

PETITIONER

DANIEL L. MERCIER

Notice is given that **Daniel L. Mercier**, P72620, has filed a petition in the Michigan Supreme Court and with the Attorney Grievance Commission seeking reinstatement as a member of the State Bar and restoration of his license to practice law.

Effective April 15, 2013, in *Grievance Administrator v Daniel L. Mercier*, Case No. 11-24-GA, based on the petitioner's admissions in his answer to the first amended complaint and his answers placed on the record, the hearing panel found that the petitioner had failed, as an applicant for admission to the bar, to inform the standing committee on character and fitness, in writing, that his answers in his affidavit of personal history had changed and/or ceased to be true, in violation of MRPC 8.1(b)(2); violated or attempted to violate the Michigan Rules of Professional Conduct, contrary to MRPC 8.4(a); and engaged 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, contrary to MRPC 8.4(b).

The panel ordered that the petitioner be disbarred from the practice of law in Michigan, effective February 13, 2013. The petitioner filed a petition for review, along with a request for a temporary stay of discipline. On February 11, 2013, the Attorney Discipline Board granted the petitioner's request for a temporary stay of discipline and ordered that the petitioner's disbarment would go into effect on April 15, 2013. On March 28, 2013, the petitioner filed a motion for final stay of discipline, which was denied by the Attorney Discipline Board on April 4, 2013, and the petitioner's disbarment became effective on April 15, 2013.

The matter was scheduled for review and, upon review, the Attorney Discipline Board issued an order on April 3, 2014, reducing the discipline from a disbarment to a three-year suspension. On May 1, 2014, the petitioner filed an application for leave to appeal with the Michigan Supreme Court, which was denied on October 28, 2014.

A hearing is scheduled for Monday, July 31, 2017, at 9:30 a.m., at the office of the

hearing panel Chairperson, Raymond Morrow, 201 W. Big Beaver Road, Ste. 600, Troy, MI 48084.

Any interested person may appear at the hearing and be heard in support of or in opposition to the petition for reinstatement. Any person having information bearing on the petitioner's eligibility for reinstatement should contact:

Alan M. Gershel
Grievance Administrator
Attorney Grievance Commission
535 Griswold, Ste. 1700
Detroit, MI 48226
(313) 961-6585

REQUIREMENTS OF THE PETITIONER

Pursuant to MCR 9.123(B), the petitioner is required to establish the following by clear and convincing evidence:

1. He desires in good faith to be restored to the privilege of practicing law in Michigan.
2. The term of the suspension ordered has elapsed or five years have elapsed since his disbarment or resignation.
3. He has not practiced or attempted to practice law contrary to the requirement of his suspension or disbarment.

4. He has complied fully with the order of discipline.

5. His conduct since the order of discipline has been exemplary and above reproach.

6. He has a proper understanding of and attitude toward the standards that are imposed on members of the Bar and will conduct himself in conformity with those standards.

7. Taking into account all of the attorney's past conduct, including the nature of the misconduct that led to the revocation or suspension, he nevertheless can safely be recommended to the public, the courts, and the legal profession as a person fit to be consulted by others and to represent them and otherwise act in matters of trust and confidence, and, in general, to aid in the administration of justice as a member of the Bar and as an officer of the court.

8. If he has been suspended for three years or more, he has been recertified by the Board of Law Examiners.

9. He has reimbursed the Client Protection Fund or has agreed to an arrangement satisfactory to reimburse the fund for any money paid as a result of his conduct.

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