

STATE OF MICHIGAN
Attorney Discipline Board
2004 Annual Report

January 1, 2004 to December 31, 2004

211 W. Fort St., Ste. 1410
Detroit, MI 48226-3236

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www.adbmich.org

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STATE OF MICHIGAN
ATTORNEY DISCIPLINE BOARD MEMBERS

THEODORE J. ST. ANTOINE, of Ann Arbor, Chairperson
Term Expires: September 30, 2005

WILLIAM P. HAMPTON, of Farmington Hills, Vice-Chairperson
Term Expires: September 30, 2007

MARIE E. MARTELL, of Dewitt, Secretary
Term Expires: September 30, 2006

RONALD L. STEFFENS,[†] of Metamora
Term Expires: September 30, 2005

REVEREND IRA COMBS, Jr.,[†] of Jackson
Term Expires: September 30, 2007

GEORGE H. LENNON, of Kalamazoo
Term Expires: September 30, 2006

BILLY BEN BAUMANN, M.D.,[†] of Bloomfield Hills
Term Expires: September 30, 2006

LORI McALLISTER, of Lansing
Term Expires: September 30, 2005

HON. RICHARD F. SUHRHEINRICH, of Lansing
Term Expires: September 30, 2005

[†]Non-lawyer member

ATTORNEY DISCIPLINE BOARD STAFF

JOHN F. VAN BOLT
Executive Director

MARK A. ARMITAGE
Deputy Director

SHERRY MIFSUD
Office Administrator

JENNIFER M. PETTY
Legal Assistant/Webmaster

KATHY LEAL-PAREDES
Case Manager

ALLYSON M. PLOURDE
Case Manager

JULIETTE M. LOISELLE
Receptionist/Secretary

STATE OF MICHIGAN
ATTORNEY DISCIPLINE BOARD
ANNUAL REPORT

January 1, 2004 - December 31, 2004

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. The Board's chairperson and vice-chairperson are appointed to one year terms by the Supreme Court. The Board's secretary is elected by its members. The Board's officers for one year terms ending September 30, 2005 are Theodore J. St. Antoine of Ann Arbor, Chairperson; William P. Hampton of Farmington Hills, Vice-Chairperson; and Marie E. Martell of Dewitt, Secretary.

Staff

Michigan Court Rule 9.110 authorizes the Attorney Discipline Board to appoint an attorney as its counsel. The Board's full-time staff consists of: John F. Van Bolt, Executive Director and General Counsel; Mark A. Armitage, Deputy Director; Sherry Mifsud, Office Administrator; Jennifer M. Petty, Legal Assistant/Webmaster; Kathy Leal-Paredes, Case Manager; Allyson M. Plourde, Case Manager; and Juliette M. Loiselle, Receptionist/Secretary.

Office and Hearing Facility

On April 1, 2002, the Attorney Discipline Board (ADB) relocated to 211 W. Fort St., Suite 1410, Detroit. The Board's facilities include hearing and conference rooms for the public hearings conducted by the Board and hearing panels.

Proposed Michigan Standards for Imposing Lawyer Sanctions

In its June 27, 2000 opinion in Grievance Administrator v Lopatin, 462 Mich 235; 612 NW2d 120 (2000), the Supreme Court directed the Attorney Discipline Board to explore the development

of permanent Michigan Standards for Imposing Lawyer Sanctions and to report its proposed Michigan Standards to the Court within two years. On June 26, 2002, the Board filed its report containing proposed Michigan Standards for Imposing Lawyer Sanctions which follow the format of the Standards for Imposing Lawyer Sanctions adopted by the American Bar Association in 1986 but with revisions intended to improve readability and clarity, simplify the process of applying the standards, and align the Standards with ranges of discipline articulated in Michigan precedent.

On July 29, 2003, the Supreme Court published for comment proposed Michigan Standards based in part upon the ADB's proposal as well as alternate proposals submitted by attorney Donald D. Campbell. The public comment period has been extended to June 1, 2005. A chart comparing the Sanction Standards published for comment by the Court, the proposed Standards submitted by the Attorney Discipline Board, and the alternative proposal is available on the Board's home page www.adbmich.org under "Proposed Standards."

Amendments to the Michigan Court Rules Affecting the Discipline System

On November 2, 2004, the Michigan Supreme Court entered an order in administrative file number 2004-53 amending rules 9.124 and 9.126 of the Michigan Court Rules. These amendments, proposed by the Attorney Discipline Board, were implemented to protect the confidentiality of certain personal and financial information which must be filed by an attorney seeking reinstatement following an order of discipline imposing a suspension of 180 days or more. Under the amendment to MCR 9.124, a reinstatement petitioner is now required to file a personal history affidavit, including social security number and bank account information only with the Grievance Administrator. The amendments to MCR 9.124 and 9.126 further clarify that the personal history affidavit is to become part of the Administrator's confidential investigative file and may not be disclosed to the public except under certain circumstances enumerated in the rules.

Summary of Disclosure Requests

Under MCR 9.126(D)(7) and 9.126(E)(4), a person may seek disclosure of otherwise confidential information contained in the files and records of the Discipline Board, the Grievance Commission and the Grievance Administrator by filing a request for disclosure with the Board. Rule 9.126(F) requires the Board to include in its annual report an accounting of all requests for disclosure that have been filed with the Board during the year. There were no requests for disclosure filed with the Board under MCR 9.126(D)(7) or MCR 9.126(E)(4) during the year 2004.

Volunteer Hearing Panelists

The Board maintains a current roster of more than 480 attorneys appointed annually to serve on three-member hearing panels. Hearing panelists are currently drawn from 45 of Michigan's 83 counties. The 2004 hearing panelist roster is attached as Appendix "E." The Board has continued its efforts to appoint attorneys as panel members who represent a broad range of professional experience. With the cooperation of the Women Lawyers Association, the Wolverine Bar Association, and other special interest bar associations, the Board actively encourages the participation of women and minorities in Michigan's discipline system.

Hearing Panel Proceedings

Complaints submitted by clients, judges or other lawyers 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.

Upon the filing of a formal complaint 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 trial in a circuit court and the Michigan Rules of Evidence. During 2004, the Board's hearing panels conducted 166 public hearings, an increase of 38 (+29%) compared to 2003.

The charges of misconduct must be established by a preponderance of the evidence. If the charges of misconduct are 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 license revocation (disbarment). In a discipline matter decided July 15, 1997, the Supreme Court held that under rare circumstances a finding of professional misconduct may result in an order of discipline which effectively imposes no discipline on the attorney. Grievance Administrator v Deutch, 455 Mich 149, 163 (1997). There were no such orders finding misconduct but imposing no discipline in 2004.

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. The Board collected reimbursed costs of \$122,677.25 from disciplined lawyers in 2004, an increase of 42% compared to the previous year. Orders of reprimand or suspension may include additional conditions relevant to the established misconduct, including legal education, reformation of law office practices and personal counseling.

Unless appealed to the Board within 21 days by the respondent, the Grievance Administrator or the complainant, an order of discipline entered by a hearing panel including disbarment and suspension, constitutes a final order and may be enforced in civil contempt proceedings by the Grievance Administrator.

Board Review

In addition to its administrative responsibilities, the nine appointed members of the Attorney Discipline Board serve as the intermediate appellate level of Michigan's discipline system. The respondent, the Grievance Administrator or the complainant may petition the Attorney Discipline Board for review of an order entered by a hearing panel. The Board's review in such cases is based upon the record presented to the hearing panel and the written and oral arguments presented by the parties on appeal. Following its review, the Board may enter an order affirming, reversing 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 regularly considers and disposes of various motions seeking stays of discipline, 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. The Board held seven meetings in 2004, meeting four times at the Board's office in Detroit and two times in the Board of Commissioners Room at the State Bar of Michigan in Lansing. In April 2004 the Board conducted a public review hearing at the University of Detroit Mercy Law school in Detroit.

The Board conducted review hearings in eight cases under the guidelines of MCR 9.118 in 2004.

New Cases Filed

There were 104 new formal complaints filed in 2004. Of these, 94 complaints¹ contained original charges of misconduct following an investigation by the Attorney Grievance Commission.

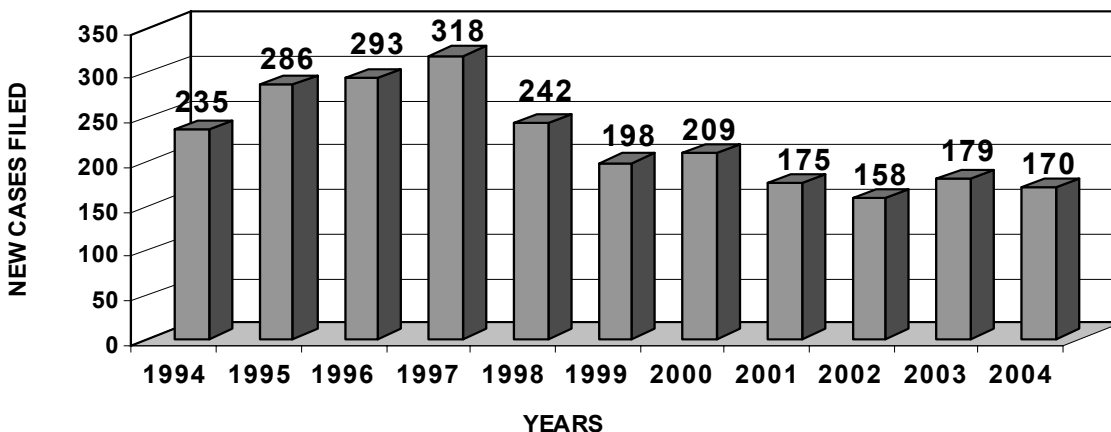
¹ Designated "GA" in Appendix "A."

An additional 10 formal complaints² were based solely upon the respondent/attorney's failure to answer the initial formal complaint, a separate violation under MCR 9.104(7). Such complaints are consolidated for hearing before the panel to which the original complaint has been assigned.

Twenty-three new cases were commenced under MCR 9.120 with the filing of a judgment of conviction establishing that an attorney had been convicted of a crime. Twelve new petitions for reinstatement in accordance with MCR 9.123(B) were filed in 2004. In addition, the Grievance Administrator filed two petitions for transfer to inactive status and nine miscellaneous petitions for enforcement of an earlier discipline order.

The 170 new files opened by the Board in 2004 represented a 5% decrease compared to 179 new cases in 2003. The following table (Table 1) illustrates the Board's annual intake of new cases since 1994.

Table 1. New Cases Filed, 1994 - 2004

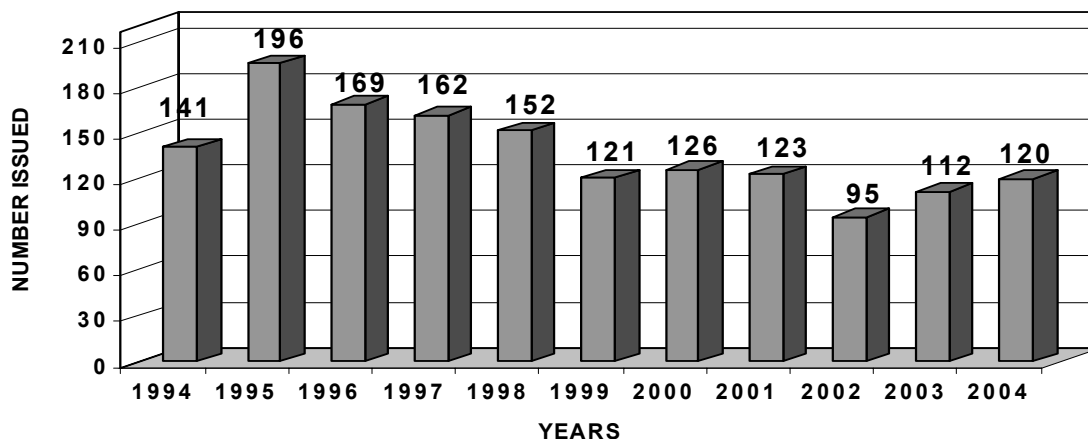


Orders of Discipline/Dismissal

The Attorney Discipline Board issued 159 final disposition orders in 2004, including orders of discipline, orders of dismissal and orders granting or denying reinstatement. Public discipline (revocation, suspension, reprimand or probation) was ordered in 120 cases, an increase of 7% compared to 2003. A complete list of the orders of discipline issued in 2004 appears in Appendix "C." Orders of discipline issued since 1994 are illustrated in Table 2, below.

² Designated "FA" in Appendix "A."

Table 2. Discipline Orders Issued, 1994 - 2004



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 the respondent to admit the charges in the complaint, or plead no contest, 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-three consent orders of discipline were issued in 2004, accounting for 44% of the discipline orders issued.

Consent orders were issued in the following discipline categories in 2004:

<u>Type of Discipline</u>	<u>Consent Orders</u>	<u>Total Discipline Orders</u>	<u>% By Consent</u>
Revocation	1	28	4%
Suspension (3 yrs. or more)	3	6	50%
Suspension (180 days but less than 3 yrs.)	2	17	12%
Suspension (30 to 179 days)	14	26	54%
Reprimand	32	41	78%
Probation	1	2	50%

Types of Misconduct Resulting in Discipline

As in prior years, conduct characterized by a lack of diligence, lack of competence and/or neglect of client matters was the single largest category of professional misconduct, accounting for 47% of the discipline orders issued in 2004. These cases ranged from an attorney's failure to provide competent or diligent representation on behalf of a single client to, in a few cases, complete abandonment of the attorney's practice. In some cases in this category, the attorney's neglect or

mishandling of client matters was accompanied by additional misconduct including misrepresentations to the client about the status of the matter; a failure to return unearned fees; and failure to answer request(s) for investigation. (See Appendix "B," page 11.)

Twenty Michigan lawyers were disciplined as the result of their violation of the criminal laws. The fifteen felony convictions and five misdemeanor convictions accounted for 17% of the public discipline orders issued in 2004.

The next largest category of misconduct, accounting for 12% of all discipline orders, involved an attorney's mishandling of funds entrusted by a client or a third party. The discipline imposed in these cases in 2004 ranged from consent orders of reprimand in two cases in which the attorney failed to safe keep funds held in escrow or failed to deposit a retainer into a segregated trust account to disbarment in seven cases involving an attorney's intentional misappropriation of client funds.

Other types of misconduct resulting in discipline in 2004 included the violation of a prior discipline order (5%); failure to answer a request for investigation (3%); and engaging in a conflict of interest (3%).

Reinstatements

Attorneys suspended for 179 days or less are automatically reinstated upon the filing of an affidavit of compliance with the Supreme Court. In cases of revocation 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 examination and recertification by the State Board of Law Examiners. In Michigan, a disbarred attorney may petition for reinstatement after five years.

Twelve reinstatement petitions were filed with the Board and assigned to panels for hearing in 2004. The Board or its panels issued seven orders reinstating attorneys whose licenses had been suspended. One reinstatement petition was denied or dismissed.

Pending Caseload

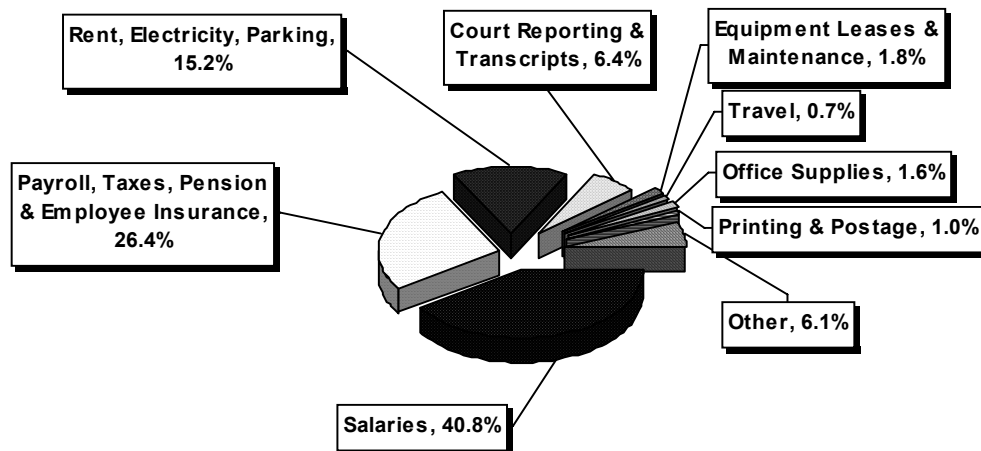
As of December 31, 2004, there were a total of 116 open discipline or reinstatement cases pending before a hearing panel, the Attorney Discipline Board or the Michigan Supreme Court, as follows:

	<u>Pending 12-31-03</u>	<u>Pending 12-31-04</u>
Supreme Court:	3	3
Attorney Discipline Board:	11	11
Hearing Panels:	123	103
Total:	137	106

Funding and Expenses

The Attorney Discipline Board receives no public funds. Michigan’s Attorney Discipline System (Attorney Discipline Board and Attorney Grievance Commission) is funded entirely from the discipline component of the dues paid by all active members of the State Bar of Michigan. Under the dues structure approved by the Supreme Court, annual dues are \$315, of which \$120 (38%) is specifically allocated to the Attorney Discipline System Fund. For the fiscal year which ended September 30, 2004, the Attorney Discipline System had total operating expenses of \$4,055,849. The Attorney Discipline Board’s operating expenses were \$933,290 - 5.3% below the annual operating expense of \$985,869 approved by the Supreme Court. The Board’s expenses for the fiscal year included a one-time payment of \$50,000, plus associated professional fees and expenses, for the Board’s share of a settlement involving the State of Michigan Department of Management and Budget, State Bar of Michigan, Attorney Grievance Commission and Attorney Discipline Board regarding a claim for uncollected premiums for post retirement health benefits. A chart summarizing the Board’s expenses for 2003-2004 is included below (Table 3). A complete itemization of the Board’s approved budget and actual expenses for the fiscal year is attached to this report as Appendix “D.”

Table 3. ADB Expenses 2003-2004 Fiscal Year



Outreach and Professional Development

Through its Executive Director and Deputy Director, the Attorney Discipline Board represented Michigan in the field of attorney discipline and regulation at the national level during 2004. In August 2004, Deputy Director Mark Armitage concluded his term of President of the National Organization of Bar Counsel at that organization's annual meeting in Atlanta.

In February 2003, The Board's Executive Director, John Van Bolt, represented the Board at a meeting with representatives from other jurisdictions to explore the creation of a national organization for attorney disciplinary agencies charged solely with adjudicative or administrative functions. The National Council of Lawyer Disciplinary Boards (NCLDB) now represents adjudicative agencies from 20 jurisdictions. John Van Bolt served as the NCLDB's president-elect in 2004 and assumed the office of president in March 2005.

Website Development

The Attorney Discipline Board continues to expand and update its website: www.admich.org. The site includes: recent Board opinions and notices of discipline; access to the discipline history of all attorneys disciplined in Michigan since October 1, 1978; a searchable data base including the full text of all opinions of the Attorney Discipline Board since October 1, 1978; and links to related sites in the fields of attorney discipline, regulation and ethics.

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) 963-5571

John F. Van Bolt, Executive Director

Theodore J. St. Antoine, Chairperson

APPENDIX "A"
ANNUAL ACTIVITY REPORT
JANUARY 1, 2004 THROUGH DECEMBER 31, 2004

I. CASES FILED

A.	Formal Complaints (total)	104
1.	New Formal Complaints (GA)	94
2.	Failure-to-Answer Complaints (FA)	10
B.	Automatic Interim Suspensions (AI)	20
C.	Judgment of Conviction (JC)	23
D.	Petitions for Reciprocal Discipline (RD)	0
E.	Petitions for Transfer to Inactive Status (PI)	2
F.	Petitions for Reinstatement (RP)	12
G.	Miscellaneous (MZ)	9
H.	TOTAL CASES FILED	170

II. FINAL DISPOSITIONS

A.	Final Orders of Discipline	120
1.	Revocations	28
2.	Suspensions	49
a.	Subject to MCR 9.123(A)	26
b.	Subject to MCR 9.123(B)	17
c.	Subject to MCR 9.123(B) & (C)	6
3.	Reprimands	41
4.	Misconduct But No Discipline	0
5.	Probations	2
B.	Transfers to Inactive Status	3
C.	Dismissals	24
D.	Reinstatements Granted	7
E.	Reinstatements Denied/Dismissed	1
F.	Other	4
G.	TOTAL FINAL DISPOSITION ORDERS	159
H.	Total Cases Closed (Including All Consolidated Cases)	180

III. OTHER NOTICES ISSUED

A.	Automatic Interim Suspensions Under MCR 9.120	15
B.	Interim Suspensions Ordered By Hearing Panel	0
C.	Automatic Reinstatements Under MCR 9.123(A)	15
D.	TOTAL OTHER NOTICE ISSUED	30

IV. HEARINGS

A.	Scheduled	358
B.	Held	166

V. COSTS

Total Costs Reimbursed to the State Bar of Michigan by Respondents and Petitioners	\$122,677.25
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APPENDIX "B"
SANCTIONS IMPOSED - 2004
By Type of Misconduct³

	REVOCATION	SUSP 3 YR +	SUSP 180 DAYS LESS 3 YR	SUSP 30 - 179 DAYS	REPRIMAND	PROBATION	TOTAL
NEGLECT ⁴			2	10	23	1	36
NEGLECT (Accompanied by Failure to Answer R/I)	4	1	3	3	2		13
NEGLECT (Aggravated by Misrepresentation to Client or Court)	4		3				7
MISAPPROPRIATION	9		1				10
OTHER MONEY OFFENSES				2	2		4
CONVICTION (Felony)	7	3	3	2			15
CONVICTION (Misdemeanor)				3	2		5
CONFLICT OF INTEREST			1		2		3
FAIL TO COMPLY/PRACTICE WHILE SUSPENDED	2	1	3				6
MISREPRESENTATION/ FRAUD	2	1	1	1	1		6
FAIL TO ANSWER REQUEST FOR INVESTIGATION				1	3		4
RECIPROCAL DISCIPLINE				1	2		3
OTHER				3	4	1	8
TOTAL:	28	6	17	26	41	2	120

³ Formal complaints filed by the Grievance Administrator commonly include multiple charges of misconduct. For this chart, the sanctions are categorized based on the most serious misconduct found by the panel or the Board.

⁴ For purposes of this chart, the term "neglect" encompasses the concepts of competence, neglect, diligence, and communication found in MRPC 1.1, 1.2, 1.3 and 1.4.

APPENDIX "C"
DISCIPLINED ATTORNEYS BY TYPE OF DISCIPLINE - 2004

REVOCATIONS (28)

RESPONDENT	EFFECTIVE DATE
ABDELNOUR, Joan Z.	December 23, 2003
ABESKA, Gary E.	October 6, 2007
ALBRITTON, Brian D.	December 30, 2003
BAKER, Jordan	September 9, 2003
CATCHINGS, John B.	December 18, 2002
COLLISON, Patrick K.	August 27, 2001
DETGEM, Gretchen	July 18, 2003
FITZPATRICK, Stephen A.	December 30, 2003
FREGOLLE, David E.	June 11, 2003
FREGOLLE, David E.	June 11, 2003
GODFREY, Keith	March 25, 2004
GODFREY, Keith	September 29, 2004
GUEST, Donald A.	January 8, 2004
KENNY, Michael Allen	April 9, 2003
LUYENDYK, Charles W.	March 26, 2003
MALLETTE, Lonzo J., Jr.	March 28, 2006
NURKIEWICZ, Dennis J., Jr.	April 3, 2004
PENZEL, Brenda	November 11, 2003
REID, Baylee	September 17, 2008
SCHAEFER, Jeffrey E.	April 15, 1999
SCHAEFER, Jeffrey E.	May 29, 2003
SCHAEFER, Paul S.	March 1, 2003
THOMAS, James	September 1, 2004
UNDERHILL, Adna H., Jr.	July 31, 2004
VAN CLEEF, Robert	March 2, 2008
VANDENBOSCH, Mark	June 9, 2003
WILLIAMS, Katherine M.	January 9, 2004
WILLIAMS, Katherine M.	March 13, 2004

SUSPENSIONS SUBJECT TO MCR 9.123(B) AND (C) [THREE YEARS OR MORE] (6)

RESPONDENT	LENGTH	EFFECTIVE DATE
KIRKLAND, Charles St. George	Four Years	March 20, 2003
MALLETTE, Lonzo J., Jr.	Three Years	March 27, 2003
MASTERS, James C.	Three Years	March 12, 2004
RITCHIE, David C.	Three Years	November 2, 2004
SHOVAN, Michael J.	Four Years	September 9, 2002
TUSCANO, Robert V.	Three Years	October 31, 2003

SUSPENSIONS SUBJECT TO MCR 9.123(B) [180 DAYS BUT LESS THAN THREE YEARS] (17)

RESPONDENT	LENGTH	EFFECTIVE DATE
ANNELIN, Thomas W.	180 Days	March 16, 2004
ANSTEY, Mark J.	18 Months	June 17, 2004
DUGHIE, John V.	180 Days	January 7, 2004
FAYFER, Thomas J.	One Year	January 14, 2004
GODFREY, Keith	Six Months	February 5, 2004
HAMED, Mosabi	18 Months	August 5, 2003
JOHNSON, Mary E.	180 Days	May 25, 2004
KRCMARIK, Francis	30 Months	September 1, 2004
MARLIN, Gregory L.	Nine Months	March 5, 2003
NOLAN, Thomas D.	One Year	February 5, 2004
NORDMAN, Eric J.	180 Days	February 4, 2004
POPE, Mark L.	Two Years	November 26, 2003
REID, Dennis W.	Six Months	March 26, 2004
REINICHE, Stephanie C.	180 Days	September 18, 2004
STONE, Ronald L.	One Year	August 6, 2004
WARREN, Cheryl M.	18 Months	April 30, 2003
WITKOWSKI, Mark Q.	180 Days	August 18, 2004

SUSPENSIONS SUBJECT TO MCR 9.123(A) [LESS THAN 180 DAYS] (26)

RESPONDENT	LENGTH	EFFECTIVE DATE
BARTLETT, Marvin B.	30 Days	January 20, 2004
BERBERICH, Daniel J.	179 Days	October 30, 2004
BLUM, Murray L.	60 Days	April 17, 2004
BROADWORTH, Jon Allen	179 Days	July 7, 2004
CAMERON, Connie M.	60 Days	March 15, 2004
COOK, Linda Sue	179 Days	November 20, 2004
GRAZIANI, John	30 Days	November 26, 2004
HYDE, Michael C.	30 Days	July 7, 2004
JOHNSON, Bertram L.	120 Days	May 31, 2003
KAREGA, Che A.	150 Days	October 22, 2002
LARKIN, Michael E.	179 Days	August 11, 2003
LEBEAU, Charles P.	60 Days	August 17, 2002
MAHINSKE, Paula M.	30 Days	September 1, 2004
MCQUADE, Robert J.	60 Days	March 9, 2004
NOBLE, Charles H.	30 Days	April 23, 2004
POLASEK, Robert J.	179 Days	May 4, 2004
PULTUSKER, William	120 Days	August 1, 2004
RAAFLAUB, David H.	30 Days	November 5, 2004
REZNIK, Philip I.	90 Days	December 3, 2004
ROGSTAD, Eugenie	60 Days	September 8, 2004
SALLEY, Patrick P.	60 Days	October 7, 2004
SIMON, Gerald C.	30 Days	August 9, 2004
STELMOCK, Robert J., Jr.	179 Days	February 12, 2004
STUBY, Donald E.	30 Days	December 1, 2004
WARREN, Cheryl M.	30 Days	October 30, 2004
ZIPSER, Richard P.	60 Days	April 21, 2004

REPRIMANDS (41)

RESPONDENT	EFFECTIVE DATE
AMBROSE, Daniel D.	August 28, 2004
ANSELM, Kurt Anthony	July 15, 2004
ATTMORE, Robert E.	September 15, 2004
BALINSKI, Thomas A.	December 1, 2004
BOARDMAN, James E.	December 27, 2003
BOLTON, Michael P.	October 1, 2004
CARSON, Daryl M.	January 20, 2004
CARSON, Stephanie A.	February 10, 2004
CONLON, John	December 30, 2003
DETWEILER, Robert T.	March 5, 2004
DIETRICH, Edgar J.	April 7, 2004
DUNCHOCK, Arnold D.	July 17, 2004
FINK, Darryl J.	April 27, 2004
GITTLEMAN, Robert	March 25, 2004
GRACE, John L., II	March 10, 2004
HALPERN, Sheldon	September 24, 2004
HANSEN, Jean M.	March 6, 2004
HUNLEY, Gary D.	June 15, 2004
JACKSON, Kerry Leon	October 15, 2004
JOHNSON, Bertram L.	August 20, 2004
JORDAN, Carl	February 18, 2004
KRUEGER, Carl S.	June 2, 2004
KUHR, Robert A.	March 26, 2004
MARKS, Marvin E.	June 5, 2004
MARR, Charles H.	September 22, 2004
MITCHENOR, Dennis	December 22, 2004
NEWMAN, David B.	October 27, 2004
O'BRIEN, David J.	July 7, 2004
O'BRIEN, Lee M.	June 16, 2004
PRICE, Terry A.	July 30, 2004
RAGNONE, Samuel A.	August 26, 2004
SIMON, Gerald C.	August 9, 2004
SKLADD, Michael	December 22, 2004
SKORUPSKI, Deborah E.	July 30, 2004

REPRIMANDS (Continued)

RESPONDENT	EFFECTIVE DATE
SLAMEKA, Robert E.	June 9, 2004
SMITH, Stephen J.	February 28, 2004
STACER, Andrew D.	September 8, 2004
STRAUCH, Thomas M.	November 11, 2004
STUBY, Donald E.	February 20, 2004
TALLERDAY, Ray G.	June 24, 2004
WATTS, John A.	June 15, 2004

PROBATIONS (2)

RESPONDENT	EFFECTIVE DATE
APPEL, Catherine	March 11, 2004
MCGINNIS, Thomas M.	August 6, 2004

REVOCATIONS	28
SUSPENSIONS - MCR 9.123(B) and (C)	6
SUSPENSIONS - MCR 9.123(B)	17
SUSPENSIONS - MCR 9.123(A)	26
REPRIMANDS	41
PROBATIONS	2
MISCONDUCT BUT NO DISCIPLINE	0

APPENDIX "D"

**Statement of Attorney Discipline Board Expenditures (Budget and Actual)
Fiscal Year Ended September 30, 2004**

Expense Item	2003 - 2004 Actual	2003 - 2004 Budget	% Used 2003 - 2004
Salaries	381,586	434,454	88%
Payroll Taxes	27,504	33,236	83%
Employee Insurance	108,954	115,032	95%
Pension Contribution*	110,181	84,719	130%
Rent	128,533	128,814	100%
Electricity	3,526	4,200	84%
Parking	10,080	11,520	87%
Law Clerks and Professional Fees	0	2,000	0%
Bookkeeping and Audit	7,000	7,000	100%
Hearing Panel Expenses	59,979	64,000	94%
Machine Rental	14,426	16,500	87%
Meetings	5,644	8,000	71%
Travel	6,652	15,000	44%
Telephone	5,149	6,000	86%
Books and Subscriptions	5,334	6,000	89%
Office Supplies	14,906	14,000	118%
Printing and Stationery	726	4,000	18%
Postage	9,506	10,000	95%
Insurance	10,831	9,194	106%
Repairs and Maintenance	3,108	5,000	62%
Dues	1,620	1,700	95%
Miscellaneous**	7,106	5,500	129%
Depreciation	10,939	-	-
TOTAL	933,290	985,869	94%

*Includes a one time payment to the State of Michigan Office of Retirement Services in settlement of certain retiree healthcare issues.

**Includes unbudgeted legal and actuarial services in connection with the retiree healthcare settlement noted above.

APPENDIX "E"
2004 HEARING PANEL ROSTER⁵

ALLEGAN
Allegan County

TOOMAN, Lester J.

ALPENA
Alpena County

WHITE, Daniel W.

ANN ARBOR
Washtenaw County

BURKE, Joseph F.
CARTER, Stefani A.
CONNORS, Margaret A.
DEW, Thomas E.
FINK, Sally Claire
GREEN, Philip
JONES, Constance L.
KESSLER, Barbara L.
LAX, Jerold
LOVERNICK, Richard N.
NICHOLS, Margaret J.
ROSEWARNE, Philip J.
SACKS, Monika H.
SAFRANEK, Stephen J.
SENDELBACH, Karen S.
SLANK, Eileen J.
STARK, Sheldon J. %
SUGERMAN, Donald F.
VARTANIAN, Michael G.
WEBER, Deborah J. Hammerlind

AUBURN HILLS
Oakland County

BUSACCA, David W.
DEAGOSTINO, Thomas M.
LYON, Mark W.

BATTLE CREEK
Calhoun County

BLASKE, E. Robert #
CHRIST, Chris T.
GEIL, Thomas D.
KARRE, Nelson T.
STEFFEL, Vern J., Jr.

BAY CITY
Bay County

LEARMAN, Richard C., Sr.
PIGGOTT, John W.

BEVERLY HILLS
Oakland County

NORMAN, Keith J.

BINGHAM FARMS
Oakland County

ALSPECTOR, Jacob I.
HARNISCH, Alan C.
HAROUTUNIAN, Edward L.
LOGAN, Leslie Anne
RYAN, Stephen M.
TUCK, Marsha Lynn
WEINER, Stuart S.
ZIVIAN, Etta B.
ZUPPKE, David F.

BIRMINGHAM
Oakland County

BASKIN, Henry
FELDMAN, Barry M.
McCANN, D. Michael
OCHS, Norman P.
PIA, Joseph
SCHNELZ, Kurt E.
SHERR, Paul D.
VICTOR, Steven I.
WELLS, Steven W.
WILLIAMS, James J.

BLOOMFIELD HILLS
Oakland County

BAUM, Martin S.
BERNSTEIN, Douglas C.
BUESSER, Frederick G., III
BURDICK, James W.
CANVASSER, Sue Ann
DAMREN, Samuel C.
DEVINE, Daniel C., Sr.
EGGENBERGER, Robert E.

BLOOMFIELD HILLS
Oakland County
(Continued)

FEMRITE, Marcia E.
FRYHOFF, Timothy T.
GAGE, William C.
GARIEPY, Robert L.
GOETZ, Angus G., Jr.
GOLD, Edward D.
GOLDMAN, Barry
GOOGASIAN, George A.
KANTER, Alan M.
LEITMAN, Bruce T.
LEONARD, Norbert B.
LICHTERMAN, Susan S.
LUJAN, Joseph G.
PAPPAS, Edward H.
PARKER, Joyce E.
ROGERS, John T.
ROY, William A.
SCHEIBLE, Eric D.
SILVER, Kenneth F.
SIMPSON, Thomas C.
STEWART, Jeffrey T.
TEICHER, Mark L.
TOOHEY, Robert E.

BRIGHTON
Livingston County

GARDELLA, Robert C.

BOYNE CITY
Charlevoix County

ARNER, Timothy D.
KLEVORN, Kevin G.

BUCHANAN
Berrien County

DESENBERG, Louis A.

CADILLAC
Wexford County

McCURDY, David S.
PETERSON, David R.

⁵ Deceased.
#Retired or resigned as panelist.
%Inactive panelist.
&All full-time judges removed as hearing panelists.

CENTER LINE
Macomb County

SCHOENHERR-WARNEZ, Florence M.

CHAMPION
Marquette County

HANSEN, Walter L.

CHARLOTTE
Eaton County

SCHLOSSBERG, Allen

CHELSEA
Washtenaw County

FLINTOFT, Peter C.

CLARE
Clare County

TRUCKS, Jay F.

CLARKSTON
Oakland County

BULLARD, Rockwood W., III
CARUSO, Kathryn M.

CLINTON TWP
Macomb County

BOLANOWSKI, Eugene R.
DIXON, Ronald R.
HRIBAR, Robert J.
JANSEN, Wendy A.
McCULLOUGH, Max D.
PUZZUOLI, Joseph P.
RINI, James W.

DEARBORN
Wayne County

VIEGAS, Christine Bernhard
LAKE, Timothy W.
STEVENSON, Constantine
VENDITTELLI, Nicholas J.
WYGONIK, Richard

DEARBORN HEIGHTS
Wayne County

HURWITZ, Miles A.
LEMIRE, John J.
RIVARD, Donald M., Jr.

DETROIT
Wayne County

BAGNO, Anne Warren
BAUMHART, A. David, III
BARTOS, Suzanne P.
BOLDEN, Carl B., Jr.
BOLTON, Robert S.
BROOKS, Keefe A.
BUFFINGTON, Lamont E.
BURGESS, Laurence C.
CALILLE, Albert
CRANMER, Thomas W.
ESSAD, Kenneth M.
CHADWELL, Kenneth R.
COSTELLO, Margaret A.
COTHORN, John A.
DAKMAK, George P.
DINGES, Robert J.
EDWARDS, Sharon-Lee
EISENBERG, Stuart B.
ELLIOTT, Sylvia J.
ENGSTROM, John C.
ESSHAKI, Gene J.
FIELDMAN, Elaine S.
FISCHER, Paul J.
GAZALL, Robert S.
GERSHEL, Alan A.
GRUSKIN, Michael A.
GURWIN, Howard E.
GUSHEE, Richard B.
HAMPTON, Verne C., II
HELLAND, Lynn A.
JACOBS, John P.
JOHNSON, John E., Jr.
JONES, Jeffrey S.[#]
KASIBORSKI, Chester E., Jr.
KITCH, Richard A.
LORENCE, Gerald M.
MacMILLAN, Mary Rose
MANION, Paul J.
MAVEAL, Gary M.
McGRAW, Steve
MILLER, Bruce A.
MILLER, C. David
NIFOROS, Lambro
PAPISTA, Anthea E.
PEREGORD, Jennifer J.
PHILLIPS, Dwight W.
PITTS, Stanley H.
PLUMB, Frederick B.
RODWAN, Gail O.
RONAYNE, John J., III
ROSS, Steven P.
SAUGET, William J.
SCHONBERG, Edward R.
SCOTT, John E. S.
SERYAK, Richard J.
SIMON, Basil T.

DETROIT
Wayne County
(Continued)

SMITH, James A.
SUSSER, Danielle F.
TALON, Lawrence S.
TALON, Marianne G.
TEALL, Graham L.
THOMAS, James C.
TRZCINSKI, Thomas J.
TUKEL, Jonathan
URSO, John R.
VAN HOEK, Dawn A.
WALKER, David R.
WATZA, Michael J.
WELLER, Robert Y., II
WILLIAMS, Avery K.
WIRTH, George N.
WYNNE, James E.
YOTT, Cynthia K.
ZEMMOL, Allen

EAST LANSING
Ingham County

BOSENENBROOK, Arlyn J.
EDGAR, Mary C.
FORESMAN, Raymond J., Jr.
HOOVER, C. Mark
HORNBAACH, Oskar M.
McCARTHY, Robert E.
STROUD, Ted W.

ESCANABA
Delta County

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

FARMINGTON HILLS
Oakland County

ABRAMS, Nina Dodge
AUGUST, Gary K.
BATTERSBY, Michael L.
BERNSTEIN, Samuel I.
BERNSTEIN, Stephen R.
COLTON, Michael W.
FOX, Sharon Mullin
FREILICH, Diane M.
KUHN, Loraine R.
MARVIN, Ronald S.
MATZ, Steven J.
SEIFMAN, Barry A.
WAX, Harvey I.
YOCKEY, Kurt D.
YOCKEY, Michael J.
ZAUSMER, Mark J.

FENTON
Genesee County

MINER, Sharon K. S.

FLINT
Genesee County

BAESSLER, Joseph E.
BARKEY, Brian M.
GOLDSTEIN, Richard M.*
GRIFFIN, Walter P.
HALDY, Ronald L.
HART, Clifford
HENNEKE, Edward G.
KNECHT, Timothy H.
KRELLWITZ, Michael W.
MANGAPORA, Michael J.
PABST, Thomas R.
PIPER, Randolph P.
REISING, H. William
SHULMAN, Leonard B.
SIMMINGTON, Glen M.
SMITH, Alan M.
SPENDER, Steven F.
STREBY, John
TREMBLEY, James J.
TURNAGE, Frank G.
WHEATON, Robin L.

FRANKFORT
Benzie County

McKAY, Joan S.

FRANKLIN
Oakland County

FENTON, Jerome L.
SHULMAN, Marc I.

GAYLORD
Otsego County

BLUMBERG, Elliot J.
COTANT, James C.

GLADWIN
Gladwin County

KRECKMAN, Thomas I.

GRAND BLANC
Genesee County

BUCKLEY-O'NEILL, Kathleen
CARL, Jean P.
CULLARI, Francine
DIESEL, Peter L.
TUCKER, John R.

GRAND HAVEN
Ottawa County

McNALLY, Sheila F.

GRAND RAPIDS
Kent County

BACON, Terrance R.%
BLACK, James G.
BRASIC, Jon J.
COURTADE, Bruce Anthony
DUGAN, Robert J.
EDGAR, Christopher L.
FARR, William S.
FIELDS, Geoffrey A.
KOSTA, Michael J.
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.
SPALDING, Arthur C.
THEIME, R. Kevin
VAN'T HOF, William K.
WALTON, Michael C.
WOOD, Rock A.

GRANDVILLE
Kent County

SMIETANKA, John Allen

GROSSE ISLE
Wayne County

YOUMANS, Edward G.

GROSSE POINTE
Wayne County

FISHER, Dodd B.

GROSSE POINTE FARMS
Wayne County

LIZZA, John B.
WILSON, Edward Reilly, III

HARBOR SPRINGS
Emmet County

RAMER, James T.
SMITH, W. Richard

HARPER WOODS
Wayne County

PESSINA, Cyril C.

HART
Oceana County

PRINCE, Clifford W.

HAZEL PARK
Oakland County

WILSON, Eric S.

HIGHLAND
Oakland County

HICKOX, J. Michael

HOLLAND
Ottawa County

HANN, Donald H.
MARQUIS, John R.
MULDER, Andrew J.

HOUGHTON
Houghton County

DAAVETTILA, Robert T.

HOWELL
Livingston County

CHRISTIAN, Stewart A.
DRICK, Jay R.

IONIA
Ionia County

O'CONNOR, Rex P.

IRONWOOD
Gogebic County

McDONALD, David E., Sr.

JACKSON
Jackson County

BARTON, Bruce A.

KALAMAZOO
Kalamazoo County

BAUCKHAM, John H.
CONTOS, Harry, Jr.
DELEHANTY, Mary E.
FENTON, Stuart L.
GETTING, Jeffrey S.
HAYTER, Karen M.
KNEAS, John W.
LENNON, Robert R.
LEVINE, Sharan Lee
RUSSELL, Gregory W.
RYAN, William J.
SMITH, C. Giles, Jr.
ZAUSNER, Henry T.

KEWADIN
Antrim County

HOUGHTON, Ralph H., Jr.

LANSING
Ingham County

BYERLEY, Thomas K.
CASEY, Nan Elizabeth
DE VINE, Barry F.
DOSTER, Eric E.
EMERY, Lawrence J.
FINK, Joseph A.
FRIEDMAN, Leo H.
HOGAN, Patrick R.
JAMO, James S.
LANCASTER, James R., Jr.
LATTERMAN, Mark A.
LOOSE, John J.
MALLORY, Susan L.
PELOT, Michael J.
REAMON, William G., Jr.
STROPKAI, James L.
TIMMER, Amy
WADDELL, David D.
WARD, James R.

LIVONIA
Wayne County

CUMMINGS, Owen J.
SHERROD, Patricia L.

LUDINGTON
Mason County

ANDREWS, Robert D., Jr.
NICHOLSON, Gary L.

MANISTEE
Manistee County

KELEHER, Dennis L.

MARQUETTE
Marquette County

CASSELMAN, Thomas P.
KEEFE, Ronald D.
PENCE, Steven L.

MEMPHIS
Macomb County

DELEKTA, Diane Hubel

MENOMINEE
Menominee County

BURGESS, Janis M.

METAMORA
Lapeer County

PETERS, Neill T.

MIDLAND
Midland County

HANDLON, Richard M.
HEINS, Sharon S.
MADDOX, Mark R.
MORRIS, Patricia T.

MONROE
Monroe County

ZAGORSKI, Maria

MONTAGUE
Oceana County

ROSE, James M.

MOUNT CLEMENS
Macomb County

ANDERSON, Philip J.
FINAZZO, Lori J.
GLIME, Raymond G.
KAPLAN, Steven M.
LEGGHIO, Brian M.
RUSSELL, Karen
WYSS, William A.

MOUNT PLEASANT
Isabella County

BLOEM, Gordon M.
THOMPSON, William R.

MUSKEGON
Muskegon County

BALGOOYEN, Fredric F.
BLEAKLEY, Frederick W.
BOSSENBROEK, David L.
CHESSMAN, Robert O.
KOLENIC, Anthony J., Jr.
NEAL, Gary T.
SNIDER, I. John, II

NEGAUNEE
Marquette County

KOCH, Kevin Wm.

NILES
Berrien County

SMITH, Peter W.

NORTHVILLE
Wayne County

THOMAS, Cynthia G.

NOVI
Oakland County

KOHL, David D.

OKEMOS
Ingham County

BEHAN, Michael R.
BEHAN, Raymond R.
LOVIK, Mary M.
McLEOD, Ian C.
SUHRHEINRICH, Richard J.
ZULAKIS, George

ORCHARD LAKE
Oakland County

EISENBERG, Marsha Katz

OXFORD
Oakland County

BUNTING, Robert L.

PARCHMENT
Kalamazoo County

HATCH, H. Van Den Berg

PAW PAW
Van Buren County

DUBAY, Mark D.
SCHUITMAKER, Harold G.

PETOSKEY
Emmet County

BUCKINGHAM, Michael B.
MURRAY, James J.
STROUP, Nathaniel W.
TRESIDDER, Stephen J.
WURSTER, Joel D.

PLYMOUTH
Wayne County

JORDAN, Brian J.

PONTIAC
Oakland County

LOWENTHAL, Betty L.
STERLING, J. Robert

PORT HURON
St. Clair County

BANKSON, S. Keith
HILL, Steven L.
KELLY, Charles G.
LANE, Cynthia A.
McNAMEE, John B.
STAIGER, Frank O., Jr.
WHIPPLE, David C.

PRUDENVILLE
Roscommon County

MEIRING, Ronald C.

ROCHESTER
Oakland County

BALIAN, Michael J.
COLBERT, James P.
COX, Arthur R.

ROYAL OAK
Oakland County

LERNER, Joshua A.
MARTENS, William L.

SAGINAW
Saginaw County

CHAKLOS, Robert G., Sr.
COLLISON, Charles C., Sr.
MOSSNER, Eugene D.
SMITH, Lawrence William, Jr.

ST. CLAIR SHORES
Macomb County

GARVEY, Paul T.
GARVEY, Robert F.
MERRY, Cynthia E.
SHATZMAN, Pearl P.
SIEGAN, Renee S.

ST. JOSEPH
Berrien County

ANDERSON, Kevin S.
BURDICK, Carl R.
CONYBEARE, Bruce C.
DEWANE, John E.
KRAGT, Timothy A.
PETERSON, David M.
STRAUB, James M.
TAGLIA, Paul A.

SAUGATUCK
Allegan County

OYLER, W. Tedd

SAULT STE. MARIE
Chippewa County

VEUM, Thomas J.

SHELBY TWP.
Macomb County

WOMACK, P. Douglas, Jr.

SOUTHFIELD
Oakland County

ACKER, Gerald H.
ANTONE, N. Peter
APPEL, Jeffrey S.
AUGER, Cheryl J.
BENSON, Gail S.
BRUKOFF, William M.
COLLINS, Morton B.
CUTLER, Donald M.
GOODMAN, Barry J.
GROFFSKY, Richard L.
JACOBS, Mark S.
KINSLEY, Stephen L.
KRATCHMAN, D. Michael
LASSER, Marshall D.
LINDEN, Howard T.
LOWER, Lynn L.
THURSWELL, Gerald E.
TRIST, Brent S.
TURNER, Lee I.
WALLACH, Howard I.
WARSH, Richard L.
WEINER, Cyril V.
WILLIS, Robert L., Jr.
WOLOCK, Steven M.

STERLING HEIGHTS
Macomb County

CARDAMONE, Emil E.
COLMAN, Neil M.
GOLDSTEIN, Ronald A.
GOODMAN, Mark D.
KATZ, Lawrence S.
LASCOE, John S.
SCHOENHERR, Craig S., Sr.

SYLVAN LAKE
Oakland County

CHARTRAND, Douglas A.
RONAYNE, Colleen V.
RYAN, Thomas J.

TECUMSEH
Lenawee County

COOPER, David J.

THREE RIVERS
St. Joseph County

TUCKER, Theodore J.#

TRAVERSE CITY
Grand Traverse County

ASSENDELFT, Barbara A.
BICKEL, Mark P.
BIMBER, Frederick R.
BUDROS, Barbara D.
CHRISTOPHERSON, James A.
FISHER, Joseph C.
STARK, Harry S.

TROY
Oakland County

ACKERMAN, Alan T.
BAIERS, James E.
BARKER, Lori A.
BASILE, Andrew R.
BINKLEY, David A.
BOOKHOLDER, Ronald W.
FABRIZIO, Joseph J.
HOHAUSER, Michael S.
HUDSON, Clarence L.
HUTSON, Michael W.
KELLY, Dale F.
KUPLICKI, Francis P.
LANGE, Craig W.
LEWIS, Michael B. %
MANTESE, Gerard V.
MILIA, Robert P.
MORROW, Raymond L.
NOVAK, Richard A., Jr.
SAWYER, Thomas G.
SELLERS, Jacqueline H.
STEFANI, Michael L.
STERLING, Raymond J.
TALARICO, Paula M.
TARTT, Tyrone Chris
THOMAS, Joseph W.

WARREN
Macomb County

CAPUTO, Anthony J.
GUERRIERO, Timothy M.
HEWSON, James F.

WEBBERVILLE
Livingston County

COX, Joseph C.

WEST BLOOMFIELD
Oakland County

KUTHY, Douglas E.
SALTZMAN, Shirley A.

YPSILANTI
Washtenaw County

DODD, Gregory L.
EGGAN, Andrew M.
MURPHY, John J.
VINCENT, Michael J.

ZEELAND
Ottawa County

HOESCH, Kenneth W.