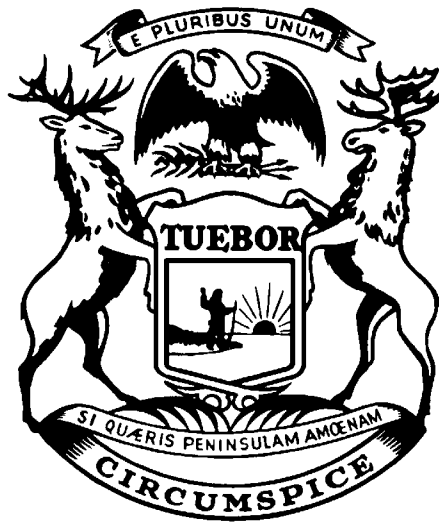


STATE OF MICHIGAN

Attorney Discipline Board and Attorney Grievance Commission

2017 JOINT ANNUAL REPORT



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State of Michigan Attorney Grievance Commission Annual Report

January 1, 2017 – December 31, 2017



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 investigative and 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 the city of Detroit.

Commission Composition

The Commission consists of nine members, who serve without compensation. The six lawyers and three non-lawyers are each appointed by the Michigan Supreme Court for a term of three-years. A member may not serve more than two terms.

The Commission's Chairperson and Vice-Chairperson are appointed to one-year terms by the Michigan Supreme Court. The Commission's Secretary is elected by its members.

Victor A. Fitz, III, Chairperson - term ending 10/1/18

Mr. Fitz has been the elected Cass County Prosecutor since 2004. He operated as a Senior Assistant in Muskegon from 1988-2003, concentrating on homicide and narcotics prosecutions. He also served in Tuscola County as the Chief Assistant Prosecutor. He also Chairs Michigan's Crime Victims Services Commission, is an appointee to the Governor's Council on Law Enforcement & Reinvention (CLEAR) and is past President of the Prosecuting Attorneys Association of Michigan (PAAM). He is the current President of St. Paul Lutheran Church, Cassopolis, has served as an athletics coach and is active in numerous local/state organizations.

Valerie R. White, Vice-chairperson - term ending 10/1/18

Ms. White is the Chief Assistant Prosecutor for Branch County, after having served as Chief Assistant /Assistant Prosecutor in Hillsdale County for nearly 17 years. She is a 1987 graduate of Michigan State University and a 1993 graduate of Cooley Law School. She has been married to John for 28 years and they have two daughters. In her spare time, she is active in the Kiwanis Club of Hillsdale, the First United Methodist Church, and as a 4-H Leader. She is currently on the Board of Education for the Hillsdale County Intermediate School District and the Board of Directors for Reading Emergency ambulance service.

Megan K. Cavanagh, Secretary – term ending 10/1/19

Ms. Cavanagh is a shareholder at Garan Luow Miller P.C. in Detroit and has been a member of the firm's appellate department since 2002. She is a graduate of the University of Michigan College of Engineering and Wayne State University Law School. She has been a member of the Attorney Grievance Commission since October of 2016 and has served as Chair of the Appellate Practice Section of the State Bar of Michigan and a council person for the Negligence Section of the State Bar of Michigan. She was recognized by Michigan Lawyers Weekly as a Lawyer of the Year in 2006 and one of the 2017 Women in the Law. She was recognized by Super Lawyers as a "Rising Star" and a "Super Lawyer."

Cathy Joan Pietrofesa, PHD, Lay person – term ending 10/1/18

Dr. Pietrofesa is a State Board Licensed Psychologist and a Licensed Professional counselor. Dr. Pietrofesa received her doctorate from the University of Michigan and has been in clinical practice over 30 years. She has been the co-owner of Affiliated Psychologists of Michigan for 27 years, and has been an Adjunct Professor at Wayne State University. In addition, she was part of the Employee Assistance Program for National Football League, assigned to the Detroit Lions for a number of years and has been a consultant/EAP psychologist for Plante and Moran for nearly 30 years. She is a frequent presenter at professional meetings, as well as co-author of a number of professional articles. She has been elected to several state and county-wide leadership positions in professional organizations and was a recipient of the Oakland County

Counselor of the year. Dr. Pietrofesa was appointed by the Michigan Supreme Court to a three year term as a non-lawyer member of the Attorney Grievance Commission commencing January, 2016.

Jeffrey J. Sakwa, Lay person – term ending 10/1/19

Mr. Sakwa is the President of Noble Realty, Inc. He is also the President and founder of Defeat the Label, an advocacy organization dedicated to raising awareness of bullying and people with autism. Jeff serves as a Board Member on the Oakland Schools Education Foundation, is former Co-Chair of the Michigan Republican Party, and current Deputy Chair. He is a past board member of the Anti-Defamation League, Temple Shir Shalom, and the West Bloomfield Education Foundation. He received a Bachelor of Arts Degree in Accounting from Michigan State University

Latoya M. Willis, Attorney member – term ending 10/1/18

Mrs. Willis is the Lead Attorney of the Wayne County Prosecutor's Mortgage and Deed Fraud Unit where she specializes in the prosecution of criminal activity involving fraudulent real property transactions. She graduated from Western Michigan University in 1997, and earned her law degree from the University of Detroit-Mercy Law in 2002. She has worked with the Wayne County Prosecutor's Office since 2000, where she began as an intern in the Forfeiture Unit. Since that time, she has practiced throughout the Office including within the Felony Exam Unit; Felony Trial Unit, and Special Victims Unit where she prosecuted crimes committed against elder and vulnerable adults. She was appointed to the Attorney Grievance Commission in January of 2017.

Cheryl A. Bush, Attorney member – term ending 10/1/20

Ms. Bush is the majority-owner and founding partner of Bush Seyferth & Paige PLLC (BSP), and handles high-stakes cases across the country. Ms. Bush is a Fellow in both the American College of Trial Lawyers and the International Society of Barristers. She is a Senior Life Fellow of the American Board of Trial Advocates and teaches at its Trial College. She is on the Board of Directors of the Product Liability Advisory Council and is actively involved in the National Association of Minority & Women Owned Law Firms. In addition, She is proud to represent her home state by serving as the only Michigan counsel on the Network of Trial Law Firms' Board of Directors.

She earned her Juris Doctor, *cum laude*, from the University of Michigan Law. She earned her Bachelor of Arts in English, *magna cum laude*, Wayne State University.

Thomas G. Kienbaum, Attorney Member – term ending 10/1/20

Mr. Kienbaum has over 45 years' experience representing employers nationally in significant labor and employment disputes. He served as President of the State Bar of Michigan, the Metropolitan Detroit Bar Association, and the Barrister's Association. Mr. Kienbaum was appointed by the Supreme Court to the Attorney Discipline Board in 2007,

where he served for six years, including as Chair. In 2017 the Supreme Court appointed him, for a three-year term, to the Attorney Grievance Commission. Mr. Kienbaum graduated *magna cum laude* from Wayne State University Law School in 1968, having served on its Law Review, and was awarded the "Order of the Coif." He graduated from the University of Michigan in 1965. Mr. Kienbaum was born in Berlin, Germany, and immigrated to the United States in 1957. He is fluent in German.

James Webb, Attorney Member – term ending 10/1/20

Mr. Webb retired from the insurance business July 2017 after a 46 year career. He was a Property Underwriter for USF&G, and a Risk Manager at Masco, the Budd Company and Republic Steel Corporation. During the last 36 years, he was an Insurance Agent with Aon Risk Solutions where he concluded his career as Chairman of the Michigan Corporation. Mr. Webb holds an AA Degree in Business Administration from the College of the Sequoias, BBA and MBA Degrees from Eastern Michigan University. He is Chairman of the Board of Trustees at Eastern Michigan University .He also is a board member of the Michigan Property and Casualty Guaranty Association. Mr. Webb also sits on the board of F.D.I. Insurance Company in Dublin, Ireland.

The Grievance Administrator's Staff

The Grievance Administrator and Deputy Administrator are appointed by the Supreme Court pursuant to MCR 9.109. The Grievance Administrator is empowered under MCR 9.111 to hire legal and support staff, with the approval of the Commission. During the year 2017, the Grievance Administrator supervised a staff of thirteen attorneys, three investigators, and seventeen administrative and clerical staff. Additionally, the Commission accepts law students for a legal intern program in connection with their respective law schools.

Commission Procedures

The grievance and 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 Attorney Grievance Commission against an attorney, or when the Grievance Administrator commences an investigation in his/her own name.

Upon the filing of a Request for Investigation, the Grievance Administrator determines whether there exists a *prima facie* allegation of professional misconduct. The Request for Investigation may be rejected by the Grievance Administrator 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 the procurement of court records or banking records. When such an investigation is concluded, the Grievance Administrator must submit the investigative file to the Commission for its review and disposition.

In each investigative file referred to the Commission, the Grievance Administrator may recommend to the Commission that: (1) the matter be closed as there is insufficient evidence of professional misconduct; (2) the Respondent attorney be placed on contractual probation, a diversion program where minor misconduct is significantly related to alcohol or other substance abuse, or other impairment, pursuant to MCR 9.114(C)(3) the Respondent attorney be admonished under MCR 9.114(B), a confidential disposition requiring the attorney's consent or (4) authority be granted to file a formal complaint against the Respondent attorney for allegations of professional misconduct pursuant to MCR 9.114(A)(2). The Grievance Administrator must inform the complainant and the Respondent of the final disposition of every Request for Investigation MCR 9.114(F).

Investigations

During 2017, the Commission docketed **1944** Requests for Investigation [grievances]. This number includes **167** Requests for Investigation generated under the Trust Account Overdraft Notification (TAON) rule, which requires notification to the Grievance Administrator by a financial institution when an attorney has overdrawn his or her client trust account. The Commission received nearly **20,000** phone calls in the year 2017. Appendix A (page 18 of this report) includes a 10-year comparison of the Requests for Investigation filed since 2008.

As shown in Table 1 (next page), the areas of practice most likely to lead to a grievance are criminal law, domestic relations, probate, and personal injury law.

Table 1 – Nature of underlying legal matter in grievances filed, 2016 and 2017

| Subject Matter | % of Total Grievances 2017 | % of Total Grievances 2016 |
|--------------------------|-----------------------------------|-----------------------------------|
| Criminal law | 36.64 | 33.00 |
| Domestic relations | 12.55 | 14.00 |
| Probate law | 10.18 | 10.00 |
| Commercial litigation | 4.15 | 5.00 |
| Bankruptcy law | 2.60 | 3.00 |
| Real estate transactions | 1.35 | 2.00 |
| Insurance law | .57 | 1.00 |
| Immigration law | 2.60 | 2.00 |
| Employment/labor law | 1.40 | 2.00 |
| Personal Injury | 8.35 | 11.00 |
| All Others | 19.45 | 15.00 |

Table 2 (below) compares the final disposition of the grievances resolved by the Grievance Administrator or the Commission in 2017 compared to 2016. In 2017, the Commission received **1944** grievances. The **2033** dispositions in 2017 included **1541** grievances dismissed by the Grievance Administrator pursuant to MCR 9.112(C)(1)(a) and MCR 9.114(A)(1); **197** grievances closed by the Commission; **97** admonitions issued by the Commission; **31** contractual probations approved by the Commission; **149** individual grievances approved by the Commission for the filing of a formal complaint; **18** judgments of conviction were authorized for formal action.

Table 2 – Disposition of Grievances, 2017 and 2016.

| | 2017 | 2016 |
|--|-------------|-------------|
| Total Grievances Received | 1944 | 2080 |
| Total Grievances Disposed | 1738 | 2265 |
| Rejected by the GA or Closed in Intake | 1541 | 1741 |
| Total Disposed of by the Commission after full investigation | 492 | 524 |
| Closed by the Commission | 197 | 248 |
| Admonishments | 97 | 91 |
| Contractual Probation | 31 | 18 |
| Approved for Formal Complaints | 149 | 160 |
| Approved for Judgment of Conviction | 18 | 7 |

The dispositions of grievances for a particular year are not necessarily dispositions of all grievances filed for that year. The dispositions for 2017 included grievances filed before January 1, 2017, and some of the grievances filed during the year were pending on January 1, 2017.

AGC CASE SUMMARIES

Assistant Deputy Grievance Administrator: Cynthia C. Bullington

Grievance Administrator v Jill A. Tucker, ADB Case No. 17-71-JC

Notice of Discipline: Respondent was convicted in *People of the State of Michigan v Jill Ann Tucker*, 44th Circuit Court Case No. 16-023886-FH, of the following offenses: interference with the reporting of a crime, in violation of MCI 750.483A2B, a felony; unlawful posting of messages through electronic medium without consent, in violation of a felony; lying to a police officer regarding a serious misdemeanor, in violation of MCI 750.479C2A, a misdemeanor; tampering with evidence, in violation of MCI 750.483A6A, a felony; failure to stop at the scene of a property accident, in violation of MCI 257.618, a misdemeanor; failure to stop at the scene of an accident involving serious personal injuries, in violation of MCI 257.617A, a misdemeanor; use of a computer to commit a crime, in violation of MCI 752.7973E, a felony; and operation of a motor vehicle in violation of a license restriction, in violation of MCI 257.312, a misdemeanor. Respondent was disbarred

Free Press account: Testimony at Tucker's March trial revealed she failed to stop for other motorists who had stopped at the intersection of M-36 and Lemen Road in Green Oak Township on June 4. Tucker's Dodge Ram pickup struck motorcyclist Brian Drake hard enough that it shot the motorcycle forward nearly the length of a football field. Drake went airborne, landing in the middle of the intersection next to a Chrysler 300. "This crash could have ended very differently for me," said Drake, who suffered a bruised backside and elbow injuries. "Looking back, it's hard for me to believe how Miss Tucker could have known she was responsible for this crash and still fled the scene, not knowing if I or others were seriously injured or possibly dead," he added. "Her selfish actions, both prior to and especially after the crash, have demonstrated a complete lack of regard for the well-being of the people involved and the law."

The pickup – which Tucker purchased and insured through her then-employer, DXRacer, avoiding an interlock device on her personal vehicle for a prior drunken driving conviction – also rear-ended the Chrysler 300 hard enough to push the trunk up to the rear window. The Chrysler driver, Donald Mayville, said he continues to feel apprehension when a motorist is behind him or tailgates.

Testimony also indicated that Tucker lied to a Green Oak Township police officer, whom she was dating and who initially investigated the crash. Gadd took the officer and Rose to task for their handling of the case. He accused the officer of destroying evidence and participating in "some of the alleged criminal conduct."

Gadd accused Rose of withholding evidence and providing discovery materials late. He also accused Rose of making "inappropriate accusations during the case," which likely referenced Rose's questioning at an earlier hearing about whether Gadd and his client were intimately involved. Gadd denied that accusation in March. "I believe these public officials should be held to a higher standard, and I know they are going to walk away from

here and high five because they won and got the defendant convicted of various offenses,” Gadd said Thursday.

Rose said Gadd’s comments reflected the defense’s position throughout the case: accusing others of wrongdoing and blaming the victim while ignoring Tucker’s criminal behavior, including allegations she broke into her estranged husband’s house the day after the jury verdict and stole two rifles and two shotguns.

“The one thing you notice is missing from (Gadd’s) argument is ... the people she harmed,” Rose said. Rose said Tucker’s behavior has shown her ability to manipulate and deceive others. He called her behavior premeditated, from getting a second vehicle to avoid detection when she drank alcohol while on probation for her second drunk driving conviction to procuring a replacement bumper to hide the crash evidence, as well as leaving two injured people in the middle of an intersection. Tucker also tore out computer cords to disable security cameras so she wouldn’t be caught returning the damaged pickup and she retaliated against the woman who placed her behind the wheel by sending naked photographs of the woman to her co-workers.

“She didn’t even do what a decent human being, even (one) making a mistake would do, and check on the two men she injured,” Rose said. “Instead, she hit the gas to save her own skin. ... “She blamed all of those around her to shift focus from her undeterred lawlessness. I don’t have to tell you she’s going to hurt someone with her criminal behavior. She’s already done that.”

Senior Associate Counsel: Stephen P. Vella

Grievance Administrator v Timothy H. McCarthy, Jr., ADB Case No. 15-72-GA

Respondent was disbarred for a lack of diligence and neglect resulting in his client’s potential medical malpractice case being time-barred by the applicable statute of limitations. The Respondent’s misconduct, however, was not limited to Rules 1.1 and 1.3. the hearing panel found that he intentionally made misrepresentations to his client, the staff of the Grievance Administrator/Commission and to hearing panel regarding his actions. His misrepresentations were verbal as well as written, and rose to the level of a scheme of deception. Former staff counsel conducted the hearing before the panel. Mr. Vella handled the matter thereafter. Respondent pursued an unsuccessful appeal to the Attorney Discipline Board. An application for leave to the Michigan Supreme Court was also denied. The focal point of both appeals was a claim of ineffective assistance of counsel. This argument was expressly rejected by the Board, which ruled that there is no right to counsel in an attorney discipline matter, and therefore, no defense of ineffective assistance of counsel.

In Re Petition for Reinstatement of Lamont M. Walton, ADB Case No. 14-112-RP

In 2011, Lamont Walton had been suspended retroactively, for two years and eleven months, commencing in July 2008 for misappropriation/conversion of funds that he held in trust in his capacity as the Treasurer of the Ingham County Black Lawyers Association. He has been continuously suspended in Michigan since then. In 2015, Mr. Walton applied for reinstatement to practice law in Michigan. The hearing panel and the Attorney Discipline Board denied his petition for reinstatement. The Board relied on the following factual findings by the panel. First, Mr. Walton had a rather continuous and long-term history of domestic violence for which he had not shown adequate rehabilitation. In addition, while Respondent was suspended from the practice of law in Michigan, he improperly obtained admission to the State Bar of Illinois without examination (by reciprocity) pursuant to the application process that required him to have been in good standing in his home state of Michigan, and to have actively practiced law in Michigan four of the previous seven years prior to his admission to the Illinois Bar Association. Mr. Walton had not met either condition. He failed to supplement his pending application for admission with this information. Though he informed the Illinois admissions office of his suspension of two years and eleven months, he failed to inform it that the suspension did not automatically terminate, but rather remained in effect until and unless he successfully petitioned for reinstatement. Accordingly, he was not eligible for admission to practice law in Illinois. He benefited from this lack of full disclosure and received his license to practice in Illinois. He did not seek a further appeal to the Michigan Supreme Court.

In Re Petition for Reinstatement of Dennis P. Mikko, ADB Case No. 17-6-RP

Dennis Mikko was a juvenile court referee in Traverse County Circuit Court when he was arrested in September 2009 for possession of pornography that possibly involved underaged girls. He successfully defended himself against the criminal charges, which were dismissed by the court. However, his license to practice law was suspended in Michigan for one year, effective June 27, 2014. The panel who heard the original matter in 2014 found that not only had Mr. Mikko been using his court computer to look at online pornography, he had also kept a brief case in his office in the court house that contained pornographic videos, magazines and books. The briefcase also contained four booklets of incest-themed short stories collected by Mr. Mikko. He included pornographic pictures therein, which he had cut out of magazines. Most significantly, he also created several pages of collages containing dozens of face-shot photographs of juvenile girls who had appeared before him and his co-referee in juvenile court proceedings, and inserted these collages in his booklets of incest stories.

Mr. Mikko applied for reinstatement in January 2017. The hearing panel denied his petition for reinstatement on the basis that he had not met his burden of proof, that he had not had sufficient therapy and treatment for his sexual addiction, and that he did not have a sufficient plan in place to reasonably ensure that he would not relapse in the future. Mr. Mikko also admitted that the incest story books with the collages of the juvenile defendants' photos, produced at the hearing by our witness, Det. Nathan Ritter, were the books he had put together, and were in the same original condition as when he kept them

in his briefcase. In a motion for reconsideration, as well as in an appeal to the Attorney Discipline Board, Mr. Mikko unsuccessfully argued that the panel's findings did not have sufficient support. He also raised evidentiary issues, challenging in particular certain contents of the briefcase being permitted in evidence which he claimed were not in the briefcase when it was seized by the sheriff's department. The panel expressly held that it did not rely on or consider these materials in the briefcase, so any possible error in allowing their admission in evidence was harmless. The Board agreed. The Board affirmed the hearing panel's decision denying Mr. Mikko's Petition for Reinstatement.

Senior Associate Counsel: Rhonda S. Pozehl

Grievance Administrator v Dane P. Bays, ADB Case Nos. 17-98-JC; 17-99-GA; 17-110-JC

This matter concerned a combined Notice of Filing of a Judgment of Conviction and a Formal Complaint filed in August 2017 based on Respondent's guilty plea to and convictions of a felony drug offense and a second offense of operating while intoxicated and his neglect of several client matters.

An Order of Disbarment and Restitution (By Consent) was entered, retroactive to October 26, 2016 (the date of Respondent's interim Order of Suspension) entered as to the criminal convictions.

The stipulation for consent discipline included Bays' admissions that he was convicted of operating while intoxicated, second offense; felony possession of a controlled substance, i.e., narcotic/cocaine, greater than 25 grams; and probation violation. It also included Bays' admissions that he "committed professional misconduct in his representation of three separate clients in bankruptcy matters; in his representation of another client in resolving an outstanding business matter; and that he failed to respond to four requests for investigation." Bays was ordered to pay a total of \$25,200 in restitution.

Grievance Administrator v Chad M. Lucia, ADB Case No. 17-72-GA

This matter concerned the Respondent's improper use of an IOLTA account. Based upon Respondent's admissions and the stipulation of the parties, the panel found, *inter alia*, that Respondent held funds other than client or third person funds relating to a representation in an IOLTA, in violation of MRPC 1.15(a)(3); deposited his own funds into an IOLTA in an amount more than reasonably necessary to pay financial institution charges or fees, in violation of MRPC 1.15(f); failed to provide a full and fair explanation of the cause of the overdraft and how it was corrected, in violation of MRPC 1.15A(f); and in connection with a disciplinary matter, knowingly made a false statement of material fact, in violation of MRPC 8.1(a). Respondent Lucia's law license was suspended for a period of thirty (30) days.

Senior Associate Counsel: Emily A. Downey

Grievance Administrator v Mark S. Demorest, ADB Case No. 16-138-GA

A Formal Complaint was filed against Respondent charging him with improperly maintaining funds owed to a client in his firm's IOLTA. Respondent and the Grievance Administrator filed a stipulation for a consent order of discipline, in accordance with MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by the hearing panel. Based upon Respondent's admissions and pleas of no contest in his answer to the Formal Complaint and in the stipulation of the parties, the panel found that respondent committed professional misconduct in relation to the handling of client funds deposited into his firm's IOLTA account. Specifically, the panel found that respondent failed to promptly pay or deliver funds that a client or a third person was entitled to receive, in violation of MRPC 1.15(b)(3); and engaged in conduct that is prejudicial to the administration of justice, in violation of MRPC 8.4(c) and MCR 9.104(1). Respondent was also found to have violated MRPC 8.4(a) and MCR 9.104(2)-(4). In accordance with the stipulation of the parties, the panel ordered that respondent's license to practice law be suspended for a period of 180 days, effective August 31, 2017.

Grievance Administrator v Stuart Lee Sherman, ADB Case No. 15-89-GA

A Formal Complaint was filed against Respondent charging him with knowingly disobeying an obligation under the rules of a tribunal, failing to promptly pay or deliver funds that a client or third person is entitled to receive, and engaging in dishonest conduct. In a December 3, 2012 court proceeding in Oakland County Probate Court, the judge made a verbal ruling that no additional attorney fees were to be paid. Before the court reduced the decision to a written document, Respondent instructed his assistant to back date deposit slips and deposit approximately \$394,000 in funds that had been received at his office. He did not disclose this information to the court at the time. Respondent later took approximately \$112,000 from his firm's account as funds to which he believed he was entitled as compensation.

The hearing panel found that Respondent deceived the judge and violated the court's order, in violation of MRPC 3.4(c); and engaged in conduct involving dishonesty, fraud, deceit, misrepresentation, or violation of a criminal law, where such conduct reflect adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b). The panel also found that Respondent violated MCR 9.104(1)-(4) and MRPC 8.4(a) and (b). The hearing panel did not find that Respondent committed misconduct when he took the funds from the firm. The panel ordered Respondent's license to practice law be suspended for a period of one year, effective July 28, 2017.

Senior Associate Counsel: Kimberly L. Uhuru

Grievance Administrator v Michael E. Tindall, ADB Case No. 14-36-GA

Michael Tindall was disbarred on September 20, 2017 for a pattern of frivolous and abusive filings in several courts over a period of approximately 5 years. He is also filed misleading and deceptive pleadings in court and filed an improper lien against real property. Although courts had threatened to sanction Mr. Tindall, none had actually done it and his conduct continued unabated. The disciplinary proceeding finally put an end to years of misconduct by Mr. Tindall which had resulted in a waste of time and resources by parties and courts.

Grievance Administrator v Mark A. Chaban, ADB Case No. 15-151-GA

Mark Chaban was given a one-year suspension in an unrelated case for filing frivolous pleadings in a landlord tenant case which took several years to resolve as a result of Respondent's frivolous conduct. He also engaged in deceptive conduct to prevent the eviction of his client, including telling a court officer that the eviction was stayed due to an appeal when in fact no stay had been granted. This was Respondent's first discipline. He has been suspended since October 31, 2017.

Senior Associate Counsel: Dina P. Dajani

Grievance Administrator v Wade Harper McCree, Case No. 14-59-GA

The Michigan Supreme Court removed Judge McCree from the bench of the Wayne County Circuit Court in an order entered on March 26, 2014. In its opinion, the Supreme Court found that respondent had a sexual relationship with a complaining witness in case pending before him without recusing himself for several months; engaged in numerous ex parte communications with her concerning the case, as well as another case in which one of her relatives was a party; violated various policies of the courthouse by permitting his mistress to enter the facility through an employee entrance without going through security, allowing her to remain also in his chambers while he was on the bench, arranging for her to park her vehicle in an area reserved for judges, and sneaking her cell phone in the courthouse for her; transmitted numerous text messages to her while he was on the bench that contained inappropriate and derogatory references to those appearing before him; lied about when and why he finally did recuse himself from the case in which his mistress was the complaining witness; sought to use the prosecutor's office as leverage against his ex-mistress by concocting charges of stalking and extortion against her; and lied under oath during the Judicial Tenure Commission proceedings. As a result of the order of removal, the grievance administrator filed a formal complaint against respondent on June 6, 2014. After finding that respondent engaged in professional misconduct as a lawyer, Tri-County Hearing Panel #2 issued an Order of Suspension, ordering that respondent be suspended for 2 years, effective January 22, 2016. Both parties filed petitions for review to the Attorney Discipline Board. On May 4, 2017, the Board issued

an opinion in which it affirmed the findings of misconduct and increased discipline to a 3-year suspension.

Grievance Administrator v Clifford Woodards, Case No. 17-84-GA

Respondent was charged with violating MRPC 6.5(a) and MCR 9.104(2) arising out of his conduct toward a Wayne County probation officer during their appearance for a matter in court. MRPC 6.5(a) prohibits treating a person involved in the legal process discourteously and disrespectfully because of that person's race and gender. While in court, after disagreeing about the sentence and conditions imposed on respondent's client, respondent told the probation officer that she had "angry black women's syndrome" or "black women's disease." Later, respondent accused the probation officer of not listening to him, called her an "angry black woman", and told her, "that's why you don't have a husband." Respondent consented to a reprimand, which was accepted by the hearing panel and imposed effective October 17, 2017.

Senior Associate Counsel: John K. Burgess

Grievance Administrator v. James Catipay, ADB Case No. 17-75-JC

Respondent was licensed in both Michigan and California. Respondent was convicted of Conspiracy to Commit Securities Fraud for his involvement with a national scheme to defraud investors using his law firm, Prometheus Law. Respondent's license to practice law was revoked and he was ordered to pay restitution.

Grievance Administrator v. Marcellus Long ADB Case No. 17-4-GA

On August 5, 2017, Respondent was suspended for a period of one year after the Panel found that he neglected multiple client matters and failed to provide competent representation. Respondent was also placed under Interim Suspension in July, 2017, when he plead guilty in federal court to Conspiracy to Commit Wire Fraud. Disciplinary charges are pending against Respondent for that offense as well.

Associate Counsel: Charise L. Anderson

Grievance Administrator v Tonya Myers Phillips, ADB Case No. 16-64-GA

Respondent was charged with failing to take remedial measures after learning that her client intended to engage in criminal or fraudulent conduct relative to an adjudicative proceeding. Respondent and the Grievance Administrator filed a stipulation for order of reprimand. The Attorney Discipline Board considered a petition for review filed by Complainant, on the grounds that the stipulation for consent order of reprimand accepted by the hearing panel resulted in insufficient discipline. After reviewing the record before the hearing panel, consideration of briefs and arguments of the parties at a hearing, the board concluded that the panel made an informed decision to accept the stipulation for consent order of reprimand in this matter. The board further stated that it had previously

and consistently held that it “will not review the inherently prosecutorial decisions of the Attorney Grievance Commission. The authority to investigate allegations of misconduct, make recommendations to the Commission, and ultimately determine the charges to bring is inherent in the Commission as the prosecution arm of the Supreme Court.”

Associate Counsel: Sarah C. Lindsey

Grievance Administrator v Sandra J. Budnick (Crutchfield), ADB Case No. 16-65-GA

Respondent was disbarred effective February 17, 2017, for converting an arbitration award to which her clients were entitled. Respondent failed to deposit the funds into a trust account, and she failed to pay the award to her clients. In addition, Respondent misappropriated funds that her clients advanced to her for expenses. Respondent also neglected the legal matter, failed to communicate with her client, and failed to return funds belonging to her clients at the conclusion of the engagement, among other violations. In addition to disbarment, the panel ordered that Respondent pay restitution of more than \$16,000. This amount included the misappropriated funds as well as fee forfeiture.

Grievance Administrator v Trevor M. Robinson, ADB Case Nos. 16-73-AI; 16-109-JC

Respondent was convicted in Eaton County Circuit Court of one count of embezzlement by a public official, five counts of stealing or retaining a financial transaction device without consent, four counts of uttering and publishing, and one count of performing an occupation without a license. Respondent’s license was automatically suspended upon his conviction of the felony counts. After a hearing to determine the appropriate level of discipline, Respondent was disbarred. The panel also ordered that before Respondent can be reinstated to the practice of law, he must demonstrate that he has repaid the restitution ordered in the criminal matters as well as restitution owed from two previous orders of suspension.

Associate Counsel: Jordan Paterra

Grievance Administrator v Nader W. Nassif, ADB Case No. 17-137-GA.

This matter concerned a relationship—a friendship—between Respondent and a former judge of the 15th District Court in Ann Arbor, Christopher Easthope. Respondent was a member of the firm that held Ann Arbor’s indigent defense contract. Respondent was the attorney that appeared in front of Judge Easthope more than any other attorney. The formal complaint, filed in November 2017, charged Respondent with violations of the Rules of Professional Conduct based on the content of the text messages relating to cases and clients and the context of the text messages, which revealed the close friendship between Respondent and Mr. Easthope.

A 179-day Order of Suspension (By Consent) was entered, retroactively effective June 1, 2017 because Respondent had not practiced law since a 180-day suspension in 2014. The stipulation for consent discipline included Respondent's admissions that he engaged in ex parte communications with Mr. Easthope. These ex parte communications included text messages related to: case scheduling and scheduling favors, sentence lengths before sentencing hearings, requests for probation, concealing discussions from the Washtenaw County Prosecutor, and favors. The ex parte communications also included text messages that showed a relationship between Respondent and Mr. Easthope, a friendship, which required disclosure or disqualification.

The hearing panel found that Respondent violated or attempted to violate MRPC 3.5(a) by seeking to influence Mr. Easthope by means prohibited by law; violated or attempted to violate MRPC 3.5(b) by having an ex parte communication with Mr. Easthope regarding a pending matter without being authorized by law or court order; violated, or attempted to violate the Rules of Professional Conduct, in violation of MRPC 8.4(a); failed to report Mr. Easthope's violation of the Code of Judicial Conduct, in violation of MRPC 8.3(b); and violated or attempted to violate MRPC 8.4(e), by knowingly assisting a judge or judicial officer in conduct that is a violation of the Code of Judicial Conduct or other law. The hearing panel also found that Respondent violated MCR 9.104(1)-(4), and MRPC(b) and (c).

Grievance Administrator v Michael J. Pelot, ADB Case No. 17-31-GA.

A formal complaint was filed against Respondent Michael J. Pelot charging him with contacting a party that was represented by counsel, in violation of MRPC 4.2. An Order of Reprimand (By Consent) was entered, effective May 26, 2017. The stipulation for consent discipline included Respondent's admissions that he contacted a complainant in a conciliation meeting for a discrimination claim in an attempt to resolve the matter when he knew that that client was represented by counsel. The hearing panel found that Respondent violated MRPC 4.2, MCR 9.104(1)-(3) and MRPC 8.4(a) and (c).

Grievance Administrator v Dana F. Wilson, ADB Case No. 17-134-GA.

In this matter, Respondent Dana F. Wilson instructed his assistant to sign Respondent's criminal client's name to a waiver of arraignment. Respondent had not requested or received authority to sign his client's name. Respondent also sent an associate to attend a hearing without informing or seeking the consent of his client. The Grievance Administrator filed a formal complaint and a stipulation for consent discipline pursuant to MCR 9.115(F)(5) in November 2017.

An Order of Reprimand (By Consent) was entered, effective February 14, 2018. The stipulation for consent discipline included Respondent's admissions that he did not inform or seek consent from his client to have his associate attend a hearing instead of Respondent and that he did not seek consent from his client to have his assistant sign his client's name.

The hearing panel found that Respondent failed to seek the lawful objectives of his client, in violation of MPRC 1.2(a), failed to conduct himself with reasonable diligence and promptness in representing a client, in violation of MRPC 1.3, failure to keep his client reasonably informed about the status of a matter, in violation of MRPC 1.4(a), and failed to explain a matter to the extent reasonably necessary to permit his client to make informed decisions, in violation of MRPC 1.4(b). The hearing panel also found that Respondent violated MCR 9.104(1)-(3) and MRPC 8.4(a) and (c).

Associate Counsel: Nathan C. Pitluk

Grievance Administrator v Matthew John Stephens, ADB Case Nos. 16-136-GA; 17-79-GA

Respondent was suspended for 180 days effective in May, 2017. Respondent failed to answer or appear in that matter and failed to pay restitution or costs. After the date of his suspension, evidence came to light that Respondent had engaged in additional misconduct. In a two-count formal complaint, Respondent was charged with failing to participate in the defense of his client in a contractual dispute and converting unearned fees. After accepting a retainer and filing an appearance, Respondent neglected the case and abandoned his client. Respondent's actions resulted in a default judgement against his client. Respondent did not advise his client of the default after it occurred, but instead advised his client not to attend a sanction hearing ordered by the court, which could have resulted in sanctions against his client. Subsequently, a Request for Investigation was filed, which Respondent failed to answer. A formal complaint was filed against Respondent, which he also failed to answer.

By way of Respondent's default, the panel found the misconduct admitted. On January 2, 2018, an Order of Disbarment and Restitution was issued. Highlighting the importance of the public's trust in the legal profession and its protection, the panel thoughtfully found:

Public trust is important when it comes to handling client property and in terms of performance, competency and basic representation. There was no representation here. Respondent used his professional license to scam unwary and trusting clients. This pattern of gross misconduct can only be successfully remedied by the disciplinary process. Once that process was invoked, Respondent ignored it. He failed to respond to the request for investigation. He failed to answer the formal complaint. He refused any attempts at restitution. He failed to appear for the hearing. Given this attitude, there is no other way that we, as a profession, are capable of getting through to Respondent because he does not care about us or what we do. The only way that we can be sure that he will not do this again is to impose the most serious sanction of disbarment.

Prosecutions and Other Litigation

A. Proceedings before Hearing Panels of the Attorney Discipline Board.

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 three volunteer lawyers appointed by the ADB. Upon the conclusion of the hearing, the panel must issue an order dismissing the complaint or impose public discipline, which may include probation, reprimand, license suspension or disbarment. The Grievance Administrator filed **83** formal complaints in 2017, compared to 85 filed in 2016. Appendix A (page 18) includes a 10-year comparison of the formal complaints filed with the Attorney Discipline Board.

The Grievance Administrator is also 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 of law 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 to initiate a JOC proceeding for a misdemeanor conviction. The Administrator filed **31** new matters in 2017 based on an attorney's criminal convictions, compared to **31** convictions filed in 2016.

Attorneys who are disciplined in other jurisdictions (state or federal) will be subject to a reciprocal discipline proceeding initiated by the Grievance Administrator pursuant to MCR 9.120(C). These proceedings, like JOC proceedings, resemble a show cause proceeding in which the principal issues are whether the attorney received due process in the underlying litigation and whether a comparable discipline should be imposed. Reciprocal proceedings were instituted in **10** cases in 2017, compared to **6** in 2016.

The Grievance Administrator is also a participant in ADB reinstatement proceedings initiated by attorneys who have been suspended for more than 180 days or were disbarred, in accordance with MCR 9.124(C). The burden of proof is on the attorney to establish his or her fitness by clear and convincing evidence. In those cases, the Grievance Administrator must conduct an investigation and file a written report with the hearing panel. The Grievance Administrator may contest the petitioner's eligibility for reinstatement. Eleven (**11**) state reinstatement petitions were filed in 2017, compared to three (**3**) in 2016.

The Grievance Administrator may seek an order from the ADB declaring that an attorney is incapacitated to continue the practice of law because of mental or physical infirmity or disability, or because of addiction to drugs or intoxicants, either by filing proof that the attorney has been judicially declared incompetent or by alleging incapacity in a complaint to be adjudicated by a hearing panel. The Grievance Administrator instituted **4** such

proceedings in 2017, compared to 1 in 2016. In addition, there were 7 miscellaneous filings with the ADB, which include Motion for Order to Show Cause, or Motion to Quash Subpoena.

B. Appeals and Other Proceedings.

Review by the Attorney Discipline Board:

The Grievance Administrator, as well as the Respondent attorney and the complainant, may file a petition with the Attorney Discipline Board seeking review of the hearing panel's decision. During the year 2017, the ADB ruled on 20 petitions for review following briefing and oral arguments presented by the Grievance Administrator and the Respondent. The Grievance Administrator, the Respondent, and the complainant may appeal a decision by the Attorney Discipline Board to the Supreme Court which may, in its discretion grant leave to appeal.

Appeals to the Supreme Court:

The Grievance Administrator is a party in complaints for superintending controls filed with the Michigan Supreme Court by complainants who disagree with the decisions of the Grievance Administrator or the Commission to reject or close an investigative file. The Grievance Administrator filed an appearance in 4 matters filed with the Supreme Court in 2017. In addition to the complaints for superintending control filed, there were 6 applications for leave to appeal with the Supreme Court.

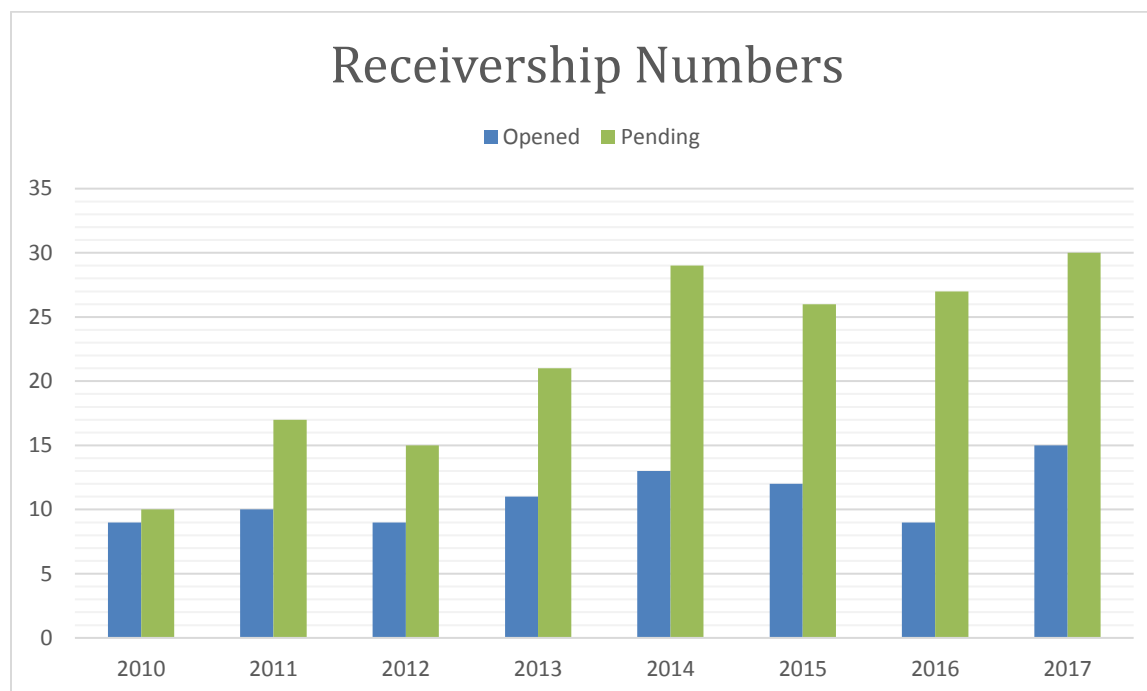
Reconsideration:

Apart from the formal review or appeal processes, the Grievance Administrator has a long-standing policy of accepting requests for reconsideration of files dismissed through the Intake Unit. This process acts as a quality control measure while providing further accountability to complainants. Upon the receipt of a request for reconsideration, the Deputy Grievance Administrator will review the file and determine whether an issue or a relevant fact was overlooked by the Intake Unit, or whether new information has been provided that could change the analysis or outcome of the matter. If such information is provided, the file may be reopened for further investigation.

Receiverships:

Under MCR 9.119(G), if an attorney leaves the practice of law (whether or not for disciplinary reasons), disappears, or dies and there is no person capable of conducting the attorney's affairs, the Grievance Administrator may file a petition for receivership with the circuit court in the county where the attorney maintained his or her office. In those cases, the Grievance Administrator acts as receiver or co-receiver with the assistance of a local attorney, and must undertake a work-intensive process that includes cataloging and prioritizing the abandoned files, contacting clients, courts and opposing parties if

there is a pending matter, and taking other action in order to protect the interests of clients. The Grievance Administrator opened **15** new receivership files in 2017, compared to **9** new receivership files in 2016. **9** receiverships were closed during the year 2017 compared to **11** in 2016. **30** open receivership files were pending at the end of 2017 compared to **27** 2016.



Federal Court Proceedings:

The Grievance Administrator may be requested to participate in discipline or reinstatement proceedings in a federal district court. For example, the District Court of the Eastern District of Michigan regularly appoints the Grievance Administrator as an interested party in reinstatement proceedings involving lawyers who have been suspended from practice under the local rules of that court. In 2017, the Administrator appeared in **2** discipline or reinstatement proceedings conducted in the U.S. District Court for the Eastern District.

Funding

The Attorney Grievance Commission receives no public funds. The Commission and the Attorney Discipline Board are funded primarily from the discipline portion of the mandatory dues paid by all active members of the State Bar of Michigan. In 2017, annual dues for active members were **\$300**, of which **\$90** was specifically allocated to the two discipline agencies. For the fiscal year, which ended September 30, 2017, the combined approved operating expenses of the Attorney Grievance Commission and the Attorney Discipline Board were **\$5,188,837** The Attorney Grievance Commission’s approved operating expenses for the fiscal year 2017 were **\$3,989,483**.

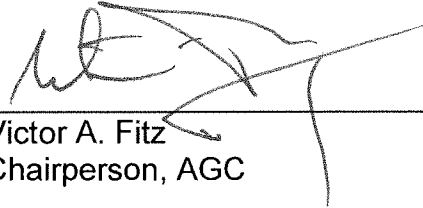
For further information regarding the Attorney Grievance Commission, please contact:

Attorney Grievance Commission
535 Griswold St., Suite 1700
Detroit, MI 48226-3259
Telephone: (313) 961-6585

www.agcmi.org



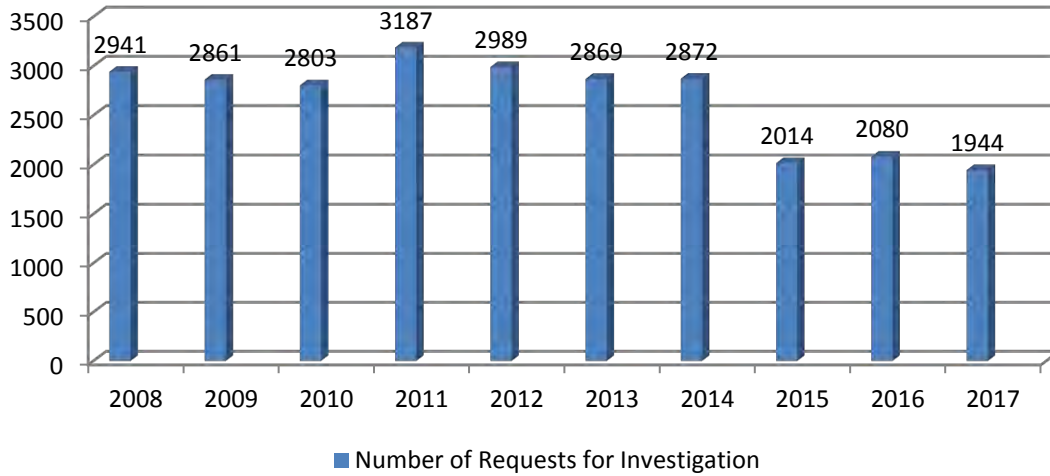
Alan M. Gershel
Grievance Administrator



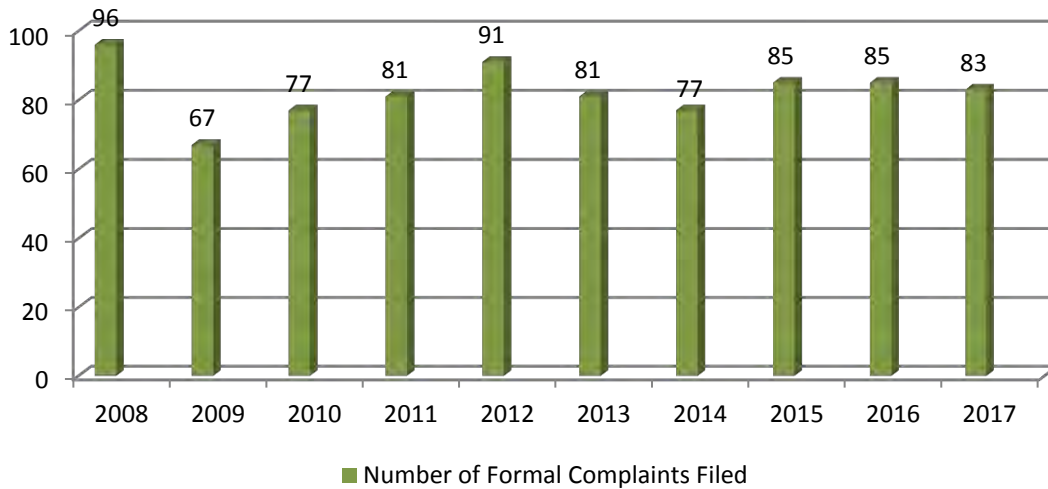
Victor A. Fitz
Chairperson, AGC

Appendix A

2008-2017 AGC 10-Year Comparison Chart Requests for Investigation



2008-2017 AGC 10-Year Comparison Chart Formal Complaints Filed



Appendix B

Attorney Grievance Commission Comparative Statement of Expenses 2016 and 2017

| LINE ITEM | FY 2016 | FY 2017 |
|----------------------------------|------------------|---------------------|
| Salaries | 2,333,153 | 2,405,080 |
| Longevity | 7,710 | 6,870 |
| Payroll taxes | 177,021 | 184,514 |
| Employee Insurance | 364,189 | 389,368 |
| Pension Contributions | 287,910 | 277,647 |
| Retiree Health Care | 106,008 | 107,390 |
| Rent | 160,800 | 160,800 |
| Electricity | 15,510 | 15,510 |
| Parking | 5,000 | 3,000 |
| Outside Counsel | | 10,000 |
| Payroll processing fees | 9,000 | 10,000 |
| State Bar of Michigan Fees | 47,125 | 49,262 |
| Witness and Subpoena fees | 46,690 | 47,500 |
| Receivership expenses | 10,000 | 5,000 |
| Machine rental | 45,920 | 30,000 |
| Meetings | 5,200 | 9,000 |
| Travel | 22,000 | 30,000 |
| Telephone | 14,000 | 14,000 |
| Legal research and Subscriptions | 16,000 | 20,000 |
| Office supplies | 30,000 | 34,000 |
| Printing and stationery | 4,000 | 1,500 |
| Postage | 38,000 | 30,000 |
| Insurance | 51,011 | 52,542 |
| Technology services | 30,000 | 50,000 |
| Case management system | 90,000 | |
| Repairs and Maintenance | 15,000 | 7,000 |
| Dues | 6,900 | 8,000 |
| Professional Education | 8,000 | 6,000 |
| Capital (office) Expenditures | 25,000 | 5,000 |
| Miscellaneous | 3,000 | 3,000 |
| Depreciation | 6,500 | 17,500 |
| Total | 3,980,647 | 3,989,483.00 |

2017

State of Michigan Attorney Discipline Board

ANNUAL REPORT
JANUARY 1, 2017 - DECEMBER 31, 2017

ATTORNEY DISCIPLINE BOARD
211 W. FORT STREET, SUITE 1410
DETROIT, MI 48226-3236
(313) 963-5553 TELEPHONE
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www.adbmich.org

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BOARD MEMBERS

LOUANN VAN DER WIELE
CHAIRPERSON

REV. MICHAEL MURRAY
VICE-CHAIRPERSON

BARBARA WILLIAMS FORNEY
SECRETARY

JAMES A. FINK

JOHN W. INHULSEN

JONATHAN E. LAUDERBACH

KAREN D. O'DONOGHUE

MICHAEL B. RIZIK, JR.

LINDA HOTCHKISS, MD

BOARD STAFF

MARK A. ARMITAGE
EXECUTIVE DIRECTOR &
GENERAL COUNSEL

WENDY A. NEELEY
DEPUTY DIRECTOR

KAREN M. DALEY
ASSOCIATE COUNSEL

SHERRY MIFSUD
OFFICE ADMINISTRATOR

ALLYSON M. PLOURDE
CASE MANAGER

OWEN MONTGOMERY
CASE MANAGER

JULIETTE M. LOISELLE
RECEPTIONIST

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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, 2017, Dulce M. Fuller, of Detroit completed her second term as a member of the Board. Mrs. Fuller, a non-lawyer, served as the Board's Secretary from October 1, 2014 to September 30, 2017 with distinction. The public, the courts and the legal profession have greatly benefitted from Mrs. Fuller's exceptional dedication and thoughtful contributions. She will be missed by her colleagues on the Board and by the staff.

Non-lawyer member Linda Hotchkiss, M.D., of Laingsburg, was appointed by the Supreme Court to a term ending September 30, 2020. 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 Michigan Supreme Court. The Board's Secretary is elected by its members. The Board's officers for one-year terms ending September 30, 2018, are: Louann Van Der Wiele, of Grosse Pointe Shores, Chairperson; Reverend Michael Murray, of Okemos, Vice-Chairperson; and Barbara Williams Forney, of Okemos, Secretary.

STAFF

Michigan Court Rule 9.110(E)(1) authorizes the Attorney Discipline Board to appoint an attorney as its general counsel and executive director. The Board's full-time staff, for 2017 consisted of: Mark A. Armitage, Executive Director and General Counsel; Wendy A. Neeley, Deputy Director; Karen M. Daley, Associate Counsel; Sherry Mifsud, Office Administrator; Allyson M. Plourde, Case Manager; Owen Montgomery, Case Manager; and Juliette M. Loiselle, Receptionist.

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 approximately 400 attorneys appointed annually to serve on three-member hearing panels. Hearing panelists are currently located in 34 of Michigan's 83 counties. The 2017 hearing panelist roster is attached as Appendix F. The Board seeks to appoint attorneys as panel members with diverse backgrounds and who represent a broad range of professional experience. Further information regarding the role of hearing panelists, the rules regarding their appointment and disqualification and the panelist application form are available on the ADB website: www.adbmich.org.

HEARING PANEL PROCEEDINGS

Complaints submitted 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.

Proceedings before the Attorney Discipline Board or its hearing panels may also be commenced with the filing by the Grievance Administrator of a judgment showing the conviction of a Michigan attorney, the filing of a notice of discipline in another jurisdiction, a petition for transfer of an incapacitated attorney to inactive status, or a petition seeking to increase discipline for violation of a prior order of discipline.

Upon the commencement of a proceeding 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 2017, hearing panels conducted 120 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 disbarment (revocation of the license to practice law). Attorneys who have been disbarred or suspended for 180 days or longer must petition for reinstatement.

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 or other party. The Board collected assessed costs of \$136,566 from disciplined lawyers in 2017. 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.

Orders of discipline entered by a hearing panel, including orders for suspension and disbarment, constitute final orders and may be enforced in civil contempt proceedings by the Grievance Administrator. Final orders of a hearing panel may be appealed to the Board within 21 days by the respondent, the Grievance Administrator, or the complainant.

BOARD REVIEW & OTHER ACTIONS

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. Hearing panel decisions are reviewed 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, remanding 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 also regularly considers and disposes of petitions for interlocutory review, various motions for reconsideration as well as motions seeking stays of discipline, requests for payment plans and 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. Additionally, the Board

or its chairperson considers motions to disqualify hearing panelists or panels, for extensions of time to file briefs, for adjournments, and for appointment of counsel in cases alleging incapacity to practice law.

The Board's actions in 2017, taken in connection with review proceedings initiated pursuant to MCR 9.118 or in accordance with its other duties, include:

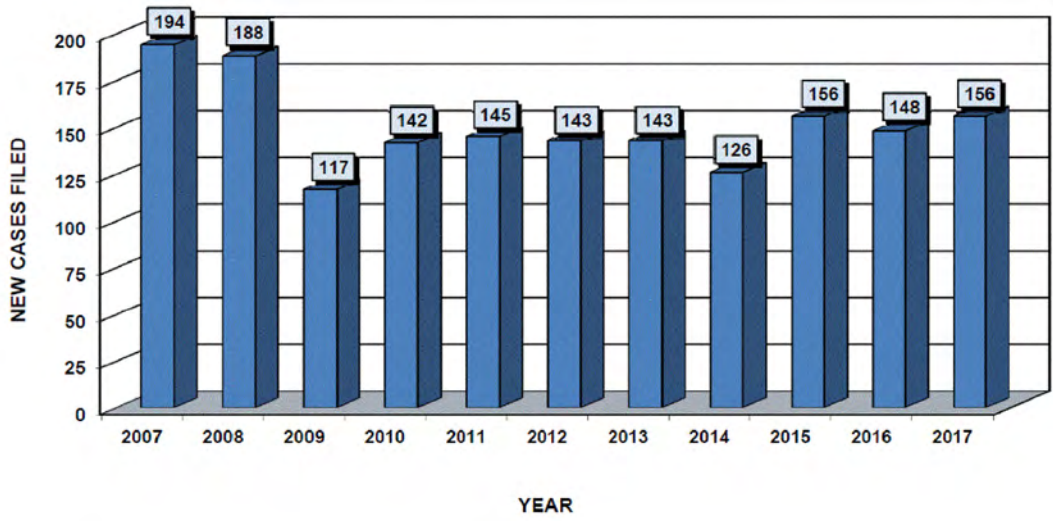
| BOARD ACTIONS 2017 | |
|--|-----------|
| Affirmed Hearing Panel Order of Disbarment | 2 |
| Affirmed Hearing Panel Order of Suspension | 6 |
| Affirmed Hearing Panel Order of Reprimand (three by consent) | 4 |
| Affirmed Hearing Panel Order of Dismissal | 1 |
| Increased Reprimand to Suspension | 1 |
| Increased Length of Hearing Panel Order of Suspension | 1 |
| Increased Hearing Panel Order of Suspension to Disbarment | 1 |
| Reduced Length of Hearing Panel Order of Suspension | 1 |
| Affirmed Hearing Panel Order Granting Reinstatement | 1 |
| Affirmed Hearing Panel Order Denying Reinstatement | 1 |
| Granted Reinstatement after Hearing Panel Denial | 1 |
| Referred Case to Master for Additional Proceedings | 1 |
| Denied Reconsideration | 3 |
| Dismissed Petition for Review | 1 |
| Granted or Denied Delayed Petition for Review (one each) | 2 |
| Denied Petitions for Interlocutory Review | 3 |
| TOTAL: | 30 |

NEW CASES FILED

The Board opened 156 new files in 2017. There were 82 new formal complaints filed in 2017 containing original charges of misconduct following an investigation by the Attorney Grievance Commission. 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. Ten petitions for the imposition of reciprocal discipline (based on discipline in another jurisdiction) were filed. In addition, five petitions seeking enforcement of an earlier order of discipline, one motion to quash a subpoena, a delayed petition for review, and four petitions seeking an attorney's transfer to inactive status were filed. Ten petitions for reinstatement in accordance with MCR 9.123(B) and MCR 9.124 were filed in 2017 by attorneys suspended for 180 days or more. One petition for reinstatement from inactive status was filed under MCR 9.121(E).

The following table (Table 1) illustrates the Board's annual intake of new cases since 2007.

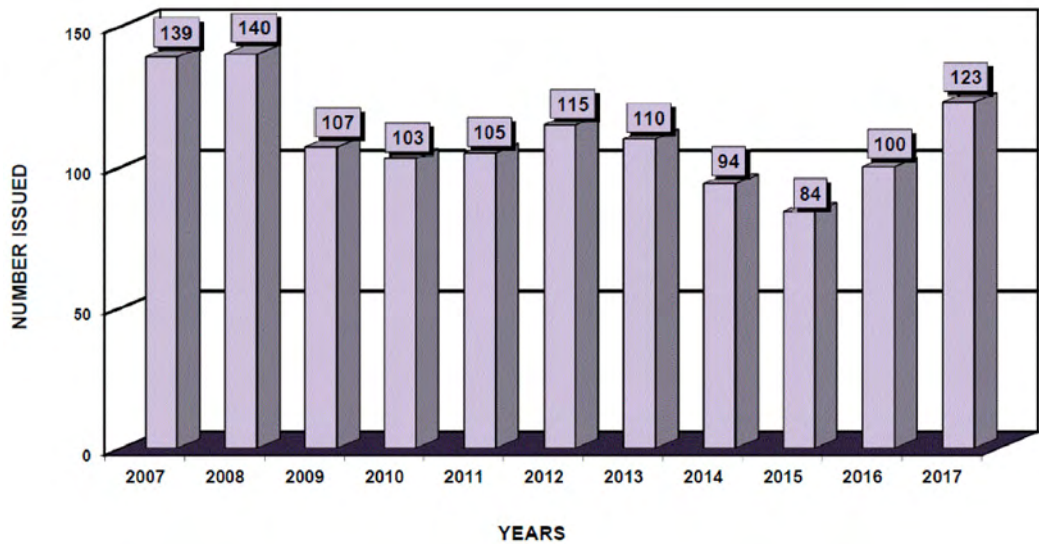
Table 1 - New Cases Filed, 2007 - 2017



FINAL DISPOSITIONS

The Attorney Discipline Board issued 145 final disposition orders in 2017, including orders of discipline, orders of dismissal, orders granting or denying reinstatement, and orders for transfer to inactive status. Discipline orders (disbarment, suspension, reprimand, probation or orders of “no discipline”) were issued in 123 cases. A complete list of the orders of discipline issued in 2017 appears in Appendix C. Orders of discipline issued since 2007 are illustrated in Table 2, below.

Table 2 - Discipline Orders Issued, 2007 - 2017



**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 a respondent attorney to admit or plead no contest to the charges in the complaint 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-five consent orders of discipline were finalized in 2017, accounting for 45% of all final orders of discipline.

Consent orders were finalized in the following discipline categories in 2017:

| Type of Discipline | Consent Orders | Total Discipline Orders | % By Consent |
|---------------------------------|----------------|-------------------------|--------------|
| Disbarment | 4 | 26 | 15% |
| Suspension (3 years or more) | 4 | 8 | 50% |
| Suspension (180 days < 3 years) | 8 | 29 | 28% |
| Suspension (30-179 days) | 17 | 28 | 61% |
| Reprimand | 22 | 31 | 71% |
| TOTALS: | 55 | 122 | 45% |

**TYPES OF
MISCONDUCT
RESULTING IN
DISCIPLINE**

A summary of the rule violations found in the panel reports and Board orders and opinions accompanying final discipline orders in 2017 is included in this report as Appendix B. The format of this chart was adopted last year. Previous summaries categorized cases closed in the relevant year by the predominant nature of the misconduct and the resulting discipline. In order to provide a more complete picture of the types of misconduct found in a given year, each case is no longer categorized as involving only one type of misconduct. The new format contains a numerical count of each rule violation found in cases in which final discipline orders were issued during 2017.

As in previous years, “neglect” and related misconduct is one of the largest categories of the types of misconduct found in 2017. This category includes violations of MRPC 1.1 - 1.4, which rules encompass prohibitions against failing to provide legal representation competently (MRPC 1.1(a)) or with adequate preparation (MPRC 1.1(b)), neglecting a matter (MRPC 1.1(c)), failing to pursue the lawful objectives of a client (MRPC 1.2(a)) or to do so with reasonable diligence and promptness (MRPC 1.3), and failing to keep a client reasonably informed about the status of a matter and otherwise communicate with the client in accordance with MRPC 1.4. Some of the most common findings in this category in 2017 are set forth in this chart:

| Rule Violation | # of Cases in Which Violation Found |
|----------------|-------------------------------------|
| 1.1(b) | 8 |
| 1.1(c) | 34 |
| 1.2(a) | 21 |
| 1.3 | 36 |
| 1.4(a) | 37 |
| 1.4(b) | 21 |

Failure to answer a request for investigation in conformity with MCR 9.113 is another common type of misconduct. Violation of MCR 9.104(7) (requiring such answers) was found in 27 cases. A specific violation of 9.113(B)(2) (failure to answer a request for investigation) was found in 19 cases (some of which may overlap with the MCR 9.104(7) violations).

Criminal conduct is prohibited by MCR 9.104(5). Misdemeanor convictions resulted in discipline orders in 21 cases. Felony convictions led to discipline orders in 12 cases. In several of these cases, multiple felonies or misdemeanors were committed. In three cases, the lawyer committed both felonious and misdemeanor criminal conduct. In two cases, criminal conduct without a conviction was found. Discipline was ordered for 12 lawyers convicted of driving while intoxicated or similar offenses. In all cases involving a lawyer's felony conviction, the lawyer was subject to an automatic interim suspension, effective the date of conviction and until the entry of a final order by a hearing panel. See MCR 9.120(B)(1).

MRPC 1.15 sets forth several requirements for the proper maintenance of lawyer trust accounts and a lawyer's general duties pertaining to safekeeping of property (including funds) of clients and third persons. Under this rule, lawyers are prohibited from "misappropriating," "converting," or "commingling" funds belonging to clients or others, even though these terms are not expressly used in the rule. *Grievance Administrator v Robin H. Kyle*, 13-14-GA (ADB 2016). In 2017, three orders of discipline involved findings that a lawyer failed to promptly notify the client or third person when funds or property in which a client or third person has an interest is received (MRPC 1.15(b)(1)). Also, 11 cases involved violations of the rule requiring a lawyer to promptly pay or deliver funds or property or render an accounting regarding such property on request (MRPC 1.15(b)(3)). Three cases included findings that the lawyer failed to properly handle property held by a lawyer about which there is a dispute (MRPC 1.15(c)). There were 26 cases in which violations of the duty to keep the property of clients or third persons separate from the lawyer's own (MRPC 1.15(d)) were found. Ten orders of discipline involved violations of the rule prohibiting a lawyer from depositing his or her own funds into client trust accounts in an amount greater than is reasonably necessary to pay (or obtain the waiver of) financial institution service charges or fees (MRPC 1.15(f)). Finally, 12 cases involved withdrawal of legal fees or expenses paid in advance from a trust account before the fees were earned or the expenses were incurred (MRPC 1.15(g)).

In 25 matters, there was a finding that a lawyer failed to return unearned fees or otherwise take reasonable steps to protect a client's interests upon termination of representation (MRPC 1.16(d)).

A violation of the duty of candor toward a tribunal (MRPC 3.3) was found in nine cases. In four cases, a violation of the rule prohibiting knowingly false statements to a third person (MRPC 4.1) was found.

A conflict of interest, in violation of MRPC 1.7 or 1.8, was found in nine cases.

Again, these and other violations are set forth in Appendix B.

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 2017. In cases of disbarment 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 recertification by the State Board of Law Examiners.

Eleven reinstatement petitions were filed with the Board and assigned to panels for hearing in 2017. The Board or its panels issued eight orders of eligibility for reinstatement and six orders of reinstatement after complying with certain conditions reinstating attorneys whose licenses had been suspended, disbarred or were transferred to inactive status. Two reinstatement petitions were denied.

PENDING CASELOAD

As of December 31, 2017, there were a total of 90 open discipline or reinstatement cases pending before a hearing panel, the Attorney Discipline Board or the Michigan Supreme Court.

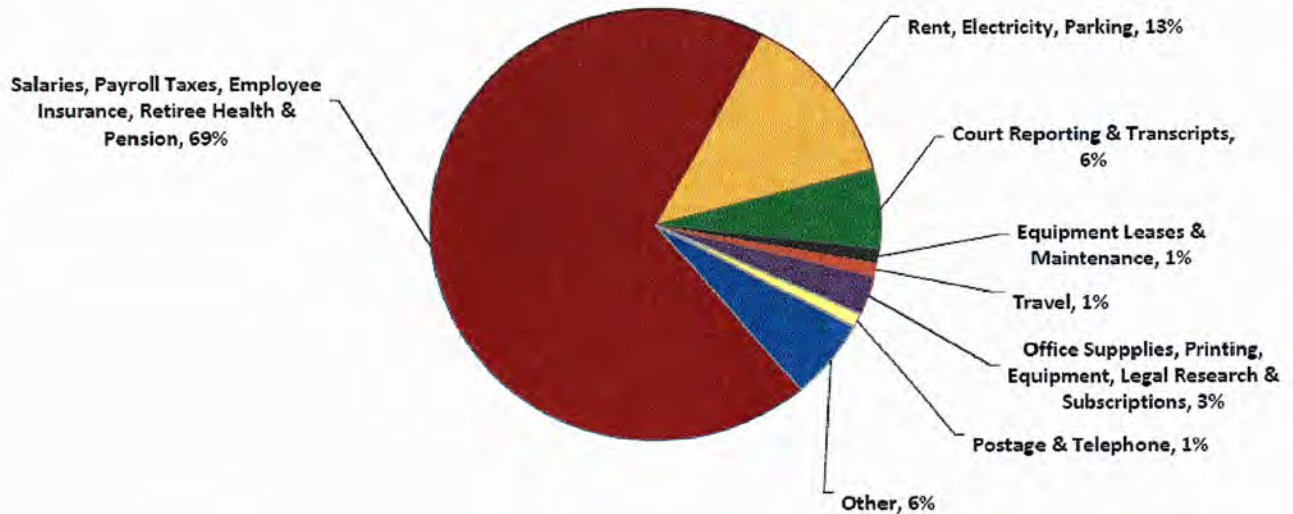
Year-End Caseloads 2016 - 2017

| | Pending 12-31-16 | Pending 12-31-17 |
|---------------------------|-------------------------|-------------------------|
| Supreme Court | 1 | 2 |
| Attorney Discipline Board | 19 | 10 |
| Hearing Panel | 84 | 78 |
| Total: | 104 | 90 |

FUNDING AND EXPENSES

The Attorney Discipline Board receives no public funds. Michigan’s Attorney Discipline System (the Attorney Discipline Board and Attorney Grievance Commission) is funded primarily from the discipline portion of the dues paid by all active members of the State Bar of Michigan. Under the current dues structure approved by the Supreme Court, annual dues for active members are \$300, of which \$105 (35%) is specifically allocated to the Attorney Discipline System. For the fiscal year which ended September 30, 2017, the combined operating expenses of the Attorney Discipline Board and the Attorney Grievance Commission were \$4,898,166. The Attorney Discipline Board’s operating expenses in FY 2016-2017 were \$1,130,325. A chart summarizing the Board’s expenses for 2016-2017 is included below (Table 3). A complete itemization of the Board’s expenses for the fiscal year is attached to this report as Appendix D.

Table 3 - ADB Expenses 2016-2017 Fiscal Year



WEBSITE

The Attorney Discipline Board's website can be found at www.adbmich.org. The site includes the disciplinary history of all attorneys disciplined in Michigan since October 1, 1978; a searchable database of the full text of all Attorney Discipline Board opinions, 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. The Board's website also provides information for hearing panel applicants; information on a hearing panelist's disclosure obligations; and, updated information on the status of high profile cases of interest to the public and profession.

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
Website: www.adbmich.org

Mark A. Armitage, Executive Director

Louann Van Der Wiele, Chairperson

APPENDIX A

ANNUAL ACTIVITY REPORT
JANUARY 1, 2017 THROUGH DECEMBER 31, 2017

CASES FILED

| | |
|--|------------|
| Formal Complaints..... | 82 |
| Automatic Interim Suspensions (AI)..... | 8 |
| Judgments of Conviction (JC)..... | 34 |
| Petitions for Reciprocal Discipline (RD)..... | 10 |
| Petitions to Transfer to Inactive Status (PI)..... | 4 |
| Petitions for Reinstatement (RP)..... | 11 |
| Miscellaneous (MZ)..... | 7 |
| TOTAL CASES FILED..... | 156 |

FINAL DISPOSITIONS

| | |
|--|------------|
| Final Orders of Discipline..... | 123 |
| Disbarments..... | 26 |
| Suspensions..... | 65 |
| Subject to MCR 9.123(A)..... | 28 |
| Subject to MCR 9.123(B)..... | 29 |
| Subject to MCR 9.123(B) & (C)..... | 8 |
| Reprimands..... | 31 |
| Misconduct But No Discipline..... | 0 |
| Probation..... | 1 |
| Transfer to Inactive Status..... | 2 |
| Dismissals..... | 8 |
| Reinstatements Granted..... | 8 |
| Reinstatements Denied or Dismissed..... | 2 |
| Other..... | 2 |
| TOTAL FINAL DISPOSITION ORDERS..... | 145 |

OTHER NOTICES ISSUED

| | |
|--|-----------|
| Automatic Interim Suspensions [MCR 9.120]..... | 11 |
| Interim Suspensions Ordered By Hearing Panel [MCR 9.115(H)]..... | 13 |
| Automatic Reinstatements Under MCR 9.123(A)..... | 19 |
| TOTAL OTHER NOTICES ISSUED..... | 43 |

PUBLIC HEARINGS BY HEARING PANELS

| | |
|----------------|-----|
| Scheduled..... | 234 |
| Held..... | 120 |

COSTS

| | |
|--|--------------|
| Total Costs Reimbursed to the State Bar of Michigan by Respondents and Petitioners..... | \$136,566.12 |
|--|--------------|

APPENDIX B

TYPES OF MISCONDUCT RESULTING IN DISCIPLINE

The following chart sets forth the number of times a particular rule was found to have been violated in connection with a final order of discipline issued in 2017. The total number of violations exceeds the number of final orders of discipline in 2017 (145) because most panel reports and Board orders or opinions find more than one rule violation. "MCR" means Michigan Court Rule. "MRPC" means Michigan Rules of Professional Conduct. The Michigan Supreme Court's website contains the full text of both [MCR subchapter 9.100](#) and the [Michigan Rules of Professional Conduct](#).

| | | Found | # of Cases |
|--------------------|--|-------|------------|
| MCR 9.104(1) | conduct prejudicial to the proper administration of justice | 105 | 58 |
| MCR 9.104(2) | conduct that exposes the legal profession or the courts to obloquy, contempt, censure, or reproach | 158 | 77 |
| MCR 9.104(3) | conduct that is contrary to justice, ethics, honesty, or good morals | 139 | 66 |
| MCR 9.104(4) | conduct that violates the standards or rules of professional conduct adopted by the Supreme Court | 71 | 42 |
| MCR 9.104(5) | conduct that violates a criminal law of a state or of the United States, an ordinance, or tribal law pursuant to MCR 2.615 - felony conviction | 35 | 12 |
| MCR 9.104(5) | conduct that violates a criminal law of a state or of the United States, an ordinance, or tribal law pursuant to MCR 2.615 - misdemeanor conviction | 30 | 21 |
| MCR 9.104(5) | conduct that violates a criminal law of a state or of the United States, an ordinance, or tribal law pursuant to MCR 2.615 - no conviction | 2 | 2 |
| MCR 9.104(6) | knowing misrepresentation of any facts or circumstances surrounding a request for investigation or complaint | 2 | 2 |
| MCR 9.104(7) | failure to answer a request for investigation or complaint in conformity with MCR 9.113 and 9.115(D) | 27 | 27 |
| MCR 9.104(9) | violation of an order of discipline | 8 | 7 |
| MCR 9.112(D)(2) | contempt - failure or refusal to appear or give evidence pursuant to subpoena, or to answer a proper question after being ordered to do so | 2 | 2 |
| MCR 9.113(A) | duty/time to answer request for investigation | 21 | 21 |
| MCR 9.113(B)(2) | failure to timely answer request for investigation | 19 | 19 |
| MCR 9.119(A) | conduct of disbarred, suspended, or inactive attorneys - notification to clients of discipline and other information | 10 | 7 |
| MCR 9.119(B) | conduct in litigated matters - notification to tribunal and parties of disqualification from the practice of law | 5 | 4 |
| MCR 9.119(C) | filing of proof of compliance | 2 | 2 |
| MCR 9.119(D) | conduct after entry of order prior to effective date - disbarred or suspended attorney shall not accept any new retainer or engagement unless specifically authorized by the board chairperson | 2 | 2 |
| MCR 9.119(E) | conduct after effective date of order - practicing while suspended, disbarred, inactive, or resigned | 3 | 3 |
| MCR 9.119(E)(2) | having contact with a client or potential client in person, by telephone, or by electronic means during the period of suspension | 1 | 1 |
| MCR 9.119(E)(4) | holding himself or herself out as an attorney | 1 | 1 |
| MCR 9.120(A)(1) | failure to notify Grievance Administrator and/or ADB of conviction | 1 | 1 |
| MCR 9.120(C) | reciprocal discipline | 7 | 7 |
| MCR 9.121(B) | transfer to inactive status - attorney found by panel to be incapacitated to continue to practice law | 2 | 2 |
| MCR 9.123(A) | misrepresentation in affidavit of compliance with order of suspension | 1 | 1 |
| MCR 9.124(B)(1)(b) | filed a personal history affidavit regarding his reinstatement proceeding in violation of MCR 9.124(B)(1)(b) - employment history | 1 | 1 |
| MCR 9.205(B) | engaged in conduct prejudicial to the administration of justice under the standards of judicial conduct | 3 | 1 |
| MCR 9.205(B)(1)(e) | misused his judicial office for personal advantage or gain, or for the advantage or gain of another | 3 | 1 |

| | | Found | # of Cases |
|-----------------|--|-------|------------|
| MRPC 1.1(a) | failure to provide competent representation to a client | 6 | 3 |
| MRPC 1.1(b) | handling a legal matter without preparation adequate in the circumstances | 13 | 8 |
| MRPC 1.1(c) | neglecting a legal matter | 65 | 34 |
| MRPC 1.2(a) | failure to seek the lawful objectives of a client or to abide by client's decision whether to accept an offer of settlement or mediation evaluation, regarding a plea to be entered, or whether to waive jury trial or testify | 47 | 21 |
| MRPC 1.3 | failure to act with reasonable diligence and promptness | 71 | 36 |
| MRPC 1.4(a) | failure to keep client reasonably informed about the status of a matter | 79 | 37 |
| MRPC 1.4(b) | failure to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation | 51 | 21 |
| MRPC 1.5(a) | illegal or clearly excessive fee | 10 | 2 |
| MRPC 1.5(b) | failure to properly communicate basis or rate of fee | 6 | 4 |
| MRPC 1.5© | contingent fee not in writing or otherwise improper | 1 | 1 |
| MRPC 1.6(d) | failure to exercise reasonable care to prevent employees, associates, and others whose services are utilized by the lawyer from disclosing or using confidences or secrets of a client | 1 | 1 |
| MRPC 1.7(a) | conflict of interest - current client representation directly adverse to another client | 2 | 1 |
| MRPC 1.7(b) | conflict of interest - current client representation which may be materially limited by the lawyer's responsibilities to another client or to a third person, or by the lawyer's own interests | 3 | 2 |
| MRPC 1.7(b)(1) | Same - no reasonable belief representation will not be adversely affected | 1 | 1 |
| MRPC 1.7(b)(2) | Same - no client consent after consultation | 1 | 1 |
| MRPC 1.8(a)(1) | entering into a business transaction or acquiring pecuniary interest adverse to client, and terms and transaction not fair, reasonable, or fully disclosed and transmitted in writing to client | 2 | 1 |
| MRPC 1.8(a)(2) | client not given reasonable opportunity to seek the advice of independent counsel | 2 | 1 |
| MRPC 1.8(a)(3) | client consent in writing not obtained | 2 | 1 |
| MRPC 1.8(e) | financial assistance to client in connection with litigation | 1 | 1 |
| MRPC 1.15(a)(3) | definition - "IOLTA account" - shall include only client or third person funds | 15 | 11 |
| MRPC 1.15(b)(1) | failure to promptly notify client or third person when funds or property is received | 3 | 3 |
| MRPC 1.15(b)(3) | failure to promptly pay or deliver any funds or other property that the client or third person is entitled to receive or to render a full accounting | 15 | 11 |
| MRPC 1.15(c) | failure to keep separate disputed property or to promptly distribute undisputed portions of the property | 4 | 3 |
| MRPC 1.15(d) | failure to hold property of clients or third persons separate from the lawyer's own property | 39 | 26 |
| MRPC 1.15(f) | depositing lawyer's own funds in a client trust account in an amount greater than reasonably necessary to pay financial institution service charges or fees or to obtain a waiver of service charges or fees | 14 | 10 |
| MRPC 1.15(g) | withdrawal of legal fees and/or expenses paid in advance from a client trust account before fees earned or expenses incurred | 25 | 12 |
| MRPC 1.15A(a) | trust account overdraft notification funds held in trust to be deposited in accordance with Rule 1.15 | 4 | 4 |
| MRPC 1.15A(f) | failure to properly/timely provide sufficient explanation to the Grievance Administrator after receiving trust account overdraft notification | 1 | 1 |
| MRPC 1.16(d) | failure to take reasonable steps to protect client's interests upon termination of representation, including refunding any advance payment of fee that has not been earned | 60 | 25 |
| MRPC 3.1 | pursuing frivolous claims and contentions | 2 | 2 |
| MRPC 3.2 | failure to make reasonable efforts to expedite litigation | 2 | 1 |

| | | Found | # of Cases |
|----------------|--|-------|------------|
| MRPC 3.3(a)(1) | knowingly making or failing to correct false statement of material fact or law to a tribunal | 8 | 6 |
| MRPC 3.3(b) | failure to take reasonable remedial measures regarding another's fraudulent conduct related to an adjudicative proceeding | 1 | 1 |
| MRPC 3.3(d) | failure to inform the tribunal of all material facts in an ex parte proceeding | 1 | 1 |
| MRPC 3.3(e) | failure to take reasonable remedial measures when false evidence is offered | 1 | 1 |
| MRPC 3.4(c) | knowingly disobeying an obligation under the rules of a tribunal | 9 | 9 |
| MRPC 3.4(d) | frivolous discovery request; failure to comply with proper discovery request | 2 | 2 |
| MRPC 3.4(e) | improper trial tactics | 1 | 1 |
| MRPC 4.1 | knowingly making false material statement to a third person in the course of representation | 4 | 4 |
| MRPC 4.2 | improper communication with a person represented by counsel | 1 | 1 |
| MRPC 4.3 | Improper dealing with an unrepresented person | 1 | 1 |
| MRPC 5.1(a) | failure to discharge responsibilities as partner or supervisor of other lawyers | 3 | 3 |
| MRPC 5.1(b) | failure to discharge responsibilities as partner or supervisor of other lawyers | 1 | 1 |
| MRPC 5.3(b) | failure of lawyer having direct supervisory authority over nonlawyer to make reasonable efforts to ensure that nonlawyer's conduct is compatible with professional obligations of the lawyer | 1 | 1 |
| MRPC 5.3(c) | vicarious responsibility for another lawyer's misconduct | 1 | 1 |
| MRPC 5.4(a) | sharing legal fees with a nonlawyer | 1 | 1 |
| MRPC 5.5(a) | unauthorized practice of law | 3 | 3 |
| MRPC 5.5(b) | unauthorized practice of law by a lawyer not admitted in Michigan | 3 | 3 |
| MRPC 6.5(a) | failure to treat with courtesy and respect persons involved in the legal process | 5 | 5 |
| MRPC 7.1 | improper communications concerning a lawyer's services | 1 | 1 |
| MRPC 7.3 | improper solicitation | 1 | 1 |
| MRPC 8.1(a)(1) | knowingly false statement of material fact in connection with a bar admission application or in connection with a disciplinary matter | 5 | 5 |
| MRPC 8.1(a)(2) | failure to disclose a fact necessary to correct a misapprehension or respond to a lawful demand for information from an admissions or disciplinary authority | 20 | 17 |
| MRPC 8.4(a) | violating or attempting to violate the Rules of Professional Conduct, knowingly assisting or inducing another to do so, or doing so through the acts of another | 103 | 59 |
| MRPC 8.4(b) | engaging in conduct involving dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law, where such conduct reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer | 66 | 33 |
| MRPC 8.4(c) | engaging in conduct that is prejudicial to the administration of justice | 83 | 48 |

APPENDIX C

DISCIPLINED ATTORNEYS BY TYPE OF DISCIPLINE - 2017

DISBARMENTS (26)

| RESPONDENT | EFFECTIVE DATE |
|--------------------------|--------------------|
| BUDNICK, Sandra J. | February 17, 2017 |
| BUSSE, Charles T. | February 25, 2017 |
| CATIPAY, James Anthony | November 15, 2017 |
| COHEN, William R. | October 18, 2017 |
| DAVIES, James H. | November 16, 2017 |
| DUNNINGS, Stuart J., III | August 2, 2016 |
| ENGLE, Ralph M. | April 21, 2017 |
| GRAHAM, Susan G. | March 3, 2016 |
| JOSEY, Michael R. | February 1, 2020 |
| KALE, Stephen J. | March 5, 2021 |
| KOVACS, Steven A. | April 29, 2017 |
| LINDON, James L. | February 21, 2017 |
| McQUARRIE, Neil A. | December 7, 2016 |
| O'BRIANT, James M. | February 9, 2017 |
| PADGETT, Squire | October 12, 2017 |
| PHILLIPS, Lisa Beazley | September 19, 2017 |
| ROBINSON, Trevor M. | March 29, 2017 |
| SHANNON, Thomas J. | August 27, 2016 |
| SIEGEL, Gary D. | July 16, 2016 |
| STEINER, Wilfred Eric | January 7, 2017 |
| STEINWAY, Barry A. | August 25, 2017 |
| TUCKER, Jill A. | November 29, 2017 |
| VENIE, David Chipman | August 18, 2017 |
| WEED, Duane S. | February 17, 2017 |
| YOUNG, Cynthia | June 27, 2017 |
| ZAIDI, Ali S. | February 26, 2016 |

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

| RESPONDENT | LENGTH | EFFECTIVE DATE |
|--------------------|-----------------------|-----------------------|
| FELDMAN, Evan J. | Three Years | April 6, 2017 |
| FIGOT, Brian D. | Three Years & One Day | November 21, 2017 |
| FIXEL, Joni M. | Three Years | April 1, 2017 |
| HICKEY, Mary S. | Three Years | September 28, 2017 |
| McCREE, Wade H. | Three Years | January 22, 2016 |
| SHAW, James R. | Three Years | November 29, 2017 |
| STRAUCH, Thomas N. | Four Years | June 1, 2017 |
| WEERA, Shawn | Three Years | March 25, 2017 |

SUSPENSIONS SUBJECT TO MCR 9.123(B) [180 DAYS BUT LESS THAN THREE YEARS] (29)

| RESPONDENT | LENGTH | EFFECTIVE DATE |
|--------------------------|---------------|-----------------------|
| BRANCH, Todd R. | 180 Days | November 4, 2017 |
| CRAIG, Geoffrey L. | 180 Days | December 22, 2015 |
| CRUZ, Jeffrey A. | Two Years | November 29, 2017 |
| DAY-WINTERS, Doris Marie | 180 Days | November 15, 2017 |
| DEMAREST, Mark S. | 180 Days | August 31, 2017 |
| DUA, Sameer | 180 Days | August 5, 2017 |
| EBROM, Leigh Zalewski | Two Years | December 5, 2017 |
| HAVENSTEIN, Danielle R. | 180 Days | September 17, 2016 |
| HARDER, Mark E. | 180 Days | November 18, 2017 |
| HICKEY, Mary S. | 180 Days | February 18, 2017 |
| KARASICK, Kenneth S. | 180 Days | September 1, 2017 |
| LONG, Marcellus, Jr. | One Year | August 5, 2017 |
| MADDEN, David T. | One Year | March 25, 2017 |
| MEIER, Richard A. | One Year | March 23, 2017 |
| MEIER, Richard A. | Two Years | October 20, 2016 |
| MELNIKOV, Alexander | 180 Days | August 19, 2016 |
| MILLER, Matthew R. | Two Years | January 6, 2017 |
| NICHOLLS, Matthew | 180 Days | October 28, 2017 |
| PENNING, Dan A. | 30 Months | October 25, 2017 |
| PURIFOY, Jacquise A. | 180 Days | August 12, 2017 |
| REED, Susan F. | 180 Days | February 14, 2017 |
| REED, Susan F. | 180 Days | August 15, 2017 |
| SHERMAN, Stuart Lee | One Year | July 28, 2017 |
| SIRLIN, Ralph J. | 180 Days | August 29, 2017 |

| RESPONDENT | LENGTH | EFFECTIVE DATE |
|------------------------|--------------|----------------|
| STEPHENS, Matthew John | 180 Days | May 19, 2017 |
| TANGALOS, Peter S. | 180 Days | March 3, 2017 |
| VARGA, Ronald J. | 180 Days | April 1, 2017 |
| WYLIE, Courtney | Eight Months | June 24, 2017 |
| YOUNG, Cynthia | 18 Months | March 16, 2017 |

SUSPENSIONS SUBJECT TO MCR 9.123(A) [LESS THAN 180 DAYS] (28)

| RESPONDENT | LENGTH | EFFECTIVE DATE |
|------------------------------|----------|-------------------|
| BEAVERS, Claud Timothy | 30 Days | December 4, 2017 |
| BRUCE, Ronald Thomas, Jr. | 60 Days | June 30, 2017 |
| BUIKEMA, Eric Allan | 179 Days | October 6, 2017 |
| CRAIG, Robert M. | 179 Days | August 8, 2017 |
| DESOTELLE, Charles R. | 30 Days | January 31, 2017 |
| DOMAN, Laurence B. | 60 Days | January 5, 2017 |
| EZHUTHACHAN, Aditya Sudhakar | 179 Days | June 16, 2016 |
| GIENAPP, Richard K. | 179 Days | July 28, 2017 |
| GODSEY, Stefani C. | 90 Days | March 24, 2017 |
| GREEN, R. Vincent | 120 Days | June 12, 2017 |
| HERMIZ, Mark | 179 Days | October 11, 2017 |
| JACKSON, Carolyn J. | 60 Days | August 16, 2017 |
| JONES, Gary W. | 90 Days | June 15, 2017 |
| KIM, Chong S. | 90 Days | June 9, 2017 |
| KRINOCK, R. Reid | 90 Days | May 9, 2017 |
| LECH, Robert R. | 90 Days | January 31, 2017 |
| MAURER, Barbara E. | 120 Days | September 1, 2017 |
| McKINNEY, Douglas A. | 30 Days | December 30, 2016 |
| O'MEARA, Catherine | 30 Days | December 16, 2016 |
| RONNING, Jason P. | 120 Days | December 28, 2017 |
| ROSKAM, Dirk Marinus | 179 Days | July 7, 2017 |
| SHANABERGER, William G. | 90 Days | June 1, 2017 |
| SNYDER, Dennis H. | 90 Days | April 22, 2017 |
| STEPEK, Mark W. | 30 Days | September 8, 2016 |
| TANK, Craig A. | 179 Days | September 1, 2017 |
| TRERICE, Roger | 60 Days | November 30, 2017 |
| UNDERWOOD, Otis M., Jr. | 179 Days | August 29, 2017 |
| WATSON, Mackenzie Batzer | 30 Days | September 5, 2017 |

REPRIMANDS (31)

| RESPONDENT | EFFECTIVE DATE |
|--------------------------|-----------------------|
| BENNETT, Jeffrey G. | January 31, 2017 |
| BLAKE, Wright W. | December 6, 2017 |
| CALLANAN, Evan H., Jr. | October 17, 2017 |
| CARPENTER, Charles A. | August 19, 2017 |
| COLLINS, Carl L., III | June 15, 2017 |
| DUNNINGS, Steven D. | February 21, 2017 |
| ELSHARNOBY, Mohamed | October 10, 2017 |
| HAGERTY, Kim L. | March 18, 2017 |
| HAMOOD, Jamal J. | September 2, 2017 |
| HAMRE, Paul E. | March 15, 2017 |
| HARRY, C. Daniel | September 15, 2017 |
| KAMINSKI, Helen | January 31, 2017 |
| McKOAN, Joseph H. | July 14, 2017 |
| O'BRIEN, Gail M. | April 29, 2017 |
| OLLGAARD, Elizabeth J. | November 15, 2017 |
| PAGE, Kelly L. | March 15, 2017 |
| PELOT, Michael J. | May 26, 2017 |
| PHILLIPS, Tonya Meyers | August 1, 2016 |
| PIERCE, Gregory S. | January 26, 2017 |
| ROBINSON, Dale A. | November 17, 2017 |
| ROBISON, Mark J. | May 30, 2017 |
| RONNING, Jason P. | September 15, 2017 |
| ROSENBERG, David B. | September 2, 2017 |
| RUST, Daniel J. | December 8, 2017 |
| SALGAT, Matthew Patrick | July 11, 2017 |
| STEINER, Katherine A. | April 6, 2017 |
| STEWART, Gary A. | March 15, 2017 |
| WEIHERMULLER, Deborah M. | April 8, 2017 |
| WINNINGHAM, Donald A. | December 30, 2016 |
| WOODARDS, Clifford, II | October 17, 2017 |
| TAYLOR, Richard J. | June 12, 2017 |

PROBATIONS (1)

| RESPONDENT | EFFECTIVE DATE |
|-------------------|-----------------|
| JANNETTE, Kenneth | October 4, 2017 |

SUMMARY OF DISCIPLINE IMPOSED (2017)

| | |
|---|----|
| DISBARMENTS..... | 26 |
| SUSPENSIONS - MCR 9.123(B) and (C)..... | 8 |
| SUSPENSIONS - MCR 9.123(B)..... | 29 |
| SUSPENSIONS - MCR 9.123(A)..... | 28 |
| REPRIMANDS..... | 31 |
| PROBATIONS..... | 1 |
| MISCONDUCT BUT NO DISCIPLINE..... | 0 |

APPENDIX D

**Attorney Discipline Board Comparative Statement of Expenses
Years Ended September 30, 2016 & September 30, 2017**

| Expense Item | FY 2016 | FY 2017 |
|------------------------------------|------------------|------------------|
| Salaries & Longevity | 492,772 | 545,043 |
| Payroll Taxes | 36,822 | 39,914 |
| Employee Insurance | 92,271 | 94,650 |
| Pension Contribution | 41,250 | 42,400 |
| Payroll Processing Fee | 4,394 | 4,014 |
| Retiree Health Care Expense | 55,731 | 57,576 |
| Rent | 140,138 | 141,837 |
| Electricity | 4,120 | 4,339 |
| Parking | 6,370 | 6,300 |
| Law Clerk and Professional Fees | 81,767 | 22,884 |
| Bookkeeping and Audit | 13,943 | 14,180 |
| Hearing Panel Expenses/Transcripts | 55,562 | 63,809 |
| Machine Rental | 8,472 | 8,469 |
| Meetings | 5,874 | 6,437 |
| Travel | 9,902 | 5,855 |
| Telephone | 5,707 | 6,996 |
| Legal Research & Subscriptions | 10,806 | 10,515 |
| Office Supplies | 4,187 | 6,678 |
| Printing | 149 | 239 |
| Postage | 8,757 | 8,712 |
| Insurance | 17,969 | 16,973 |
| Repairs and Maintenance | 1,752 | 2,389 |
| Office Expenditures | 4,550 | 13,046 |
| Professional Education | 6,570 | 2,420 |
| Dues | 1,734 | 2,104 |
| Miscellaneous | 2,962 | 1,419 |
| Depreciation | 1,127 | 1,127 |
| TOTAL | 1,115,658 | 1,130,325 |

APPENDIX E

Board Member Biographies

LOUANN VAN DER WIELE of GROSSE POINTE SHORES Chairperson

Term Expires: September 30, 2018

Ms. Van Der Wiele served as Vice President & Associate General Counsel in the Office of the General Counsel of FCA US, LLC, with responsibility for product liability litigation and discovery (worldwide) until April of 2017, when she retired after 28 years of service with the corporation. In addition, Ms. Van Der Wiele oversaw the defense of class action, commercial, employment, warranty and lemon law litigation and advised the company on other vehicle-related consumer protection matters, regulatory affairs and risk management issues. Ms. Van Der Wiele is a graduate of Wayne State University (BS) and the Wayne State University law school (JD). She is a highly regarded speaker and participant in panel discussions at the national and international levels and has been named by Michigan Lawyers Weekly as an In-House Leader in the Law. Ms. Van Der Wiele was appointed by the Supreme Court to a three-year term on the Attorney Discipline Board effective October 1, 2012 and she was re-appointed to a second three-year term on the Board for a term ending September 30, 2018. The Supreme Court also appointed her to serve as Chairperson for a term ending September 30, 2016, and she was re-appointed as Chairperson for two additional consecutive terms.

REV. MICHAEL MURRAY of OKEMOS Vice-Chairperson

Term Expires: September 30, 2019

Fr. Murray is deputy general counsel for the Catholic Diocese of Lansing and pastor of St. Martha Parish in Okemos. He is a graduate of the University of Michigan Law School. He also holds graduate degrees in Theology, and in Labor and Industrial Relations. His undergraduate degree is from Michigan State University. In the past, he has served as Chief Commissioner of the Michigan Supreme Court, Chair of the Michigan Attorney Grievance Commission, and Moderator of the Curia of the Catholic Diocese of Lansing. Fr. Murray was appointed by the Supreme Court to a three-year term on the Attorney Discipline Board, commencing October 1, 2013. He was re-appointed to a second three-year term in 2016. The Court also appointed him to one-year terms as Vice-Chairperson commencing October 1, 2016, and October 1, 2017.

BARBARA WILLIAMS FORNEY of OKEMOS Secretary

Term Expires: September 30, 2018

Barbara Williams Forney is the Associate Dean for Administration of the Michigan State University College of Human Medicine. Her main areas of focus are planning and leading the implementation of administrative and operational goals of the college including human resources, faculty affairs, space planning and management, facilities management, governance, and overall operations of the dean's offices. She also serves as the college's grievance hearing officer, teaches medical ethics, and is an assistant professor in the Department of Family Medicine. She earned her undergraduate degree from the University of Michigan and a master's in clinical pathology/immunology from MSU where her research interests focused primarily on the human histocompatibility complex. Previously, she served for 10 years as associate director of MSU's Olin Health Center. She was appointed by the Supreme Court to the Attorney Discipline Board for a three-year term ending September 30, 2018. The members of the Board elected Ms. Forney to serve as the Board's Secretary for a one-year term ending September 30, 2018.

JAMES A. FINK of YPSILANTI
Term Expires: September 30, 2020

Mr. Fink is a member of Fink & Fink (formerly Fink & Valvo), PLLC, where he focuses on civil litigation, misdemeanor criminal defense, municipal law, real estate, commercial transactions, small business representation, and landlord-tenant matters. He graduated from Eastern Michigan University in 1983, and obtained his law degree from Detroit College of Law in 1987. Prior to receiving his law degree, Mr. Fink worked for the Washtenaw County Sheriff's Department, starting in 1977 as a Marine Deputy, then as a Corrections Officer, a Deputy Sheriff, Sergeant, Administrative Sergeant, First Lieutenant, and, finally, Commander from 1995-1998. In 1998, he joined Reach, Reach, Fink & Valvo, P.C., where he concentrated on litigation, landlord-tenant matters, real estate, commercial transactions, municipal liability and zoning. He is a member of the State Bar of Michigan, the Washtenaw County Bar Association, and the Ypsilanti Bar Association. He has served on a number of advisory boards and committees throughout Michigan and is currently a member of the Michigan Domestic and Sexual Violence Prevention and Treatment Board, where he served as its Chair from 1999 to 2003. He is also a member of the Dawn Farm Board of Trustees and is on the Board of Elders at St. Luke Lutheran Church in Ann Arbor, Michigan. In September 2014, the Michigan Supreme Court appointed him to a three-year term as a lawyer-member of the Michigan Attorney Discipline Board, commencing October 1, 2014. He was reappointed to a second three-year term in 2017.

JOHN W. INHULSEN of GRAND RAPIDS
Term Expires: September 30, 2020

Mr. Inhulsen is Senior Counsel in the Grand Rapids office of Warner, Norcross & Judd, LLP. He is an experienced business and litigation attorney, and provides legal solutions for a broad array of corporate and personal matters. He received his B.A. from Michigan State University in 2001, and his J.D. from Michigan State University College of Law in 2005. He is a member of the State Bar of Michigan, and has been admitted to the U.S. District Court for the Western District of Michigan, the U.S. District Court for the Eastern District of Michigan, and the U.S. Sixth Circuit Court of Appeals. In 2013 and 2014, Mr. Inhulsen was named a Michigan Super Lawyer, and twice selected as a "40 Under Forty Business Leader" by the Grand Rapids Business Journal. He was recognized as a 2014 "Up & Coming Lawyer" by Michigan Lawyers Weekly. In 2013, Mr. Inhulsen was lead trial counsel in an antitrust matter, winning a \$5.15 Million unanimous jury verdict in favor of his client, a Michigan small business. In the community, Mr. Inhulsen currently serves as Chair of the Leukemia & Lymphoma Society Board of Directors, Vice Chair of the Broadway Grand Rapids Board of Directors, Finance Chair of the Kent County GOP, and sits on the Kent County GOP Executive Committee, Adrian Public Schools Foundation Board of Directors, and Kuyper College Business Leadership Advisory Board. In the past, he has served as Chair of the March of Dimes Board of Directors, on the East Grand Rapids Schools Foundation Board of Directors, MSU Club of West Michigan Board of Directors, United Way Campaign Cabinet, the Helen DeVos Children's Hospital Campaign Cabinet, Van Andel Institute Junior Professionals Board, and the MSU Michigan Political Leadership Program Host Committee. In September 2014, the Michigan Supreme Court appointed him to a three-year term as a lawyer-member of the Michigan Attorney Discipline Board, commencing October 1, 2014. He was reappointed to a second three-year term in 2017.

JONATHAN E. LAUDERBACH of MIDLAND
Term Expires: September 30, 2018

Mr. Lauderbach is a partner in the Midland office of Warner Norcross & Judd LLP. He specializes in commercial litigation and bankruptcy matters, representing creditors in bankruptcy court proceedings, non-bankruptcy workouts, foreclosures and restructurings. Mr. Lauderbach was elected to the Midland County Circuit Court in 2006, and served in that capacity until March of 2013 when he stepped down to return to private practice. While serving in the judiciary, he was a member of the Executive Committee of the Michigan Judges Association and chaired its subcommittee on corrections policy. Mr. Lauderbach is an adjunct faculty member at the Michigan State University College of Law and is a Fellow of the Michigan State Bar Foundation. Active in community and civic affairs, he is a member of the boards of directors of Midland Tomorrow and the Midland Area Chamber of Commerce, and is a member of the Advisory Board of the Alden B. Dow Museum of Science and Art. He was appointed by the Michigan Supreme Court to a three-year term on the Attorney Discipline Board, commencing October 1, 2015.

KAREN O'DONOGHUE of DETROIT

Term Expires: September 30, 2019

Ms. O'Donoghue is a partner in Taktix Solutions LLC, an independent advisory firm formed in 2002 to evaluate, structure and implement real estate development projects from concept through completion. Financial advisory and facility development assignments have included public and private educational, commercial, residential, retail, and office projects. She has more than thirty years experience in finance, marketing and real estate development, having served as the Executive Vice President of a global telecommunications networking company, and as Executive Vice President of Detroit Economic Growth Corporation, the lead agency for attracting private investment and analyzing the economic benefits of commercial, industrial and public infrastructure improvements to the City of Detroit. Her leadership resulted in billions of dollars of public and private investment, including the \$600 million Major League Baseball and National Football Stadium complex, \$900 million Compuware Headquarters/Campus Martius Development, and numerous residential, office and manufacturing facilities. Ms. O'Donoghue is a member of CREW Network and Women in Public Finance, and has served on several boards and committees, including Hutzel Hospital, Greater Detroit Area Health Council, Michigan Bankers Association, National Bankers Association Trust Committee, YMCA Board and Finance Committee, U of D High School Finance Committee, Greater Detroit Chamber Technology Innovation Committee and Michigan Economic Development Corporation Advisory Board. She has a BS degree in Business Administration and Finance from Wayne State University and is a registered Municipal Advisor. Ms. O'Donoghue was appointed by the Supreme Court to a three-year term on the Attorney Discipline Board ending September 30, 2019.

MICHAEL B. RIZIK, JR., of GRAND BLANC

Term Expires: September 30, 2019

Mr. Rizik was admitted to the State Bar of Michigan in November 1981, and practices law with his brother, George F. Rizik, II, in Grand Blanc, Michigan. His law practice focuses on commercial transactions and litigation, family law, and serious personal injury cases and wrongful death litigation. He is a former Trustee of the Michigan Bar Foundation, and was a member of the Thomas M. Cooley Law School's Board of Directors from 1997-2011, serving as Chair of the Investment and Strategic Planning Committees, as well as on the Executive and Nominating Committees. Mr. Rizik has a Masters of Science in Finance from Walsh College, a J.D. from Thomas M. Cooley Law School, a bachelor's degree in philosophy from Nazareth Catholic College, and has served as a Special Lecturer at Michigan State University's School of Labor and Industrial Relations Labor Program. He has written several articles on substantive legal topics, has been a member of various statewide and county bar associations, and is admitted to practice in the United States Supreme Court, the United States Court of Claims, and the state and federal courts in Michigan. Mr. Rizik was appointed by the Supreme Court to a three-year term on the Attorney Discipline Board ending September 30, 2019.

LINDA S. HOTCHKISS, MD of LAINGSBURG

Term Expires: October 1, 2020

Dr. Hotchkiss is a Board Certified Psychiatrist. She received her undergraduate degree from Harvard College, and her MD degree from Harvard Medical School and is a Member of the American College of Psychiatry. After completing her training in psychiatry in Detroit, she worked in and then led the Department of Psychiatry of the former Sinai Hospital of Detroit, now part the DMC system as Sinai-Grace Hospital. Over her career, she has focused on medical education for physicians in training and practicing physicians, and improving quality and safety in patient care. She has served in a number of different leadership roles, including Assistant Professor (Clinical), and Associate Chair of the Department of Psychiatry and Behavioral Neurosciences at Wayne State University School of Medicine; Associate Dean, University of Wisconsin School of Medicine and Public Health, Milwaukee Campus, and Chairperson of the State of Michigan Board of Medicine. She currently champions the implementation of evidence based medicine through her work with physicians as the Managing Medical Director for Midwest states for Anthem, Inc. (known as Blue Cross Blue Shield or Empire in some states) Medicare Advantage. She also provides clinical consultations for individuals, colleagues and companies. She currently lives in the Lansing area and is married to the former Chief Justice of the Michigan Supreme Court, Robert P. Young, Jr. Dr. Hotchkiss served on the Attorney Discipline Board from 1988 to 1994. She was appointed by the Supreme Court to serve again as a layperson member of the Board for a term ending October 1, 2020.

APPENDIX F
2017 HEARING PANEL ROSTER¹

ALPENA COUNTY

WHITE, Daniel W.

ANTRIM COUNTY

HOUGHTON, Ralph H., Jr.

BAY COUNTY

MOROSI, John M.

BENZIE COUNTY

McKAY, Joan S.

BERRIEN COUNTY

ALLEN, Douglas C.
BURDICK, Carl R.
PETERSON, David M.
SMITH, Peter W.
STRAUB, James M.
TAGLIA, Paul A.[#]

CALHOUN COUNTY

FISHER, James A.
GELL, Thomas D.
KARRE, Nelson T.
MUMFORD, Daryl J.
STEFFEL, Vern J., Jr.

CHARLEVOIX COUNTY

ARNER, Timothy D.[#]
KLEVORN, Kevin G.
MILLER, Bonnie J.

CHIPPEWA COUNTY

McSHANE, Dennis J.
VEUM, Thomas J.

DELTA COUNTY

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

EMMET COUNTY

BECKER, Gordon A.
CASEY, Nan Elizabeth
DeMOORE, Christina L.
FENTON, Stuart L.
MURRAY, James J.
RAMER, James T.
SCHOLL, Stefan J.
SMITH, W. Richard
WURSTER, Joel D.

GENESEE COUNTY

BARKEY, Brian M.
GRIFFIN, Walter P.
HALDY, Ronald L.
HENNEKE, Edward G.
KNECHT, Timothy H.
KRELLWITZ, Michael W.
LEWIS, Kathleen B. (fka Buckley-O'Neill, Kathleen)
MANGAPORA, Michael J.
MINER, Sharon K. S.
PABST, Tom R.
REISING, H. William
SIMMINGTON, Glen M.
TREMBLEY, James J.
TUCKER, John R.
TURNAGE, Frank G.
WHEATON, Robin L.

GRAND TRAVERSE COUNTY

BIMBER, Frederick R.
BUDROS, Barbara D.
FISHER, Joseph C.[%]

INGHAM COUNTY

BEHAN, Michael R.
BEHAN, Raymond R.^{*}
BENGTSON, Thomas A.
BOSSENBROOK, Arlyn J.
DALE, Julia A.
DOCTOROFF, Andrew S.
DOSTER, Eric E.
EDGAR, Mary C.
EMERY, Lawrence J.
FRANCART, Kevin L.
GALLAGHER, Bryon P., Jr.
GROLL, Catherine
HOGAN, Patrick R.
HOOVER, C. Mark
HORNBAACH, Oskar M.^x
LEWIS, Larry W.[#]
LOVIK, Mary M.
MANIS, Paula K.
McALLISTER, Lori
McCARTHY, Robert E.
SCHNEIDER, Matthew J.
STROPKAI, James L.
STROUD, Ted W.
SUHRHEINRICH, Richard J.
TIMMER, Amy
TYSZKIEWICZ, Roman
WADDELL, David D.
WONCH, Nancy A.
ZULAKIS, George

IRON COUNTY

POWELL, Melissa Anne

ISABELLA COUNTY

BLOEM, Gordon M.

JACKSON COUNTY

HAMILTON, Janet L.

KALAMAZOO COUNTY

GETTING, Jeffrey S.
KNEAS, John W.
LEVINE, Sharan Lee
MORRIS, Christopher A.
RUSSELL, Gregory W.
RYAN, William J.
SHARMA, Namita

KENT COUNTY

BLACK, James G.
COURTADE, Bruce Anthony
CUMINGS, Timothy J.
DAVID, Ronald E.
DUNN, William B.
EDGAR, Christopher L.
FARR, William S.
FIELDS, Geoffrey A.
KOLENIC, Anthony J., Jr.
KOSTA, Michael J.
MAY, Berton K.
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
VULETICH, Victoria V.
WALTON, Michael C.

LIVINGSTON COUNTY

GARDELLA, Robert C.
TROST, Richard M.

MACOMB COUNTY

ANDERSON, Philip J.
CARDAMONE, Emil E.
COJOCAR, Jeffery A.
COLE, Brian J.
COLMAN, Neil M.
CURTIS, Robert J.
ESSAD, Kenneth M.
FINAZZO, Lori J.
GAZALL, Robert S.

¹ Deceased.

[#]Retired or resigned as panelist.

[%]Inactive panelist.

[&]All full-time judges removed as hearing panelists.

MACOMB COUNTY
(Continued)

GARVEY, Paul T.
GARVEY, Robert F.
LANGE, Craig W.
LEGGHIO, Brian M.
MARTIN, James N.
MERRY, Cynthia E.
PUTMAN, Alicia M.
PUZZUOLI, Joseph P.
RINI, James W.[#]
RUSSELL, Karen
SCHOENHERR, Craig S., Sr.
SHATZMAN, Pearl P.
TEGEL, Renee D.
THOMAS, James C.
WARNEZ, Dana M.
WOMACK, P. Douglas, Jr.

MASON COUNTY

NICHOLSON, Gary L.

MARQUETTE COUNTY

CASSELMAN, Thomas P.
HENDERSON, Sarah E.
KEEFE, Ronald D.
KOCH, Kevin Wm.[#]
LARSEN, Suzanne C
PENCE, Steven L.

MIDLAND COUNTY

DURANCE, Stephen E.
GIUNTA, Rozanne M.
WILSON, John M.

MONROE COUNTY

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

MUSKEGON COUNTY

BALGOOYEN, Fredric F.
BLEAKLEY, Frederick W.
BOSSENBROEK, David L.
CHESSMAN, Robert O.
NEAL, Gary T.
ROSE, James M.
SCOTT, Brianna
SNIDER, I. John, II

OAKLAND COUNTY

ABBO, Peter
ACKER, Gerald H.
APPEL, Jeffrey S.
AUGUST, Gary K.
BAIERS, James E.
BARKER, Lori A.
BATTERSBY, Michael L.
BAUM, Martin S.
BAUM, Michael E.
BAUMHART, A. David, III
BENHAM, Lucy R.

OAKLAND COUNTY
(Continued)

BERNSTEIN, Douglas C.
BERNSTEIN, Mark J.
BERNSTEIN, Samuel I.
BERNSTEIN, Stephen R.
BRAUER, David A.
BREITFELD, Erika R.
BROOKS, Keefe A.
BRUKOFF, William M.
BURDICK, James W.
CAMINSKY, Jeffrey
CANVASSER, Sue Ann
CARUSO, Kathryn M.
CLARK, Peter L.
COLLINS, Morton B.
COOPER, Mark G.
COUSENS, Mark H.
CRUMP-GIBSON, Jehan G.
DE VINE, Clifford, J.
DICKSTEIN, Loren M.
EICHENHORN, Emily J.
FELDMAN, Barry M.
FISHER, Dodd B.
GAGE, William C.
GOLDMAN, Barry
GOODMAN, Barry J.
GOOGASIAN, George A.
GROFFSKY, Richard L.
GUERRIERO, Timothy M.
GURWIN, Howard E.
HARDY, Elizabeth P.
HARNISCH, Alan C.
HARON, David L.
HAROUTUNIAN, Edward L.
HARRINGTON, James J., III
HELLAND, Lynn A.
HEWSON, James F
HOHAUSER, Michael S.
HUTSON, Michael W.
KANTER, Alan M.
KATZ, Lawrence S.
KIENBAUM, Thomas G.[#]
KINSLEY, Stephen L.
KUTHY, Douglas E.
LEONARD, Norbert B.
LEONARD, Veronica R.
LERNER, Joshua A.
LICHTERMAN, Susan S.
LINDEN, Howard T.
LINDEN, Jeffrey B.
LIRELL, Kirsten E. (fka Gramzow)
LOGAN, Leslie Anne
MARVIN, Ronald S.
MATZ, Steven J.
McCANN, D. Michael
McLAIN, Patrick
MILLER, Leonard E.
MORROW, Raymond L.
O'CONNOR, Julie McCann
PALETZ, Susan E.[%]
PAPPAS, Edward H.
PERLMUTER, Gary
PIA, Joseph
PITTS, Stanley H.
PRITCHARD, Clyde B.
RAHEEM, Rasul M.
RICE, Cinnamon A.
RICHARDS, William J.
RONAYNE, Colleen V.

OAKLAND COUNTY
(Continued)

RUBIN, Jorin G.
RYAN, Thomas J.
SEIFMAN, Barry A.
SCHEIBLE, Eric D.
SCHNELZ, Kurt E.
SHABAN, Tova G.
SHERROD, Patricia L.
SILVER, Kenneth F.
SILVERSTEIN, Corey D.
STERLING, Raymond J.
STEWART, Jeffrey T.
STOOPS, Kevin J.
SUSSER, Danielle F.
SUSSER, Steven C.
TALARICO, Paula M.
TATE, Towana
THOMAS, Cynthia G.
TRIEST, Brent S.
TUCK, Marsha Lynn
TURNER, Lee I.
VESTRAND, Joan P.
WALKER, David R.
WALLACH, Howard I.
WARSH, Richard L.
WEINER, Ronald K.
WELLER, Robert Y., II
WELLS, Steven W.
WERDER, Mark R.
WILLIS, Robert L., Jr.
WILSON, Eric S.
WOLFSON, Scott A.
WOLOCK, Steven M.
YOCKEY, Kurt D.
YOCKEY, Michael J.
ZUPPKE, David F.

OTTAWA COUNTY

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

SAGINAW COUNTY

CHASNIS, John A.
COLLISON, Nathan J.
HAHN, Robert A.
MOSSNER, Eugene D.
SMITH, Lawrence Wm., Jr.
WALLACE, David A.

ST. CLAIR COUNTY

HILL, Steven L.
McGLYNN, Meghan A.
McNAMEE, John B.
WATSON, George C.

ST. JOSEPH COUNTY

DAVIDSON, Matthew S.

VAN BUREN COUNTY

SCHUITMAKER, Harold G.

WASHTENAW COUNTY

BARR, John
BASTA, Joseph C.
CARTER, Stefani A.
CONTI, Guy T. %
DEW, Thomas E.
EGGAN, Andrew M.
FLINTOFT, Peter C.
GREEN, Philip
LAX, Jerold
LENART, Krista L.
LOVERNICK, Richard N.
PRESSEL, Juliet E.
SACKS, Monika H.
SENDELBACH, Karen S.
SLANK, Eileen J.
STARK, Sheldon J.
SUGERMAN, Donald F.
VARTANIAN, Michael G.
WAX, Harvey I.
WEBER, Deborah J. Hammerlind

WAYNE COUNTY

BAKER, Chandra W.
BARTOS, Suzanne P.
BRAUER, Matthew A.
BUFFINGTON, Lamont E.
BURGESS, Laurence C.
CHADWELL, Kenneth R.
CHAPIN, Boyd E., Jr.
COHEN, David M.
COSTELLO, Margaret A.
COTHORN, John A.
COWLEY, Sean M.
DAKMAK, John D.
DAMREN, Samuel C. #
DUFRANE, Kyle R.
EDWARDS, Sharon-Lee #
EISENBERG, Stuart B.
ELLIOTT, Sylvia J.
ESSHAKI, Gene J.
FIELDMAN, Elaine S.
FISCHER, Paul J.
FRIMPONG, Ben K.
GARBARINO, Linda M.
GESKEY, Stephen M.
GOROSH, Alan S.
GRUSKIN, Michael A.
GULLEN, John D.
HELLAND, Lynn A.
HUMPHREY, Kathryn J.
HURWITZ, Miles A.
HUTTING, Andrea L.
JACOBS, John P.
JADALLAH, Samer Naim
JORDAN, Teri A.
KASIBORSKI, Chester E., Jr.
KITCH, Richard A.
KUPLICKI, Francis P.
LAKE, Timothy W.
LIZZA, John B.
LONGSTREET, Kristine Heard
MAVEAL, Gary M.
MENDEL, Todd R.
MILLER, Bruce A.
MILLER, C. David, II

WAYNE COUNTY
(Continued)

MITSEFF, Kimberly R.
MOHSIN, Saima S.
NIFOROS, Lambro
O'BRIEN, John N.
PAPISTA, Anthea E.
PHILLIPS, Dwight W.
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.
SKILLMAN, Alicia J.
SMITH, Amanda M.
SMITH, Margaret M.
TALON, Marianne G.
TEALL, Graham L.
TUKEL, Jonathan &
URSO, John R.
VAN HOEK, Dawn A.
WATZA, Michael J.
WEIER, Craig A.
WEINGARDEN, Lora
WIDLAK, Anne
WILLIAMS, Avery K.
WYNNE, James E.
YOTT, Cynthia K.

WEXFORD COUNTY

McCURDY, David S.