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NOTICE OF DISBARMENT

Case Nos. 22-3-GA; 22-93-GA

Notice Issued: April 30, 2024

Jennifer Michelle Paine, P 72037, Novi, Michigan

Disbarment, Effective May 20, 2023¹

After proceedings conducted pursuant to MCR 9.115, Tri-County Hearing Panel #59 found, based on respondent's admissions to all of the misconduct set forth in both formal complaints, that respondent committed professional misconduct during her representation of four different clients in their respective divorce and post-judgment divorce matters, while representing a client in adoption proceedings and in her own criminal matter after she was charged with driving while license suspended in a matter filed in the 53rd District Court.

Based upon respondent's admissions, the panel found that, as set forth in Count One of Formal Complaint 22-3-GA, respondent failed to deposit and maintain the tax refund check into a client trust account until her dispute over fees with her client was resolved, in violation of MRPC 1.15(c); failed to hold the property of her client or third persons in connection with a representation separate from her own property by not depositing the check into a client trust account, but rather commingling the funds by depositing them into her own personal checking account, in violation of MRPC 1.15(d); engaged in conduct involving dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law, where such conduct reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b); engaged in conduct that 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).

¹ On October 25, 2022, an order of suspension pursuant to MCR 9.115(F)(1) [failure to appear], was entered by the panel suspending respondent's license, effective November 1, 2022, and until further order of the panel or the Board. On November 22, 2022, the panel granted respondent's emergency petition for reinstatement and set aside the October 25, 2022, order. (See Notice Vacating Interim Suspension and Notice of Reinstatement, issued November 22, 2022.) On December 6, 2022, an order of interim suspension was re-entered, suspending respondent's license, effective December 13, 2022. (See notice of interim suspension, issued December 14, 2022.)

As set forth in Count Two of Formal Complaint 22-3-GA, the panel found that respondent engaged in a conflict of interest by representing two adverse parties without proper consultation for consent, in violation of MRPC 1.7; engaged in a conflict of interest by providing financial assistance to a client, in violation of MRPC 1.8(e); engaged in conduct that 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).

As set forth in Count Three of Formal Complaint 22-3-GA, the panel found that respondent engaged in incompetent representation, in violation of MRPC 1.1(a); neglected a legal matter entrusted to her, in violation of MRPC 1.1(c); made false statements of material fact to a tribunal, in violation of MRPC 3.3(a)(1); failed to make reasonably diligent efforts to comply with a legally proper discovery request by opposing party, in violation of MRPC 3.4(d); made false statements of material fact to the opposing attorney, in violation of MRPC 4.1; engaged in conduct involving dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law, where such conduct reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b); engaged in conduct that 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).

As set forth in Count Four of Formal Complaint 22-3-GA, the panel found that respondent neglected a legal matter entrusted to her, in violation of MRPC 1.1(c); failed to act with reasonable diligence and promptness in representing her client, in violation of MRPC 1.3; failed to keep her client reasonably informed about the status of her matter and comply promptly with reasonable requests for information, in violation of MRPC 1.4; failed to protect her client's legal interests by refunding unearned fees, or providing the client with the client file, in violation of MRPC 1.16(d); engaged in conduct involving dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law, where such conduct reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b); engaged in conduct that was in violation of the Rules of Professional Conduct, in violation of MRPC 8.4(a) and MCR 9.104(4); and 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 set forth in Count Five of Formal Complaint 22-3-GA, the panel found that respondent neglected a legal matter entrusted to her, in violation of MRPC 1.1(c); failed to keep her client reasonably informed about the true status of the matter, in violation of MRPC 1.4(c); charged and attempted to collect a clearly excessive fee on work that was not performed, in violation of MRPC 1.5(a); refused to withdraw after being discharged, in violation of MRPC 1.16(a)(3); failed to make reasonable efforts to expedite litigation consistent with the interest of her client, in violation of MRPC 3.2; engaged in conduct involving dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law, where such conduct reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b); engaged in conduct that 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).

As set forth in Count Six of Formal Complaint 22-3-GA, the panel found that respondent violated a criminal law, in violation of MCR 9.104(5); knowingly disobeyed an obligation under the rules of a tribunal by driving her car to court while her license was suspended, in violation of MRPC 3.4(c); engaged in conduct involving dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law, where such conduct reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b); engaged in conduct that 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); and engaged in conduct that exposed the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2).

As set forth in Count One of Formal Complaint 22-93-GA, the panel found that respondent engaged in incompetent representation, in violation of MRPC 1.1(a); neglected a legal matter entrusted to her, in violation of MRPC 1.1(c); failed to act with reasonable diligence and promptness in representing her clients, in violation of MRPC 1.3; knowingly disobeyed obligations under the rules of a tribunal, in violation of MRPC 3.4(c); engaged in conduct that 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).

As set forth in Count Two of Formal Complaint 22-93-GA, the panel found that respondent engaged in incompetent representation, in violation of MRPC 1.1(a); neglected a legal matter entrusted to her, in violation of MRPC 1.1(c); failed to act with reasonable diligence and promptness in representing her client, in violation of MRPC 1.3; failed to keep her client reasonably informed about the status of the matter, in violation of MRPC 1.4(a); engaged in undignified or discourteous conduct toward the tribunal, in violation of MRPC 3.5(d); engaged in conduct involving dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law, where such conduct reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b); engaged in conduct that 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).

The hearing panel ordered that respondent be disbarred. Respondent filed a timely petition for review and, after conducting review proceedings in accordance with MCR 9.118, the Board affirmed the panel's order of disbarment. Costs were assessed in the amount of \$3,070.88.