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NOTICE OF DISBARMENT AND RESTITUTION

(Pending Review)

Case No. 18-130-GA

Notice Issued: October 30, 2020

James S. Lawrence, P 33664, Mt. Clemens, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #101.

Disbarment, effective June 11, 2020

The Grievance Administrator filed a formal complaint which alleged that respondent committed professional misconduct in his representation of a client seeking relief from judgment of a 1981 conviction for 1st degree felony murder. Based on respondent's amended answer to the complaint, the Grievance Administrator filed a motion for summary disposition requesting a finding of misconduct based on MCR 2.116(C)(10), as there was no genuine issue of material fact presented by respondent's answer. Respondent did not contest the motion, thus the hearing panel entered an order granting summary disposition as to the allegations of professional misconduct set forth in the formal complaint in its entirety.

The panel found that respondent failed to promptly pay or deliver funds which a client or third person were entitled to receive, in violation of MRPC 1.15(b)(3); failed to hold property of clients or third persons in connection with a representation separate from the lawyer's own property, in violation of MRPC 1.15(d); failed to deposit legal fees and expenses that were paid in advance into a client trust account, in violation of MRPC 1.15(g); and withdrew fees paid in advance prior to earning the fees, in violation of MRPC 1.15(g). Respondent was also found to have violated MRPC 8.4(b) and MCR 9.104(1)-(3).

The panel ordered that respondent's license to practice law be suspended for a period of 100 days, that he pay restitution in the total amount of \$2,000, and that he be subject to conditions relevant to the established misconduct. The Grievance Administrator filed a petition for review, seeking an increase in discipline. Upon review, the Board issued an order increasing discipline from a suspension of 100 days to a disbarment, affirming the restitution provision and vacating the conditions imposed by the hearing panel. On October 23, 2020, respondent filed a timely application for leave to appeal with the Michigan Supreme Court, which is pending before the Court.

/s/ Mark A. Armitage
Executive Director