

PETITIONER

MARK S. DEMOREST

Notice is given that **Mark S. Demorest**, P35912, 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 August 31, 2017, the petitioner's license to practice law in Michigan was suspended for 180 days and until further order of the Michigan Supreme Court, the Attorney Discipline Board, or a hearing panel.

The petitioner 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 on the petitioner'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 the petitioner committed professional misconduct in relation to the handling of client funds deposited into his firm's IOLTA account.

Specifically, the panel found that the petitioner 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). The petitioner 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 the petition-

er's license to practice law be suspended for a period of 180 days.

A hearing is scheduled for Friday, April 20, 2018, beginning at 9:30 a.m., at the office of the hearing panel member, Barry M. Feldman, 25800 Northwestern Hwy., 10th Floor Maccabees Center, Southfield, Michigan 48075, (248) 353-2444.

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:

Emily A. Downey
Senior Associate Counsel
Attorney Grievance Commission
535 Griswold, Ste. 1700
Detroit, MI 48226
(313) 961-6585

REQUIREMENTS OF THE PETITIONER

Pursuant to MCR 9.123(B) and in the interest of maintaining the high standards imposed on the legal profession as conditions for the privilege of practicing law in this state, and of protecting the public, the judiciary, and the legal profession against conduct contrary to such standards, 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 this state.

2. The term of the suspension ordered has elapsed or five years have elapsed since 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 terms of the order of discipline.

5. His conduct since the 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 suspension or disbarment, 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 or has agreed to reimburse the Client Protection Fund any money paid from the fund as a result of his conduct. Failure to fully reimburse as agreed is grounds for revocation of a reinstatement.



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