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NOTICE OF SUSPENSION AND RESTITUTION WITH CONDITION

Case No. 20-12-GA

Notice Issued: November 10, 2020

Joel Mendoza, P 69557, Lansing, Michigan, by the Attorney Discipline Board Ingham County Hearing Panel #4.

Suspension - 180 Days, Effective November 5, 2020.

Respondent appeared at the hearing but was in default for failing to file an answer to the formal complaint. Based on respondent's default and admissions he made at the hearing, the hearing panel found that he committed professional misconduct when he failed to notify clients and courts that his license to practice law was suspended; accepted a retainer, filed pleadings and attended a court hearing while suspended; and filed an affidavit of compliance asserting that he had fully complied with the terms of his suspension when in fact he had not. In a separate custody matter, the panel found that respondent neglected the matter; failed to update his mailing address with the court and, as a result, respondent's client, who was unaware of the hearing, did not attend and did not receive the relief that he was requesting from the court because of his absence. Lastly, the panel found that respondent deposited advance fees for legal services into his trust account, but then routinely used the trust account to pay personal and business expenses.

The panel found that respondent failed to provide competent representation to a client, in violation of MRPC 1.1(a); neglected a legal matter, in violation of MRPC 1.1(c); failed to act with reasonable diligence and promptness in representing a client, in violation of MRPC 1.3; failed to keep a client reasonably informed about the status of a matter and comply promptly with reasonable requests for information, in violation of MRPC 1.4(a); failed to safeguard property of clients or third persons in connection with a representation in an IOLTA or nonIOLTA account, in violation of MRPC 1.15(d); deposited his own funds in a trust account in excess of an amount reasonably necessary to pay financial institution service charges or fees, in violation of MRPC 1.15(f); withdrew legal fees and expenses that were paid in advance prior to earning said fees and expenses, in violation of MRPC 1.15(g); failed to notify all active clients of his suspension in writing within seven days of the effective date of suspension, in violation of MCR 9.119(A); failed to file notices of disqualification with all tribunals in which he represented a client in litigation by the effective date of his suspension, in violation of MCR 9.119(B); failed to file an affidavit of compliance within 14 days of the order of suspension, in violation of MCR 9.119(C); accepted a new retainer or engagement as an attorney during the period of suspension, in violation of MCR 9.119(D);

practiced during the period of suspension, in violation of MCR 9.119(E)(1); engaged in contact with clients or potential clients as a lawyer during the period of suspension; in violation of MCR 9.119(E)(2); appeared as an attorney before a court, judge, justice, board, commission, or other public authority during the period of suspension, in violation of MCR 9.119(E)(3); held himself out as an attorney during the period of suspension, in violation of MCR 9.119(E)(4); made a materially false statement in an affidavit for eligibility for reinstatement, in violation of MCR 9.123(A); engaged in conduct that was in contempt of the board or hearing panel, in violation of MCR 9.104(8); and engaged in conduct that violated an order of discipline, in violation of MCR 9.104(9). Respondent was also found to have violated MCR 9.104(1)-(3) and MRPC 8.4(b)-(c).

The panel ordered that respondent's license to practice law be suspended for a period of 180 days, that he pay restitution in the total amount of \$700.00, and that he be subject to a condition relevant to the established misconduct. Total costs were assessed in the amount of \$2,812.35.

/s/ Mark A. Armitage
Executive Director