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NOTICE OF SUSPENSION WITH CONDITIONS

Case No. 18-10-GA

Notice Issued: April 3, 2020

Patricia Kefalas Dudek, P 46408, Farmington Hills, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #108.

Suspension - 90 Days, Effective March 30, 2020.

After proceedings in accordance with MCR 9.115 and based on the evidence presented by the parties at the hearings held in this matter, the hearing panel found that respondent committed professional misconduct when she negligently failed to ensure that appropriate contributions were being made to her employees' retirement accounts; misused her IOLTA account; and failed to timely reimburse a client who had prepaid attorney fees in a social security disability matter.

The panel found by stipulation of the parties that respondent charged and collected an illegal or clearly excessive fee, in violation of MRPC 1.5(a); as a lawyer having direct supervisory authority over a non-lawyer, failed to make reasonable efforts to ensure that a non-lawyer's conduct was compatible with the professional obligations of the lawyer, in violation of MRPC 5.3(b); held funds other than client or third person funds in an IOLTA, in violation of MRPC 1.15(a)(3); failed to hold property of clients or third persons in connection with a representation separate from her own property, in violation of MRPC 1.15(d); deposited her own funds in an IOLTA in excess of the amount reasonably necessary to pay financial institution services charges or fees or to obtain a waiver of service charges or fees, in violation of MRPC 1.15(f); failed to timely refund an unearned fee, in violation of MRPC 1.16(d); and violated SSA §206 [42 U.S.C. 406] (a)(2)(A) for fee agreements, when she collected a fee in excess of the maximum fee specified in the agreement approved by SSA. Respondent was also found to have violated MCR 9.104(1)-(4) and MRPC 8.4(a) and (c).

The panel ordered that respondent's license to practice law be suspended for a period of 90 days and that she be subject to conditions relevant to the established misconduct. Total costs were assessed in the amount of \$3,238.99.

/s/ Mark A. Armitage
Executive Director