

Disbarment and Restitution

Cynthia Young, P75849, Lathrup Village, by the Attorney Discipline Board, Tri-County Hearing Panel #76, effective June 27, 2017.¹

Based on the respondent's default for failure to file an answer to the formal complaint, the hearing panel found that the respondent committed professional misconduct in her representation of a client in a bankruptcy matter by failing to file the

bankruptcy petition; failing to keep her client informed about the status of a matter; failing to refund the unearned attorney fee; and failing to provide her client written notice of her suspension.

The panel found that the respondent failed to keep a client reasonably informed regarding the status of a matter, in violation of MRPC 1.4; failed to refund an unearned attorney fee, in violation of MRPC 1.16(d); and failed to provide an active client written notice of a suspension order during

the period of the representation, in violation of MCR 9.119(A). The respondent was also found to have violated MCR 9.104(1)–(3) and MRPC 8.4(a).

The panel ordered that the respondent be disbarred from the practice of law in Michigan and that she pay restitution in the amount of \$1,500. Costs were assessed in the amount of \$1,706.12.

1. The respondent has been continuously suspended from the practice of law in Michigan since January 11, 2016. Please see Notice of Interim Suspension, ADB Case No. 15-121-GA, issued March 3, 2016.

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Automatic Reinstatement

Stefani C. Godsey, P55940, Lansing.

The respondent was suspended from the practice of law in Michigan for 90 days, effective March 24, 2017. In accordance with MCR 9.123(A), the suspension was terminated with the respondent's filing of an affidavit with the clerk of the Michigan Supreme Court on June 23, 2017.

Reprimand

Carl L. Collins III, P55982, Southfield, by the Attorney Discipline Board, Tri-County Hearing Panel #81, effective June 15, 2017.

After proceedings in accordance with MCR 9.115, the hearing panel found that the respondent neglected a legal matter entrusted to him, in violation of MRPC 1.1(c); failed to seek the lawful objectives of a client through reasonably available means permitted by law, in violation of MRPC 1.2(a); failed to act with reasonable diligence and promptness in representing a client, in violation of MRPC 1.3; failed to make reasonable efforts to ensure that the firm has in effect measures giving reasonable assurance that all lawyers in the firm conform to the Michigan Rules of Professional Conduct, in violation of MRPC 5.1(a); as a lawyer having direct supervisor authority over other lawyers in his law firm, failed to make reasonable efforts to ensure that the other lawyers conformed to the Michigan Rules of Professional Conduct, in violation of MRPC 5.1(b); maintained funds other than client or third-person funds in an IOLTA, in violation of MRPC 1.15(a)(3); and deposited his own funds in a client trust account more than

DUTY TO REPORT AN ATTORNEY'S CRIMINAL CONVICTION

All Michigan attorneys are reminded of the reporting requirements of **MCR 9.120(A)** when a lawyer is convicted of a crime:

What to Report:

A lawyer's conviction of any crime, including misdemeanors. A conviction occurs upon the return of a verdict of guilty or upon the acceptance of a plea of guilty or no contest.

Who Must Report:

Notice must be given by all of the following:

1. The lawyer who was convicted;
2. The defense attorney who represented the lawyer; and
3. The prosecutor or other authority who prosecuted the lawyer.

When to Report:

Notice must be given by the lawyer, defense attorney, and prosecutor within **14 days** after the conviction.

Where to Report:

Written notice of a lawyer's conviction must be given to:

**Grievance Administrator
Attorney Grievance Commission
Buhl Building, Ste. 1700
535 Griswold, Detroit, MI 48226
and**

**Attorney Discipline Board
211 W. Fort Street, Ste. 1410
Detroit, MI 48226**

in an amount reasonably necessary to pay financial institution service charges, in violation of MRPC 1.15(f).

The hearing panel ordered that the respondent be reprimanded. Total costs were assessed in the amount of \$4,926.89.

Suspension

Ronald Thomas Bruce Jr., P62579, Monroe, by the Attorney Discipline Board, reducing Tri-County Hearing Panel #23's order of a 179-day suspension to a 60-day suspension, effective June 30, 2017.

The respondent appeared at the hearing, but was in default for his failure to file an answer to the formal complaint. Based on his default, the well-pled facts alleged by the grievance administrator were accepted as true, and the hearing panel found that the respondent committed professional misconduct. Specifically, the respondent failed to file answers to four requests for investigation and failed to timely file answers to three other requests for investigation served upon him by the grievance administrator, in violation of MCR 9.113, MCR 9.115(D), and MCR 9.104(7); failed or refused to appear or give evidence, to be sworn or affirmed, or to answer a proper question after being ordered to do so, in violation of MCR 9.112(D)(2); and failed to respond to a lawful demand for information from a disciplinary authority, in violation of MRPC 8.1(a)(2). The respondent was also found to have violated MCR 9.104(1), (2) and (4), and MRPC 8.4(a) and (b).

The hearing panel ordered that the respondent's license to practice law in Michigan be suspended for 179 days. The respondent filed a petition for review, requesting a reduction in discipline. Upon review, the Board reduced the hearing panel's order of a 179-day suspension to a suspension of 60 days, effective June 30, 2017. Total costs were assessed in the amount of \$1,902.53.

Suspension and Restitution With Condition (By Consent)

Gary W. Jones, P56072, Detroit, by the Attorney Discipline Board, Tri-County Hearing Panel #2, for 90 days, effective June 15, 2017.

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AUTHOR: PATRICK T. BARONE

Patrick T. Barone has an "AV" (highest) rating from *Martindale-Hubbell*, and since 2009 has been included in the highly selective *U.S. News & World Report's America's Best Lawyers*, while the

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The 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. The stipulation contains the respondent's admission that he committed acts of professional misconduct in his representation of three clients in criminal matters and one client in a moving violation matter; failed to provide additional information to the grievance administrator regarding a request for investigation; filed a late answer to another request for investigation; engaged in discourteous and undignified conduct toward a tribunal; and failed to answer a request for investigation.

Based on the respondent's admissions and the stipulation of the parties, the panel found that he failed to represent a client competently, in violation of MRPC 1.1(a); failed to prepare a legal matter adequately under the circumstances of the case, in violation of MRPC 1.1(b); neglected legal matters entrusted to him, in violation of MRPC 1.1(c); failed to act with reasonable diligence and promptness in representing clients, 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 explain the matter to the extent reasonably necessary to permit the client to make informed decisions, in violation of MRPC 1.4(b); failed to preserve a client or secret of his client, in violation of MRPC 1.6(b)(1) and (2); failed to refund an unearned fee, in violation of MRPC 1.16(d); failed to abide by the rules of tribunals, in violation of MRPC 3.4(c); engaged in discourteous and undignified conduct toward a tribunal, in violation of MRPC 3.5(d); failed to respond to lawful demands for information from a disciplinary authority, in violation of MRPC 8.1(a)(2); and failed to answer a request for investigation in conformity with MCR 9.113(A), in violation of MCR 9.104(7). The respondent was also found to have violated MCR 9.104(1), (2) and (4); and MRPC 8.4(a)-(c).

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent's license to practice law in Michigan be suspended for 90 days effective

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June 15, 2017. In addition, the panel ordered the respondent to pay restitution of \$500 to Gloria Hamilton and request that his law practice be audited by the State Bar of Michigan's Practice Management Resource Center within 30 days of his reinstatement to the practice of law. Costs were assessed in the amount of \$1,164.47.

Automatic Interim Suspension

Scott W. Neal, P77306, Royal Oak, effective May 15, 2017.

On May 15, 2017, the respondent entered a no-contest plea to a charge of felonious assault, contrary to MCL 750.82, in the matter of *People v Scott William Neal*, Macomb County Circuit Court. Upon acceptance of the plea by the court, the respondent was convicted and, in accordance with MCR 9.120(B)(1), the respondent's license to practice law in Michigan was automatically suspended.

Upon the filing of a certified judgment of conviction, this matter will be assigned to a hearing panel for further proceedings. The interim suspension will remain in effect until the effective date of an order filed by a hearing panel.

Suspension (By Consent)

Courtney Wylie, P75748, Chicago, Illinois, by the Attorney Discipline Board, Kalamazoo County Hearing Panel #4, for eight months, effective June 24, 2017.

In a reciprocal discipline proceeding under MCR 9.120(C), the grievance administrator filed a certified copy of a consent order suspending the respondent's license to practice law for a period of six months, entered by the State of Illinois Supreme Court, on January 13, 2017, effective February 3, 2017, *In re Courtney Olivia Wylie*. The 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. The stipulation contained the parties' agreement to adopt the analysis and findings in the consent discipline between the respondent and the Illinois Attorney Registration and Disciplinary Commission.

The parties stipulated that the comparable rules violated in Michigan would be MRPC 3.3(a)(1) (a lawyer shall not knowingly make a false statement of material fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer); MRPC 8.1(a)(1) (a lawyer shall not knowingly make a false statement of material fact in connection with a disciplinary matter); MRPC 8.4(b) (it is professional misconduct for a lawyer to engage 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); and MRPC 8.4(c) (it is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice). The parties agreed that comparable discipline in Michigan for the misconduct the respondent engaged in is a suspension of her license to practice law in Michigan for eight months.

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent's license to practice law in Michigan be suspended for eight months, effective June 24, 2017. Costs were assessed in the amount of \$756.77.

Interim Suspension Pursuant to MCR 9.115(H)(1)

Lisa Beazley Phillips, P48119, Clinton, by the Attorney Discipline Board, Washtenaw County Hearing Panel #3, effective June 15, 2017.

The respondent failed to appear at the June 7, 2017 hearing. On June 8, 2017, the hearing panel, in accordance with MCR 9.115(H)(1), issued an order of suspension effective June 15, 2017, and until further order of the panel or the Board.

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