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NOTICE OF DISBARMENT AND RESTITUTION

Case No. 21-43-GA

Notice Issued: December 8, 2021

Douglas A. McKinney, P 35430, Auburn Hills, Michigan, by the Attorney Discipline Board
Tri-County Hearing Panel #51

Disbarment - Effective December 2, 2021¹

After proceedings conducted pursuant to MCR 9.115, the panel found, by default, that respondent committed professional misconduct as charged in a seven-count Formal Complaint filed against respondent in his continued representation of clients, filing of pleadings and his appearance in multiple courts after the suspension of his license to practice law in Michigan; knowingly disobeyed an obligation under the rules of a tribunal by failing to comply with a court order to pay an arrearage of child support and court fines; and failed to answer seven requests for investigation.

Based on the Administrator's argument, the exhibits, and respondent's default, the panel found that, with respect to Count One, respondent knowingly disobeyed an obligation under the rules of a tribunal, in violation of MRPC 3.4(c); engaged in conduct which was in violation of the Rules of Professional Conduct, in violation of MRPC 8.4(a) and MCR 9.104(4); engaged in conduct that was prejudicial to the administration of justice, in violation of MRPC 8.4(c) and MCR 9.104(1); engaged in conduct that exposed the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2); and engaged in conduct that was contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3).

With regard to Counts Two and Three, the hearing panel found that respondent practiced law, in violation of MCR 9.119(E)(1); held himself out as an attorney, in violation of MCR 9.119(E)(4); practiced law while not licensed to do so, in violation of MRPC 5.5(a); engaged in conduct which was in violation of the Rules of Professional Conduct, in violation of MRPC 8.4(a) and MCR 9.104(4); engaged in conduct which involved dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law, where such conduct reflected adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b); engaged in conduct that was prejudicial to the administration of justice, in violation of MRPC 8.4(c) and MCR 9.104(1); engaged in conduct that exposed the legal profession or the courts to obloquy, contempt,

¹ Respondent has been continuously suspended from the practice of law in Michigan since September 3, 2021. See Notice of Interim Suspension Pursuant to MCR 9.115(H)(1), dated September 3, 2021.

censure, or reproach, in violation of MCR 9.104(2); and engaged in conduct that was contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3).

With regard to Counts Four and Five, the hearing panel found that respondent engaged in the misconduct recited in Counts Two and Three above; that he had contact with clients, in violation of MCR 9.119(E)(2); and, that he appeared as an attorney before a court or judge, in violation of MCR 9.119(E)(3).

As to Count Six, the hearing panel found that respondent charged an illegal fee, in violation of MRPC 1.5(a); accepted a new retainer after being suspended from the practice of law, in violation of MCR 9.119(D); practiced law, in violation of MCR 9.119(E)(1); had contact with clients, in violation of MCR 9.119(E)(2); appeared as an attorney before a court or judge, in violation of MCR 9.119(E)(3); held himself out as an attorney, in violation of MCR 9.119(E)(4); practiced law while not licensed to do so, in violation of MRPC 5.5(a); engaged in conduct which was in violation of the Rules of Professional Conduct, in violation of MRPC 8.4(a) and MCR 9.104(4); engaged in conduct which involved dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law, where such conduct reflected adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b); engaged in conduct that was prejudicial to the administration of justice, in violation of MRPC 8.4(c) and MCR 9.104(1); engaged in conduct that exposed the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2); and engaged in conduct that was contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3).

As to Count Seven, the hearing panel found that respondent knowingly failed to timely respond to a lawful demand for information from a disciplinary authority, in violation of MRPC 8.1(a)(2); failed to timely answer a request for investigation, in violation of MCR 9.104(7) and MCR 9.113(A) and (B)(2); and engaged in conduct that violated the standards or rules of professional responsibility adopted by the Supreme Court, in violation of MCR 9.104(4) and MRPC 8.4(a).

The panel ordered that respondent be disbarred from the practice of law and that he pay restitution in the total amount of \$500.00. Total costs were assessed in the amount of \$2,011.67.