

STATE OF MICHIGAN

2022-Apr-20

# Attorney Discipline Board

## General Order ADB 2022-1 Regarding Operations in Light of COVID-19

Issued by the Attorney Discipline Board  
333 W. Fort St., Ste. 1700, Detroit, MI

The number of new Coronavirus Disease 2019 (COVID-19) cases in Michigan has dropped dramatically in recent weeks and public health measures in the State of Michigan have been substantially relaxed. Our General Order ADB 2021-1 stated:

The Board shall continue to monitor orders adopted by the Michigan Supreme Court and the State of Michigan, the policies adopted by other courts and discipline agencies across the nation, and public health pronouncements by all levels of government, and will issue further orders and directives as further developments occur.

In light of the decreased threat from the pandemic, and after consideration of local and federal public health guidelines to determine appropriate protocols for conducting proceedings, General Order ADB 2021-1 is rescinded, effective immediately. In light of the recent experience of the Board and its hearings panels, the courts, and other tribunals, the continued use of videoconferencing technology by the panels and the Board is encouraged and may be used, as appropriate, to secure the just, speedy, and economical determination of proceedings before the Board and its hearing panels. MCR 1.105; MCR 9.102(A). Accordingly, the extent to which a disciplinary proceeding will be conducted virtually or in-person is within the discretion of the Hearing Panel assigned to the proceeding or, with respect to review proceedings, the Board.

Pursuant to MCR 9.115(I)(3), MCR 2.407, and MCR 9.102(A), a hearing panel may, at the request of any participant, or sua sponte, allow the use of videoconferencing technology by any or all participants in a discipline proceeding before the panel. In determining in a particular case whether to permit the use of videoconferencing technology and the manner of proceeding with videoconferencing, the panel should consider the factors set forth in MCR 2.407(C)(1)-(13), and shall provide an opportunity for the participants to address the issue.

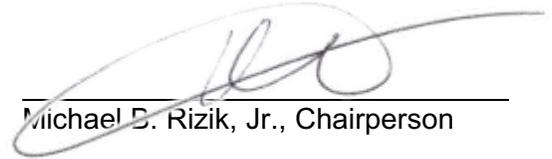
Consistent with MCR 8.110(C)(3)(i), hearing panels and the Attorney Discipline Board will continue to take reasonable measures to avoid exposing participants in disciplinary proceedings, Board employees, and the general public to COVID-19 where necessary or advisable. Hearing panels shall also consider the health concerns of anyone involved in the proceedings, including the parties, counsel, witnesses, court reporters, and hearing panel members, and whether safety measures would be necessary based upon

the location of the hearing (using state and local guidelines), including but not limited to: masks, health screenings, social distancing, and/or proof of vaccinations.

The Board shall continue to monitor conditions, including risk level metrics and other data, orders adopted by the Michigan Supreme Court and the State of Michigan, the policies adopted by other courts and discipline agencies across the nation, and public health pronouncements by all levels of government, and will issue further orders and directives as further developments occur.

**ATTORNEY DISCIPLINE BOARD**

By:



Michael D. Rizik, Jr., Chairperson

DATED: April 20, 2022