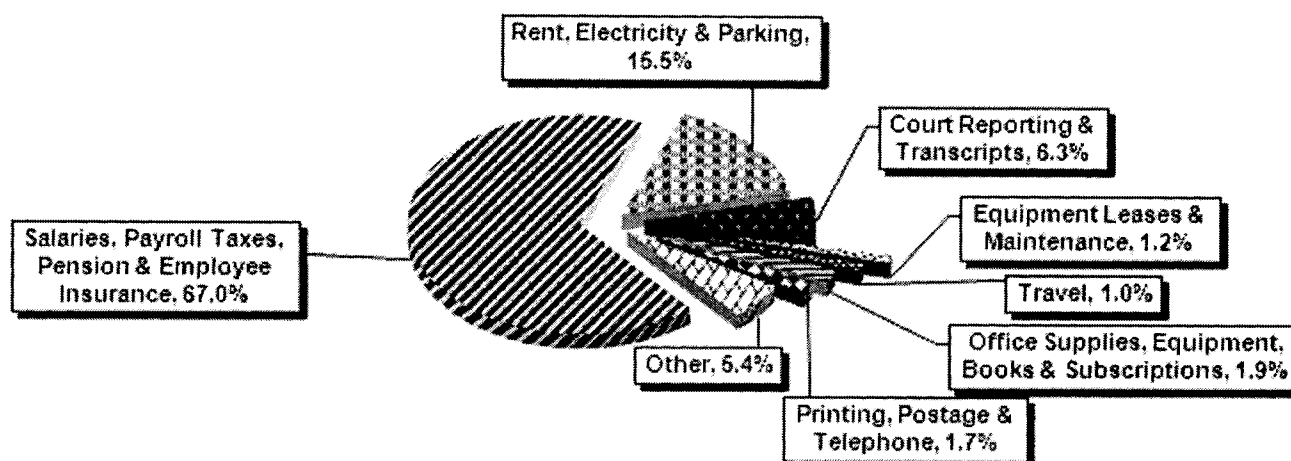
Year-End Caseloads 2007 - 2008

	<u>Pending 12-31-07</u>	<u>Pending 12-31-08</u>
Supreme Court:	4	4
Attorney Discipline Board:	25	20
Hearing Panel:	<u>122</u>	<u>119</u>
Total:	151	143

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, 2008, the Attorney Discipline System had total operating expenses of \$4,975,932. The Attorney Discipline Board's operating expenses in FY 2007 - 2008 were \$1,074,205. A chart summarizing the Board's expenses for 2007-2008 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 2007-2008 Fiscal Year



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 2008.

Website

The Attorney Discipline Board continues to expand and update its website: www.adbmich.org. The site includes: recent Board opinions, notices of discipline and reinstatement petitions; 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, as well as all notices of discipline and reinstatement issued since October 1, 1978; and links to related sites in the fields of attorney discipline, regulation and ethics.

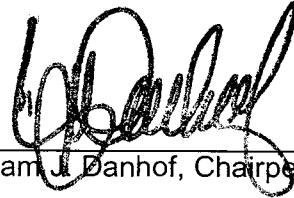
For further information regarding the operation of the Michigan Attorney Discipline Board,
please contact:

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



William J. Danhof, Chairperson

APPENDIX "A"
ANNUAL ACTIVITY REPORT
JANUARY 1, 2008 THROUGH DECEMBER 31, 2008

I. CASES FILED

A.	Formal Complaints (total)	100
1.	New Formal Complaints (GA)	96
2.	Failure-to-Answer Complaints (FA)	4
B.	Automatic Interim Suspensions (AI)	10
C.	Judgment of Conviction (JC)	34
D.	Petitions for Reciprocal Discipline (RD)	12
E.	Petitions to Transfer to Inactive Status (PI)	1
F.	Petitions for Reinstatement (RP)	16
G.	Miscellaneous (MZ)	15
H.	TOTAL CASES FILED	188

II. FINAL DISPOSITIONS

A.	Final Orders of Discipline	140
1.	Revocations	23
2.	Suspensions	70
	a. Subject to MCR 9.123(A)	25
	b. Subject to MCR 9.123(B)	37
	c. Subject to MCR 9.123(B) & (C)	8
3.	Reprimands	37
4.	Misconduct But No Discipline	3
5.	Probation	7
B.	Transfer to Inactive Status	1
C.	Dismissals	20
D.	Reinstatements Granted	6
E.	Reinstatements Denied/Dismissed	2
F.	Other	2
G.	TOTAL FINAL DISPOSITION ORDERS	171

III. OTHER NOTICES ISSUED

A.	Automatic Interim Suspensions Under MCR 9.120	11
B.	Interim Suspensions Ordered By Hearing Panel	1
C.	Automatic Reinstatements Under MCR 9.123(A)	19
D.	TOTAL OTHER NOTICES ISSUED	31

IV. HEARINGS

A.	Scheduled	343
B.	Held	151

V. COSTS

Total Costs Reimbursed to the State Bar of Michigan by Respondents and Petitioners	\$202,023.74
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APPENDIX "B"
SANCTIONS IMPOSED - 2008
By Type of Misconduct³

	REVOCAION	SUSP. 3 YRS +	SUSP. 180 DAYS LESS 3 YRS	SUSP. 30 - 179 DAYS	REPRIMAND	PROBATION	NO DISCIPLINE	TOTAL
NEGLECT ⁴	1	1	5	4	18	1		30
NEGLECT (Accompanied by Failure to Answer R/I)	2		4	7				13
NEGLECT (Aggravated by Misrepresentation to Client or Court)			4	2				6
MISAPPROPRIATION	4	2	2					8
OTHER MONEY OFFENSES	1	2	4	1	3			11
CONVICTION (Felony)	7	1	1	2				11
CONVICTION (Misdemeanor)	1		6		6	6	3	22
CONFLICT OF INTEREST				1	1			2
FAIL TO COMPLY/PRACTICE WHILE SUSPENDED	3		5	3	1			12
MISREPRESENTATION/FRAUD	1	1	1	1				4
FAIL TO ANSWER REQUEST FOR INVESTIGATION/ COMPLAINT	1	1	1	1	1			5
RECIPROCAL DISCIPLINE/ JUDICIAL DISCIPLINE	2		2	2	2			8
FAILURE TO SUPERVISE								
OTHER			2	1	5			8
TOTAL:	23	8	37	25	37	7	3	140

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 - 2008
REVOCATIONS (23)

RESPONDENT	EFFECTIVE DATE
BRACEFUL, Brenda	March 13, 2008
BRUMMEL, Suzanne E.	November 26, 2008
CARSON, William F.	April 5, 2008
CASTERLINE, Brian C.	October 15, 2008
CHECK, John S.	April 22, 2008
FLORY, Michael A.	September 13, 2007
GLASS, Lola L. f/k/a Lola Glass Huntley	June 13, 2008
HALMAGY, Walter W.	March 15, 2008
KIRKLAND, Charles St. George	April 20, 2003
KNAPP, Michael P., Jr.	April 9, 2008
LENOIR, Alvin R.	July 13, 2007
LEWIS, William S.	October 17, 2008
LONDER, Lisa M.	June 28, 2006
MACKINNON, Frederick A.	August 30, 2007
MUZINGO, Gregory S.	August 29, 2008
PIANTO, Paul A.	March 1, 2007
PITCHER, Shannon H.	February 26, 2013
ROSENTHAL, David L.	October 27, 2007
THEUNICK, Gary	August 31, 2007
WEIDEMAN, Carl M., III	July 8, 2008
ZAMECK, Harvey J.	October 9, 2006
ZAMECK, Harvey J.	August 26, 2008
ZWICK, Charles M.	January 4, 2007

SUSPENSIONS SUBJECT TO MCR 9.123(B) AND (C) [THREE YEARS OR MORE] (8)

RESPONDENT	LENGTH	EFFECTIVE DATE
CUNNINGHAM, Douglas C.	Three Years	January 9, 2008
FLAGGMAN, Steven D.	Three Years	August 29, 2007
HOLLAND, V. Gregory	Three Years	May 16, 2007
KRAFT, Ronald G.	Four Years	February 21, 2008
O'DONNELL, J. Terence	Three Years	April 2, 2008
PITCHER, Shannon H.	Five Years	February 26, 2008
TROMBLEY, David H.	Three Years	May 24, 2006
WEIDEMAN, Carl M., III	Four Years	October 27, 2007

SUSPENSIONS SUBJECT TO MCR 9.123(B) [180 DAYS BUT LESS THAN THREE YEARS] (37)

RESPONDENT	LENGTH	EFFECTIVE DATE
ADAMS, Paul-Joseph R.	Two Years and 9 Months	August 22, 2008
BAKER, Denise A.	180 Days	January 4, 2008
BALLARD, Travis W.	Two Years	May 23, 2007
BROCK, Johnie P.	180 Days	September 4, 2008
BRUMMEL, Suzanne	180 Days	March 20, 2008
BURLEY, C. Melvin, Jr.	180 Days	May 21, 2008
CASTERLINE, Brian C.	Two Years and 11 Months	November 8, 2008
DILLON, J. Alexander	180 Days	November 18, 2008
GAULT, Brian J.	Two Years	August 2, 2007
GEHRKE, Joel S.	180 Days	November 6, 2007
GREEN, Russell L.	Two and One-Half Years	August 29, 2008
HACKETT, Robert S.	Two Years	March 14, 2008
HALMAGY, Walter W.	18 Months	March 13, 2007
HAMOOD, Jamal J.	180 Days	August 30, 2008
HIDALGO, Michael X.	Six Months	March 8, 2009
JACKEL, Katherine E.	Two Years	May 1, 2008
JACKSON, Kerry Leon	One Year	June 24, 2008
LEWIS, William S.	One Year	September 4, 2008
LYNN, Kenneth	180 Days	July 15, 2008
MACAULEY, James T.	180 Days	November 26, 2007
MASON, Patrick S.	180 Days	January 8, 2008
McQUADE, Robert J.	180 Days	August 10, 2007
MONTGOMERY, Pamela C.	Two Years	August 7, 2007
PITCHER, Shannon H.	24 Months	December 17, 2007
PLANTZ, Judith A.	180 Days	June 25, 2008
RICHARDS, James H.	30 Months	April 10, 2006
ROSENTHAL, David L.	Six Months	April 28, 2009
ROSS, Mark E.	One Year	May 26, 2008
ROUSSEAU, Mark A.	180 Days	March 18, 2008
SANDERS, Craig W.	Two Years	May 14, 2008
SEELYE, Brian M.	270 Days	January 17, 2008
SHEPHERD, Kevin M.	One Year	September 17, 2008
STEFFL, James	360 Days	May 30, 2008
SWARTHOUT, Russell L.	18 Months	July 18, 2006
TOCA, Frederick M., Jr.	24 Months	April 11, 2008
WHITE, Richard I.	180 Days	December 9, 2008
ZORIN, David Michael	180 Days	September 5, 2008

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

RESPONDENT	LENGTH	EFFECTIVE DATE
BOFFMAN, Harry R., III	150 Days	August 15, 2008
CHAFFEE, Philip E.	120 Days	June 25, 2008
DEL GRECO, Remo	179 Days	January 31, 2008
DUNCHOCK, Arnold D.	30 Days	January 2, 2008
FOX, Larry J.	150 Days	October 29, 2008
FRENCH, Nathan S.	45 Days	November 26, 2008
HOARE, James J.	90 Days	September 26, 2008
HUNLEY, Gary D.	30 Days	April 15, 2008
JACOBS, George E.	90 Days	June 26, 2008
JACOBS, George E.	135 Days	June 26, 2008
JACOBS, George E.	110 Days	June 26, 2008
KHAN-MONROE, Shela S.	45 Days	December 12, 2008
KUZAVA, David A.	120 Days	February 6, 2008
MACPHERSON, Carl D.	30 Days	December 1, 2008
MAURER, Barbara E.	45 Days	March 11, 2008
MERTZ, John F.	60 Days	January 17, 2008
NAPIERALSKI, William J.	120 Days	November 1, 2008
O'BRIEN, Lee M.	179 Days	August 9, 2008
PETERS, David C., II	60 Days	August 16, 2008
SAILLER, Kendall L.	30 Days	August 1, 2008
SELBY, R. Earl	179 Days	February 10, 2008
SMITH, Jerold C.	45 Days	August 16, 2008
TEKLINSKI, Mark H.	60 Days	March 15, 2008
WIGGINS, Robert L., Jr.	30 Days	November 26, 2008
WOODS, Stephen K.	90 Days	January 1, 2008

REPRIMANDS (37)

RESPONDENT	EFFECTIVE DATE
ANDERSON, Carl A.	March 22, 2008
ANTONELLI, Francisco A.	November 8, 2008
BECKER, Stephen D.	December 17, 2008
BERGER, Seymour	June 12, 2008
BERGER, Anne L.	March 10, 2008
BIRD, Charles W.	August 30, 2008
BISHOP, Frederick C.	July 17, 2008

REPRIMANDS (Continued)

RESPONDENT	EFFECTIVE DATE
BLUMBERG, Elliot J.	April 1, 2008
CAPALDI, Mark A.	July 31, 2008
DODSON, John	April 11, 2008
ELKINS, Thomas W.	September 26, 2008
EVANS, Wanda A.	September 17, 2008
GALEN, James L., Jr.	May 22, 2008
HUNTER, Fred R., III	June 25, 2008
JACKSON, Carolyn J.	March 8, 2008
JOCUNS, Bernard A.	August 30, 2008
KNAPP, Lesley F.	May 14, 2008
LIPPITT, Richard I.	April 15, 2008
MAJKOWSKI, James P.	October 22, 2008
MAY, Sarah K.	December 12, 2008
McDONALD, Frederick L.	November 3, 2006
McKOAN, Joseph H.	August 2, 2008
NORTON, Scott D.	August 16, 2008
PIDGEON, James M.	March 4, 2008
ROSENTHAL, Joyce E.	August 16, 2008
SANDBERG, Theodore T.	February 28, 2008
SCOTT, Saun-Roland	December 2, 2008
SEGESTA, Michael	January 29, 2008
SLAMEKA, Robert E.	July 17, 2008
TATONE, Vincent J.	October 15, 2008
TAYLOR, David P.	May 31, 2008
TAYLOR, Richard T.	April 1, 2008
THOMAS, Michael E.	April 2, 2008
TOTH, James C.	August 6, 2008
TUCKER, James A.	July 23, 2008
VANCE, Edward E.	November 11, 2008
ZOCK, Judith H.	January 18, 2008

PROBATIONS (7)

RESPONDENT	EFFECTIVE DATE
DIXON, Evan A.	April 2, 2008
GREEN, Michael S.	February 29, 2008
HENDRICKSON, Lance C.	April 25, 2008
PACKARD, Michael C.	June 11, 2008
SCHIGUR, Kathryn A.	October 3, 2008
SELBY, R. Earl	January 3, 2008
WHATELY, Randall P.	August 15, 2008

MISCONDUCT BUT NO DISCIPLINE (3)

RESPONDENT	EFFECTIVE DATE
JACOBS, George E.	August 29, 2008
REAMS, David A.	October 4, 2008
TALPOS, John C.	November 21, 2008

REVOCATIONS	23
SUSPENSIONS - MCR 9.123(B) and (C)	8
SUSPENSIONS - MCR 9.123(B)	37
SUSPENSIONS - MCR 9.123(A)	25
REPRIMANDS	37
PROBATIONS	7
MISCONDUCT BUT NO DISCIPLINE	3

APPENDIX "D"

**Attorney Discipline Board Expenditures
Fiscal Year Ended September 30, 2008**

Expense Item	2007 - 2008
Salaries & Longevity	460,211
Payroll Taxes	34,107
Employee Insurance	135,672
Pension Contribution	41,133
Retiree Health Care Expense	49,594
Rent	153,556
Electricity	4,121
Parking	9,245
Law Clerk and Professional Fees	9,386
Bookkeeping and Audit	13,722
Hearing Panel Expenses/Transcripts	67,813
Machine Rental	11,610
Meetings	6,350
Travel	11,552
Telephone	6,269
Books and Subscriptions	6,436
Office Supplies	5,487
Printing and Stationery	2,052
Postage	10,678
Insurance	10,611
Repairs and Maintenance	1,450
Office Expenditures	9,545
Professional Education	5,204
Dues	1,545
Miscellaneous	4,643
Depreciation	2,213
TOTAL	1,074,205

APPENDIX "E"
ATTORNEY DISCIPLINE BOARD
MEMBERS' BIOGRAPHICAL INFORMATION

WILLIAM J. DANHOF, ESQ. of LANSING

Chairperson

Term Expires: September 30, 2011

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, Mr. Danhof was appointed by President George W. Bush to the United States Holocaust Memorial Council and he was reappointed for a five-year term in 2008. Mr. Danhof was appointed by the Michigan Supreme Court to a three-year term on the Attorney Discipline Board commencing October 1, 2005 and reappointed for a second term commencing October 1, 2008. He has served as the Board's Vice-Chairperson and was reappointed Chairperson for a second one-year term commencing October 1, 2009.

THOMAS G. KIENBAUM of BIRMINGHAM

Vice-Chairperson

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. He was appointed to a three-year term on the Attorney Discipline Board commencing October 1, 2007, and he has been appointed by the Supreme court to a second one-year term as Vice-Chairperson.

WILLIAM L. MATTHEWS, CPA of WEST BLOOMFIELD

Secretary

Term Expires: September 30, 2011

Mr. Matthews is a former partner of Plante & Moran, having served as the firm's managing partner. 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, is a director of Covenant House of Michigan, a member of the Board of Trustees of The Citizens Research Council of Michigan, and is member emeritus 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, and to a second three-year term effective October 1, 2008. The members of the Board have elected Mr. Matthews to serve as the Board's Secretary.

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. She was appointed by the Supreme Court to a three-year term on the Attorney Discipline Board, effective October 1, 2006, and reappointed to a second term effective October 1, 2009.

ROSALIND E. GRIFFIN, M.D. OF FARMINGTON HILLS

Term Expires: September 30, 2011

Dr. Griffin is a psychiatrist practicing in the field of adult and adolescent psychotherapy, with special qualifications in forensic psychiatry. Dr. Griffin is a graduate of Wayne State University (BA) and the Wayne State University School of Medicine (MD). Following her internship at Harper Grace Hospital, she performed her psychiatric residency at Sinai Hospital of Detroit. She is an assistant professor at the Wayne State University College of Medicine and she has held numerous positions in Detroit's medical community including medical director of the Partial Day Hospital Program at Sinai Grace Hospital and medical director of the Deaf Counseling Services Center at Sinai Grace Hospital. Her professional memberships include the Michigan Psychiatric Society (Ethics Committee and co-chair of the Women's Issues Committee); the Wayne County Medical Society (Peer Review Committee); Michigan State Medical Society (Member, House of Delegates); and the American Psychiatric Association. Dr. Griffin was appointed by the Michigan Supreme Court to its Task Force on Gender and Race Bias (1987-1990) and she was later appointed by the Court as a non-lawyer member of the Attorney Grievance Commission (1990-1994). Dr. Griffin is a former member of the Oakland County Bar Association's Public Advisory Committee on Judicial Candidates and she is a former member of the Board of Regents of Eastern Michigan University. The Michigan Supreme Court appointed Dr. Griffin to the Attorney Discipline Board for a three-year term commencing October 1, 2008.

CARL E. VER BEEK of GRAND RAPIDS

Term Expires: September 30, 2011

Mr. Ver Beek is a former partner, and currently Of Counsel to the law firm of Varnum, Riddering, Schmidt & Howlett in Grand Rapids. He is a graduate of Hope College (B.A.) and the Indiana University School of Law (J.D.). He is a member of the Council of the American Bar Association's Dispute Resolution Section and a former member of the Council of the ABA's Labor and Employment Section. He is a Fellow of the College of Labor and Employment Attorneys. Following service as Chair of the Character and Fitness Committee of the State Bar of Michigan, Mr. Ver Beek was appointed by the Supreme Court of Michigan to the Attorney Grievance Commission in 1999. He served for six years as a member of the Grievance Commission, including four years as its Chairperson. Mr. Ver Beek's community activities include his service as Chairman of the Academic Affairs Committee, and member of the Executive Committee of the Hope College Board of Trustees; Chair of the Bethany Christian Services Board; Chair of the Jellema House Board; Board Member of the Michigan Chamber of Commerce; Chairperson of the Grand Rapids Area Chamber of Commerce; Chairperson of the Kent Health Plan; and Chairperson of the Holland Home Board and Chairperson of Faith Hospice Board. Mr. Ver Beek was appointed to a three-year term on the Attorney Discipline Board commencing October 1, 2008.

CRAIG LUBBEN of KALAMAZOO

Term Expires: September 30, 2011

Mr. Lubben is a member of the law firm of Miller Johnson at the firm's office in Kalamazoo where he practices in the area of civil litigation with a focus on commercial and employment dispute. He is a graduate of Calvin College (B.A.) and a cum laude graduate of Northwestern University School of Law where he was on the Board of Directors of the Journal of Criminal Law and Criminology and member of Order of the Coif. Mr. Lubben is a former President of the Kalamazoo County Bar Association and has served on the State Bar of Michigan's Representative Assembly and Board of Commissioners. He is currently on the Executive Committee of the Federal Bar Association for the Western District of Michigan. His community service includes membership on the boards of Family and Children Services of the Kalamazoo area, including two terms as president; the Kalamazoo Symphony; the Kalamazoo Christian School Association; and the Calvin College Alumni Association Board, president, 2004-2005. Mr. Lubben was appointed to a three-year term on the Attorney Discipline Board commencing October 1, 2008.

JAMES M. CAMERON, JR. of ANN ARBOR

Term Expires: September 30, 2012

Jim Cameron is a member of the Dykema law firm and is the Office Managing Member for Dykema's Ann Arbor, Michigan office. He graduated with honors from Harvard University in 1973 and obtained his law degree from American University in 1978. Between college and law school, Mr. Cameron taught high school English. Since joining Dykema in 1978, Mr. Cameron has been a member of the firm's Litigation Group, practicing primarily in the area of commercial litigation with experience in patent infringement suits and construction contract litigation. Mr. Cameron has an interest in alternative dispute resolution and has significant experience as a facilitator, mediator, and arbitrator. Mr. Cameron has been actively involved in public education as a past trustee for the Ann Arbor Public Schools Board of Education, as a board member and past Chairperson of the Ann Arbor Public Schools Educational Foundation, and as Chairman for the Michigan Teacher Tenure Commission. He is also a past member of the Board of Trustees, Planning Commission and Zoning Board of Appeals for Scio Township, and has served on the Elected Officials Compensation Committee and Zoning Board of Appeals for the City of Ann Arbor. In December 2008, the Michigan Supreme Court appointed Mr. Cameron to fill an unexpired term on the Attorney Discipline Board ending September 30, 2009. He was reappointed to a full three-year term commencing October 1, 2009.

SYLVIA P. WHITMER of WEST BLOOMFIELD

Term Expires: September 30, 2012

Dr. Whitmer received her undergraduate degree and a post-graduate degree as an education specialist from Wayne State University. She holds a masters degree from the University of Edinborough, Scotland, and a doctorate (PhD) from Michigan State University. During her professional career in education, Dr. Whitmer has been a high school teacher, an elementary school principal and, from 1990 until her retirement in 2005, the Executive Director of Instruction, K-12, for the Birmingham Public Schools. Dr. Whitmer was an elected member of the Birmingham Board of Education from 1975 to 1987, serving three times as its president. In addition to her service as a Board member of the Birmingham Area Senior Coordinating Council, Dr. Whitmer is involved in the Birmingham Optimist Organization, the League of Women Voters and the American Association of University Women. Dr. Whitmer was appointed by the Supreme Court to a three-year term on the Attorney Discipline Board commencing October 1, 2009.

APPENDIX "F"
2008 HEARING PANEL ROSTER⁵

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, Tom 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

DAAVETTILA, Robert T.

INGHAM COUNTY

BEHAN, Michael R.
BEHAN, Raymond R.
BOSSENBROOK, Arlyn J.
BYERLEY, Thomas K.[%]
CASEY, Nan Elizabeth
CUNNINGHAM, Janice K.
DALE, Julia A.
DE VINE, Barry F.
DOSTER, Eric E.[%]
EDGAR, Mary C.
EMERY, Lawrence J.
FINK, Joseph A.
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.

⁵ *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.
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.
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.
BENHAM, Lucy R.
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.
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.
GERSHEL, Alan M.
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.
HEWSON, James F
HOHAUSER, Michael S.
HUDSON, Clarence L.
HUTSON, Michael W.
JACOBS, Mark S.
KANTER, Alan M.
KELLY, Dale F.
KINSLEY, Stephen L.
KUHN, Loraine R.

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.
MAY, Berton K.
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.
TRIENT, 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.

OAKLAND COUNTY
(Continued)

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

OCEANA COUNTY

PRINCE, Clifford W.
ROSE, James M.

OTSEGO COUNTY

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, 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.
GESKEY, Stephen M.
GRUSKIN, Michael A.
GURWIN, Howard E.
HAMMOND, Helen M. #
HAMPTON, Verne C., II
HELLAND, Lynn A.
HURWITZ, Miles A.
JACOBS, John P.
JADALLAH, Samer Naim
JORDAN, Teri A.
KASIBORSKI, Chester E., Jr.
KITCH, Richard A.
KOHL, David D.
KUPLICKI, Francis P.
LAKE, Timothy W.
LEMIRE, John J.
LIZZA, John B.
LONGSTREET, Kristine Heard
LORENCE, Gerald M.
MacMILLAN, Mary Rose #
MAVEAL, Gary M.
McGRAW, Steve
MILLER, Bruce A.
MILLER, C. David, II

WAYNE COUNTY
(Continued)

MURPHY, Barbara L.
NIFOROS, Lambro
PAPISTA, Anthea E.
PHILLIPS, Dwight W.
PITTS, Stanley H.
PLUMB, Frederick B.
RIVARD, Donald M., Jr.
ROBINSON, Ron D.
RODWAN, Gail O.
RONAYNE, John J., III
ROSS, Steven P.
SAUGET, William J.
SCHONBERG, Edward R.
SERYAK, Richard J.
SHERROD, Patricia L.
SIMON, Basil T.
SINCLAIR, Jennifer J.
SKILLMAN, Alicia 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
WIDLAK, Anne Bagno
WILLIAMS, Avery K.
WIRTH, George N.
WYNNE, James E.
YOTT, Cynthia K.

WEXFORD COUNTY

McCURDY, David S.
PETERSON, David R.