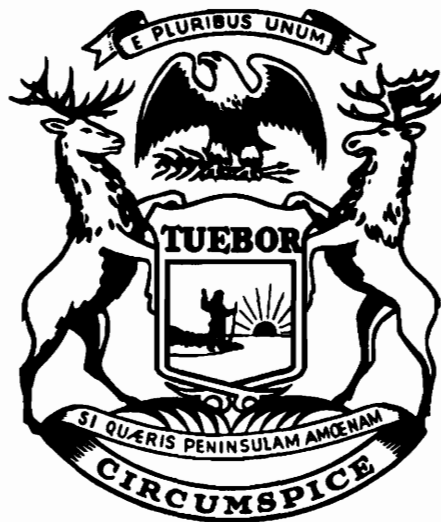


STATE OF MICHIGAN

Attorney Discipline Board and Attorney Grievance Commission

2012 JOINT ANNUAL REPORT



Attorney Discipline Board
211 W. Fort Street, Suite 1410
Detroit, MI 48226-3236
(313) 963-5553 Telephone
(313) 963-5571 Fax
www.adbmich.org

Attorney Grievance Commission
535 Griswold Street, Suite 1700
Detroit, MI 48226-3259
(313) 961-6585 Telephone
www.agcmi.com

Michigan Attorney Grievance Commission

Annual Report

January 1, 2012 to December 31, 2012

**Robert L. Agacinski
Grievance Administrator**

**Robert E. Edick
Deputy Administrator**

**535 Griswold St., Ste. 1700
Detroit, MI 48226-3259**

Attorney Grievance Commission Members
(as of December 31, 2012)

David L. Porteous, Chairperson
Reed City, MI

Barbara B. Smith, Vice Chairperson
Bloomfield Hills, MI

Charles S. Kennedy III, Secretary
Royal Oak, MI

Rozanne Sedler, Member*
Southfield, MI

Rev. Douglas Ward Gallagher, Member*
Beverly Hills, MI

Jeffrey T. Neilson, Member
Bloomfield Hills, MI

Pastor R. B. Ouellette, Member*
Saginaw, MI

Wanda M. Stokes, Member
Lansing, MI

Martha M. Snow, Member
Canton, MI

*denotes non-lawyer member

Attorney Grievance Commission Staff

**Robert L. Agacinski, Grievance Administrator
Robert E. Edick, Deputy Administrator**

**Cynthia C. Bullington, Assistant Deputy Administrator
Nancy L. MacKenzie, Office Manager**

Associate Counsel: Wendy A. Neeley
Ruthann Stevens
Stephen P. Vella
Patrick K. McGlenn
Frances A. Rosinski
Emily A. Downey
Kimberly L. Uhuru
Nancy R. Alberts
Dina P. Dajani
Rhonda Spencer Pozehl
Todd A. McConaghy
John K. Burgess

Investigators: Roger Schutter
Thomas Turkaly
Rhonda Warner

Asst. Office Manager: Marissa Laroque

Paralegal: Lizabeth Hardy

Investigative Assistants: Corinne Adcock
Jason Miciuda

Secretaries: Jane Brown
Yulanda Burgess
Sabrina Cornell
Misty Primeau
Demetra Shaw
Charlene Varacalli

Clerks: Rosa Fernandez
Monica Garza
Barbara Todd

Receptionist: Gina Jaafar

State of Michigan
Attorney Grievance Commission
Annual Report
January 1, 2012 – December 31, 2012

Overview

The Attorney Grievance Commission was established by the Michigan Supreme Court on October 1, 1978, succeeding the former State Bar Grievance Board. The Commission acts as the prosecution arm of the Supreme Court for the discharge of its constitutional responsibility to supervise and discipline Michigan attorneys. The Commission exercises state-wide jurisdiction and is located in Detroit.

Commission Composition

The Commission consists of nine members, all appointed by the Supreme Court, who serve on a voluntary basis. There are six attorneys and three laypeople. Effective October 1, 2012, the Commission is comprised of David L. Porteous, Esq. (Chairperson), Barbara B. Smith, Esq. (Vice-Chairperson), and Charles S. Kennedy, III, Esq. (Secretary), with Members Rozanne Sedler, Rev. Douglas Ward Gallagher, Jeffrey T. Neilson, Esq., Pastor R.B. Oullette, Wanda Stokes, Esq., and Valerie R. White, Esq.

The Grievance Administrator's Staff

The Grievance Administrator and Deputy Administrator are appointed by the Supreme Court pursuant to MCR 9.111. The Grievance Administrator is empowered by MCR 9.111 to hire legal and support staff. Grievance Administrator Robert L. Agacinski and Deputy Administrator Robert E. Edick have thirteen attorneys under their supervision and a complement of seventeen support staff. Additionally, the Commission accepts law students for the legal intern program in connection with their law school.

The legal staff at the Commission is well-experienced in disciplinary matters. Counting the Grievance Administrator and Deputy Administrator, eleven of the fifteen attorneys have been on staff at least ten years, and all attorneys have been on staff at least five years. The staff attorneys also bring a wide variety of experience to their work on disciplinary matters. The Grievance Administrator similarly enjoys an experienced support staff providing a wide range of administrative, secretarial, technical, and investigative assistance.

Commission Procedure

The attorney discipline process is governed by Subchapter 9.100 of the Michigan Court Rules. The disciplinary process is normally initiated when a Request for Investigation is filed with the Administrator against an attorney, or when the Administrator commences an investigation in his/her name.

Upon the filing of a Request for Investigation, the Grievance Administrator must determine whether there exists a *prima facie* allegation of professional misconduct. The Request for Investigation may be rejected by the Grievance Administrator on its face or after preliminary investigation and/or analysis by the Intake Unit, or it may be assigned to a staff counsel for a full investigation. Common investigative procedures include legal research and analysis, witness interviews, and/or procurement of court records or banking records. When the investigation is concluded, the Grievance Administrator submits the investigative file to the Commission for their review and disposition.

On each investigative file, the Grievance Administrator, through his/her staff attorneys, recommends to the Commission that: (1) the matter be closed as there is insufficient evidence of professional misconduct to sustain the burden of proof at a disciplinary proceeding; (2) the respondent attorney be placed on contractual probation pursuant to MCR 9.114 and MCR 9.115; (3) the respondent attorney be admonished, with his or her acceptance and consent; or (4) authority be granted to file a formal complaint against the respondent attorney for allegations of professional misconduct.

Investigations

During 2012, the Commission docketed 2,901 Requests for Investigation, or grievances. Table 1 below details the number of grievances docketed for 2012, with a breakdown of the disposition of files by the Commission for the same time frame. The dispositions include grievances dismissed by the Grievance Administrator pursuant to MCR 9.112(C)(1)(a) and MCR 9.114(A)(1); grievances closed by the Commission; admonitions issued by the Commission; contractual probations approved by the Commission; and individual grievances approved by the Commission for the filing of a formal complaint.

Table 1 – Disposition of grievances, 2012

grievances received	grievances disposed	rejected by the GA or closed in Intake	closed by the AGC	admonishments	contractual probation	grievances approved for formal complaint
2,943	2,980	2,355	228	162	30	205

The dispositions of grievances for a particular year are not necessarily dispositions of the grievances filed for that year. The dispositions for 2012 may include grievances from previous years, and some of the 2012 grievances were pending on January 1, 2013.

The number of individual grievances approved by the Commission for the filing of a formal complaint will not correlate directly to the number of new formal complaints filed with the Attorney Discipline Board. Multiple grievances against a single Respondent, all of which have been approved for prosecution, may be, and often are, consolidated in a single complaint for purposes of efficiency and judicial economy.

Table 2 reflects that the areas of practice most likely to lead to a grievance are criminal law, domestic relations, probate, and personal injury law.

Table 2 – Subject matter most prevalent in grievances, 2012

subject matter	% of total grievances
criminal law	29
domestic relations	14
probate law	7
personal injury law	6
commercial litigation	5
bankruptcy law	4
real estate transactions	3
Insurance law	2
employment/labor law	2

Prosecutions and other litigation

A. Disciplinary litigation.

When the Commission authorizes that a prosecution be commenced, a formal complaint is filed with the Attorney Discipline Board (ADB) setting forth the alleged misconduct, pursuant to MCR 9.115. The matter is scheduled before a hearing panel of the ADB. Upon the conclusion of the hearing, the Grievance Administrator, the respondent, and the Complainant all possess the right to appeal to the ADB. Further appeals may be taken by leave to the Supreme Court.

The Grievance Administrator alone is empowered by MCR 9.120 to initiate Judgment of Conviction (JOC) proceedings against attorneys who are convicted of a crime. These proceedings are show cause proceedings in which the level of discipline is the principal issue. Attorneys who are convicted of a felony are automatically suspended from the practice of law until a hearing panel of the ADB has issued a final order of discipline. Attorneys who are convicted of misdemeanors are not automatically suspended. The Grievance Administrator will regularly file a JOC proceeding for a felony conviction, while exercising discretion in initiating a JOC proceeding for a misdemeanor conviction.

Attorneys who are disciplined in other jurisdictions (state or federal) will be subject to a reciprocal discipline proceeding initiated by the Grievance Administrator pursuant to MCR 9.104(B). These proceedings, like JOC proceedings, resemble a show cause proceeding in which the principal issues are whether the attorney received due process in the underlying litigation and whether a reciprocal discipline should be imposed.

Michigan judges who have discipline recommended against them by the Judicial Tenure Commission (JTC) may be subject to a formal complaint under MCR 9.116. The discretion to file such a complaint rests with the Commission.

The Grievance Administrator also is a party in ADB reinstatement proceedings initiated by attorneys who have been suspended for more than 180 days. The burden of proof is on the attorney to establish his or her fitness by clear and convincing evidence. These proceedings are often contested.

The annual ADB report provides great detail and explanation of these proceedings and their outcomes. However, these proceedings are only part of the full picture of proceedings in which the AGC is a party.

B. Litigation outside of the disciplinary system

The Grievance Administrator may be involved in federal district court reinstatement proceedings. The District Court for the Eastern District of Michigan automatically suspends any lawyer who receives a suspension or revocation and who is also a member of its bar. That attorney must petition for reinstatement, regardless of the length of suspension. The court routinely appoints the Administrator as an interested

party to provide information and assistance. In 2012, the Administrator was appointed 14 times by the Eastern District Court for their reinstatement proceedings.

Further, the Eastern District now routinely appoints the Grievance Administrator to prosecute disciplinary proceedings within the Eastern District Court, pursuant to their local rules.

The Grievance Commission is a party in superintending control¹ filings with the Michigan Supreme Court by complainants who take issue with the Administrator's or the Commission's decision on an investigative file. For 2012, 12 such complaints were filed with the Court. The Grievance Administrator also has a long-standing policy of accepting requests for reconsideration of files closed by the Administrator through the Intake Unit. This process acts as a quality control measure while also providing further accountability to complainants. Upon the receipt of a request for reconsideration, a senior attorney will review the file and the request to determine whether an issue or a relevant fact was overlooked by the Intake Unit or the Commission, or whether new information is provided that could change the analysis or outcome of the matter. If such information is provided, then the file may be reopened for further investigation and analysis. For the year 2012, approximately 550 such requests were received.

Respondent-attorneys who fail to comply with their orders of discipline may be subject to a show cause proceeding filed by the Grievance Administrator in circuit court, pursuant to MCR 9.115(l)(2).² Often these proceedings have been necessitated by respondent-attorneys who fail to pay the restitution and costs that were contained in the order of discipline.

Receiverships, under MCR 9.119(G), to protect clients of deceased, incapacitated, and absconded attorneys have increased over the last few years. The Grievance Administrator may file with a circuit court a petition for a receivership. When there is no potential conflict, the Grievance Administrator acts as receiver, or co-receiver with the assistance of a local attorney, for the files of the subject attorney. A work-intensive process follows in which the files are identified, cataloged, and prioritized between pending and closed. Letters are sent and phone calls are placed to clients advising of the receivership, and advising that the attorney is no longer available and that the file will be provided, at their request. Courts, in which matters are identified as pending, are contacted so that the attorney's non-appearance does not prejudice the client. Mail is received and forwarded to the appropriate file and client. When necessary, bank accounts are taken so that claims may be made for refunds or distributions. For 2012, the Grievance Administrator commenced 9 new receiverships and provided substantial

¹ MCR 7.304(A) provides that a petition for superintending control may be filed to implement the Court's superintending control over the Board of Law Examiners, the Attorney Discipline Board, or the Attorney Grievance Commission.

² Usually, such allegations are first brought within the disciplinary system via a show cause proceeding before a hearing panel, wherein greater discipline or other relief is sought. However, the rules do permit circuit court show cause proceedings as well.

assistance and guidance in numerous matters so as to avoid the necessity of commencing a receivership.

Pro Hac Vice

Effective 2008, MCR 8.126 was adopted to cover pro hac vice admissions. The Michigan Supreme Court tasked the AGC with the processing of these requests. An applicant is required to file the proper documentation and form, along with a \$135 fee (a fee equal to the discipline and client-protection portions of a bar member's annual dues). The AGC is given seven (7) days to verify whether the applicant has been granted limited admission in the last 365 days and, if so, the number of such appearances, and then to notify the court, administrative agency or tribunal, or arbitrator of the finding.

In 2012, there were 757 pro hac vice applications, with total costs paid by out-of-state attorneys reaching \$100,150.00. The Pro Hac Vice program at the AGC, overseen by Senior Associate Counsel Dina P. Dajani, has been a total success in efficiency and accuracy.

Funding

The Attorney Grievance Commission is entirely funded by a yearly assessment paid by each Michigan lawyer with their State Bar dues. The yearly assessment is set by the Supreme Court. In the fiscal year ending September 30, 2012, the Commission's actual expenditures were \$4,015,739.

Conclusion

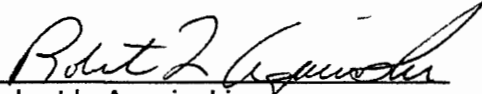
The past year reflected the ongoing changes in the attorney discipline process. The mission continues to be to protect the public and improve the quality of the bar. To accomplish this, the work of the Commission, the Grievance Administrator, and the staff goes well beyond the investigation and prosecution of attorneys.

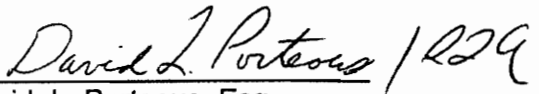
For further information regarding the Attorney Grievance Commission, please contact:

Attorney Grievance Commission
535 Griswold St., Ste. 1700
Detroit, MI 48226-3259

Telephone: (313) 961-6585

www.agcmi.com


Robert L. Agacinski
Grievance Administrator


David L. Porteous, Esq.
Chairperson, AGC

STATE OF MICHIGAN

Attorney Discipline Board

2012 Annual Report

January 1, 2012 to December 31, 2012

211 W. Fort St., Suite 1410
Detroit, MI 48226-3236

Telephone: (313) 963-5553
Facsimile: (313) 963-5571

www.adbmich.org

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STATE OF MICHIGAN
ATTORNEY DISCIPLINE BOARD MEMBERS (2012)

THOMAS G. KIENBAUM, of Birmingham, Chairperson
Term Expires: September 30, 2013

JAMES M. CAMERON, JR., of Ann Arbor, Vice-Chairperson
Term Expires: September 30, 2015

SYLVIA P. WHITMER, Ph.D,[†] of West Bloomfield, Secretary
Term Expires: September 30, 2015

ROSALIND E. GRIFFIN, M.D.,[†] of Farmington Hills
Term Expires: September 30, 2013

CARL E. VER BEEK, of Grand Rapids
Term Expires: September 30, 2014

CRAIG H. LUBBEN, of Kalamazoo
Term Expires: September 30, 2014

LAWRENCE G. CAMPBELL, of Detroit
Term Expires: September 30, 2014

DULCE M. FULLER,[†] of Birmingham
Term Expires: September 30, 2014

LOUANN VAN DER VIELE, of Auburn Hills
Term Expires: September 30, 2015

[†] Non-Lawyer Member

ATTORNEY DISCIPLINE BOARD STAFF (2012)

JOHN F. VAN BOLT
Executive Director

MARK A. ARMITAGE
Deputy Director

SHERRY MIFSUD
Office Administrator

JENNIFER M. PETTY
Legal Assistant/Webmaster

KATHY LEAL-PAREDES
Case Manager

ALLYSON M. PLOURDE
Case Manager

JULIETTE M. LOISELLE
Receptionist/Secretary

STATE OF MICHIGAN
ATTORNEY DISCIPLINE BOARD
ANNUAL REPORT

January 1, 2012 - December 31, 2012

Organization and Composition

The Attorney Discipline Board is the adjudicative arm of the Michigan Supreme Court for the discharge of the Court's exclusive constitutional responsibility to supervise and discipline Michigan attorneys. The Board, along with its prosecutorial counterpart, the Attorney Grievance Commission, is part of the bifurcated system of discipline described in Chapter 9.100 of the Michigan Court Rules.

The Attorney Discipline Board consists of six lawyers and three public members (non-lawyers) appointed by the Supreme Court. A member may not serve more than two three-year terms. All members serve without compensation.

On September 30, 2012, Board member Andrea L. Solak of Grosse Pointe Park completed her second three-year term as a member of the Attorney Discipline Board. Her service as a member of the Board was preceded by two three-year terms as a member of the Attorney Grievance Commission. The courts, the public and the legal profession in Michigan are deeply indebted to Ms. Solak for her 12 years of dedicated service to Michigan's discipline system and she leaves with the lasting respect and affection of the Board's members and staff.

Lawyer member Louann Van Der Wiele was appointed by the Supreme Court to a new three-year term on the Board commencing October 1, 2012. Biographical information for the nine members of the Attorney Discipline Board may be found in Appendix "E" of this report.

The Board's Chairperson and Vice-Chairperson are appointed to one-year terms by the Michigan Supreme Court. The Board's Secretary is elected by its members. The Board's officers for one year terms ending September 30, 2013 are **Thomas G. Kienbaum** of Birmingham, Chairperson; **James M. Cameron, Jr.** of Ann Arbor, Vice-Chairperson; and **Sylvia P. Whitmer, Ph.D** of West Bloomfield, Secretary.

Staff

Michigan Court Rule 9.110 authorizes the Attorney Discipline Board to appoint an attorney as its counsel. The Board's full-time staff consists of: **John F. Van Bolt**, Executive Director and General Counsel; **Mark A. Armitage**, Deputy Director; **Sherry Mifsud**, Office Administrator; **Jennifer M. Petty**, Legal Assistant/Webmaster; **Kathy Leal-Paredes**, Case Manager; **Allyson M. Plourde**, Case Manager; and **Juliette M. Loiselle**, Receptionist/Secretary.

Office and Hearing Facility

The Attorney Discipline Board is located at 211 W. Fort St., Suite 1410, Detroit, Michigan 48226 (corner of Fort St. and Washington Blvd.). The Board's facilities include hearing and conference rooms for public hearings conducted by the Board and hearing panels.

Volunteer Hearing Panelists

The Board maintains a current roster of more than 430 attorneys appointed annually to serve on three-member hearing panels. Hearing panelists are currently located in 40 of Michigan's 83 counties. The 2012 hearing panelist roster is attached as Appendix "F." The Board has continued its efforts to appoint attorneys as panel members who represent a broad range of professional experience. With the cooperation of the Woman Lawyers Association, the Wolverine Bar Association, and other special interest bar associations, the Board has actively encouraged the participation of women and minorities in Michigan's discipline system. Further information regarding the role of hearing panelists, the rules regarding their appointment and disqualification and the panelist application form are available on the ADB website: www.adbmich.org.

Hearing Panel Proceedings

Complaints submitted by clients, judges or other lawyers regarding an attorney's conduct are investigated by the Grievance Administrator and his or her staff under the supervision of the Attorney Grievance Commission, a separate agency. If formal disciplinary proceedings are authorized by the Commission, the charges of misconduct are set forth in a formal complaint filed by the Administrator.

Upon the filing of a formal complaint with the Attorney Discipline Board, the matter is assigned to a hearing panel and scheduled for hearing within 56 days. Proceedings before a panel are open to the public and are conducted under the Michigan Court Rules applicable to a civil non-jury trial in a circuit court and the Michigan Rules of Evidence. During 2012, hearing panels conducted **109** public hearings throughout the state.

Charges of misconduct must be established by a preponderance of the evidence. If misconduct is not established, the panel must enter an order of dismissal. Upon a finding of misconduct, the panel must conduct a separate phase of the hearing to determine the appropriate discipline. The levels of discipline provided in the court rules are reprimand, probation, license suspension and license revocation (disbarment).

Discipline orders must include an assessment of administrative costs together with the actual costs incurred by the Grievance Commission and Discipline Board, and may include an order of restitution to an aggrieved client. The Board collected total administrative and reimbursed costs of **\$124,270** from disciplined lawyers in 2012. Orders of reprimand and suspension may include additional conditions relevant to the established misconduct, including legal education, reformation of law office practices and personal counseling.

Unless appealed to the Board within 21 days by the respondent, the Grievance Administrator or the complainant, orders of discipline entered by a hearing panel, including orders for suspension and disbarment, constitute final orders and may be enforced in civil contempt proceedings by the Grievance Administrator.

Board Review

In addition to their administrative and oversight responsibilities, the nine appointed members of the Attorney Discipline Board serve as the intermediate appellate level of Michigan's discipline system. The respondent, the Grievance Administrator or the complainant may petition the Board for review of an order entered by a hearing panel. Review in such cases is based upon the record presented to the hearing panel and the written and oral arguments presented by the parties at a public hearing before the Board. Following its review, the Board may enter an order affirming, reversing or modifying the panel's order. A party or the complainant may seek further review by the Michigan Supreme Court by filing an application for leave to appeal. The Board regularly considers and disposes of various motions for reconsideration as well as motions seeking stays of discipline, extensions of time to pay costs, consolidation or severance of pending matters and the institution of show cause proceedings for alleged violations of discipline orders.

The Board took the following actions in 2012 following review proceedings conducted in accordance with MCR 9.118:

- Affirmed hearing panel order of disbarment:	5
- Increased discipline to disbarment:	2
- Increased the level of discipline (less than disbarment):	2
- Affirmed hearing panel order of suspension or reprimand:	4
- Reduced level of discipline:	0
- Affirmed hearing panel order of dismissal:	2
- Reversed hearing panel order of dismissal/imposed reprimand:	1
- Reversed finding of misconduct/complaint dismissed:	1
- Affirmed hearing panel denial of reinstatement:	1
- Denied complainant's request for increased restitution:	1
TOTAL:	19

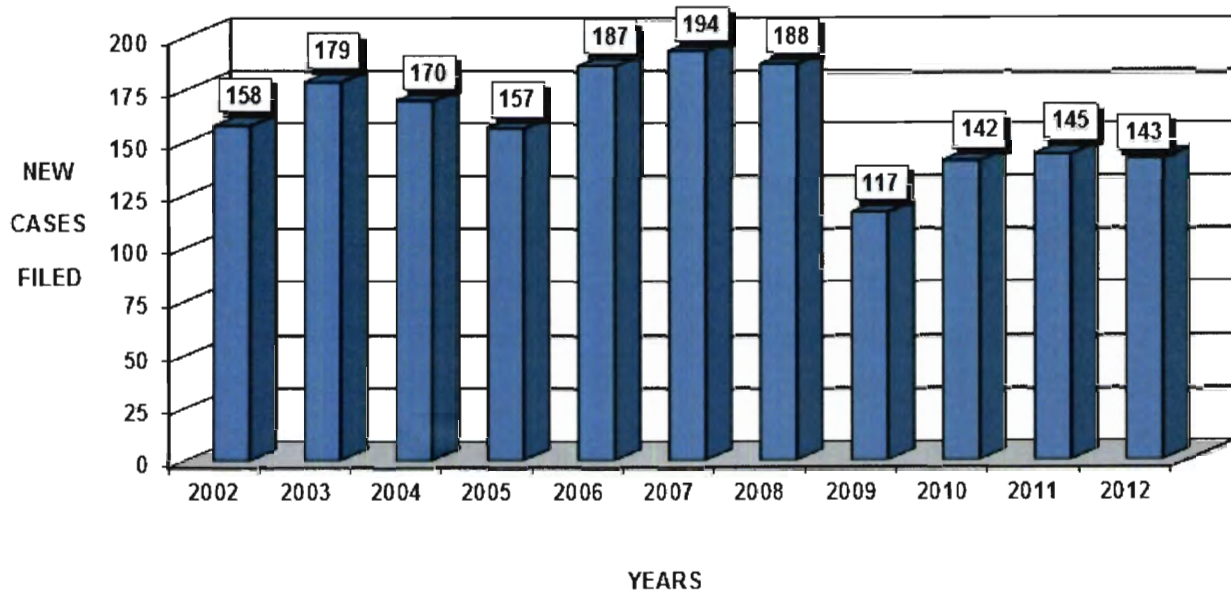
New Cases Filed

There were **91** new formal complaints filed in 2012 containing original charges of misconduct following an investigation by the Attorney Grievance Commission. (This was a **12%** increase in the number of original complaints filed compared to 2011.)

Eighteen new cases were commenced under MCR 9.120 with the filing of a judgment of conviction establishing that the attorney had been convicted of a crime, compared to 28 convictions filed in 2011. **Ten** petitions for reinstatement in accordance with MCR 9.123(B) were filed in 2012 by attorneys suspended for 180 days or more. In addition, the Grievance Administrator filed **six** petitions for enforcement of an earlier order for discipline, **two** petitions seeking other relief, **two** petitions seeking an attorney's transfer to inactive status and **ten** reciprocal discipline actions based upon the imposition of discipline in another jurisdiction.

The **143** new files opened by the Board in 2012 compare to **145** new cases in 2011. The following table (Table 1) illustrates the Board's annual intake of new cases since 2002.

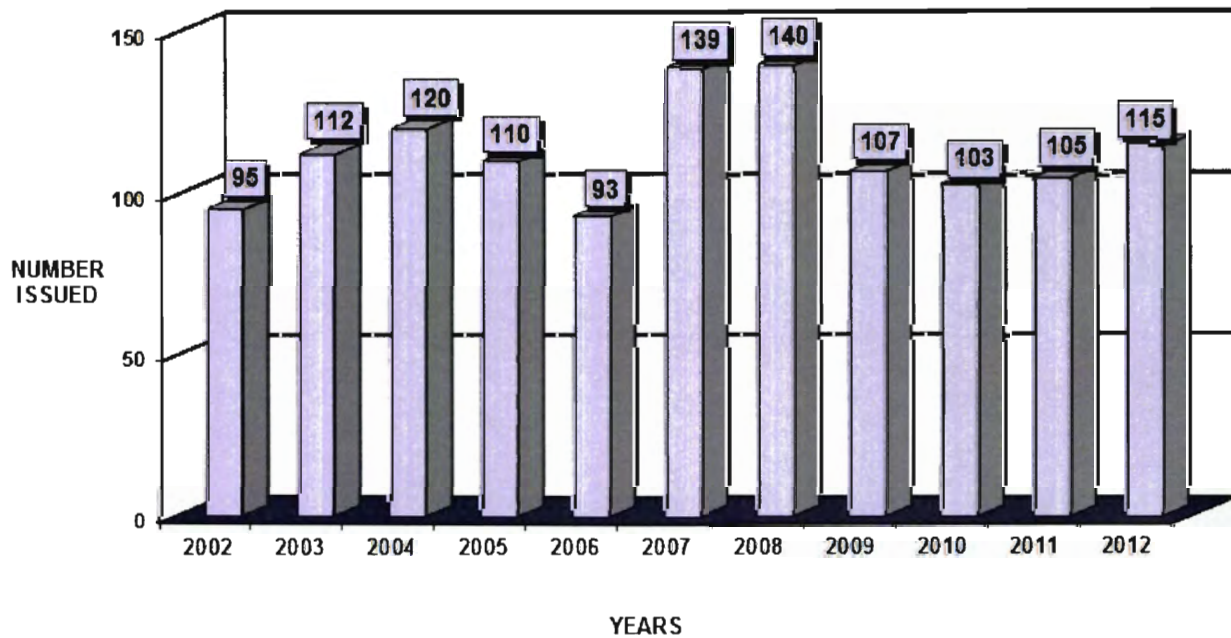
Table 1. New Cases Filed, 2002 - 2012



Final Dispositions

The Attorney Discipline Board issued **142** final disposition orders in 2012, including orders of discipline, orders of dismissal, orders granting or denying reinstatement and orders for transfer to inactive status. Public discipline orders (revocation, suspension, reprimand, probation or orders of “no discipline”) were issued in **115** cases, an increase of **10%** compared to the **105** discipline orders issued in 2011. A complete list of the orders of discipline issued in 2012 appears in Appendix “C.” Orders of discipline issued since 2002 are illustrated in Table 2, below.

Table 2. Discipline Orders Issued, 2002 - 2012



Discipline By Consent

The respondent and the Grievance Administrator may enter into a stipulation for a consent order of discipline. This procedure, described in MCR 9.115(F)(5), allows a respondent attorney to admit or plead no contest to the charges in the complaint in exchange for a stated form of discipline. Written notice of the stipulation must be provided to the complainant and the stipulation must be approved by both the Attorney Grievance Commission and a hearing panel.

Fifty-four consent orders of discipline were finalized in 2012, accounting for **47%** of all final orders of discipline.

Consent orders were finalized in the following discipline categories in 2012:

<u>Type of Discipline</u>	<u>Consent Orders</u>	<u>Total Discipline Orders</u>	<u>% By Consent</u>
Disbarment	5	21	24%
Suspension (3 yrs. or more)	1	7	14%
Suspension (180 days but less than 3 yrs.)	11	22	50%
Suspension (30 - 179 days)	11	28	39%
Reprimand	25	35	71%
Probation	1	1	100%

Types of Misconduct Resulting in Discipline

Conduct characterized by a lack of diligence, lack of competence and/or neglect of client matters was the largest category of professional misconduct in 2012, accounting for **27%** of the discipline orders issued in 2012. These cases ranged from an attorney's failure to provide competent or diligent representation on behalf of a single client to, in a few cases, complete abandonment of the attorney's practice. In some cases in this category, the attorney's neglect or mishandling of client matters was accompanied by additional misconduct including misrepresentations to the client about the status of the matter; a failure to return unearned fees; and/or failure to answer request(s) for investigation.

Thirty Michigan lawyers were publicly disciplined in 2012 as the result of a criminal conviction. These cases accounted for **26%** of discipline orders in 2012. In the **10** cases involving a lawyer's felony conviction, the lawyer was subject to an automatic interim suspension, effective the date of conviction and until the entry of a final order by a hearing panel. Public discipline was also ordered for **20** lawyers convicted of various misdemeanor offenses, including **11** lawyers disciplined for driving offenses involving alcohol.

The third largest category of misconduct, accounting for **17%** of all discipline orders in 2012, involved a lawyer's improper handling of client funds in cases ranging from poor bookkeeping practices to intentional misappropriation of client funds. Other types of misconduct resulting in discipline in 2012 included a lawyer's failure to comply with a prior discipline order; conflicts of interest; misrepresentations to a tribunal; and failure to supervise non-lawyer employees. A summary of the final discipline orders in 2012, showing the nature of the misconduct and the resulting discipline, is included in this report as Appendix "B."

Reinstatements

Attorneys suspended for 179 days or less are automatically reinstated upon the filing of an affidavit of compliance with the Supreme Court. **Twenty one** attorneys were automatically

reinstated under this rule in 2012. In cases of disbarment or suspensions of 180 days or more, the attorney must file a petition for reinstatement which is followed by an investigation by the Grievance Administrator and a hearing before a panel to determine the applicant's fitness to re-enter the practice of law. Attorneys suspended for three years or more must also undergo recertification by the State Board of Law Examiners.

Ten reinstatement petitions were filed with the Board and assigned to panels for hearing in 2012. The Board or its panels issued five orders reinstating attorneys whose licenses had been suspended. Five reinstatement petitions were denied or dismissed.

Pending Caseload

As of December 31, 2012, there were a total of 83 open discipline or reinstatement cases pending before a hearing panel, the Attorney Discipline Board or the Michigan Supreme Court.

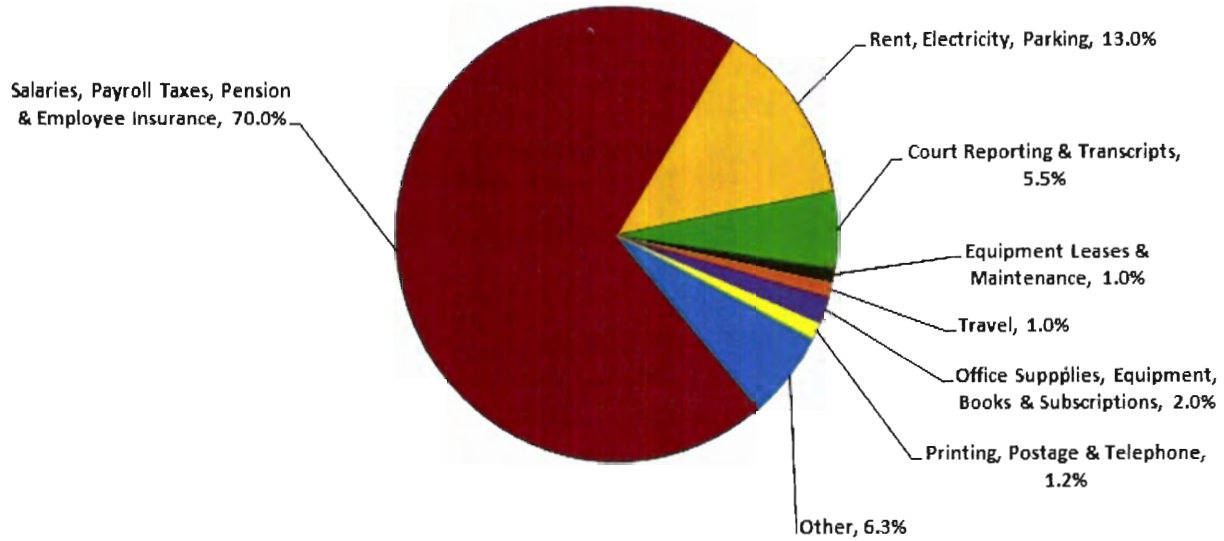
Year-End Caseloads 2011 - 2012

	<u>Pending 12-31-11</u>	<u>Pending 12-31-12</u>
Supreme Court:	2	1
Attorney Discipline Board:	12	10
Hearing Panel:	<u>78</u>	<u>72</u>
Total:	92	83

Funding and Expenses

The Attorney Discipline Board receives no public funds. Michigan's Attorney Discipline System (Attorney Discipline Board and Attorney Grievance Commission) is funded primarily from the discipline portion of the dues paid by all active members of the State Bar of Michigan. Under the current dues structure approved by the Supreme Court, annual dues for active members are \$305, of which \$110 (36%) is specifically allocated to the Attorney Discipline System. For the fiscal year which ended September 30, 2012, the combined operating expenses of the Attorney Discipline Board and the Attorney Grievance Commission were \$4,818,165. The Attorney Discipline Board's operating expenses in FY 2011-2012 were \$983,480. A chart summarizing the Board's expenses for 2011-2012 is included below (Table 3). A complete itemization of the Board's expenses for the fiscal year is attached to this report as Appendix "D."

Table 3. ADB Expenses 2011-2012 Fiscal Year



Website

The Attorney Discipline Board continues to expand and update its website: www.adbmich.org. The site includes: access to the disciplinary history of all attorneys disciplined in Michigan since October 1, 1978; recent Board opinions, notices of discipline and reinstatement petitions; a searchable data base including the full text of all opinions of the Attorney Discipline Board, as well as all notices of discipline and reinstatement issued since October 1, 1978; and links to related sites in the fields of attorney discipline, regulation and ethics. The Board's website also provides information for hearing panel applicants; information on a hearing panelist's disclosure obligations and updated information on the status of high profile cases of interest to the public and profession.

For further information regarding the operation of the Michigan Attorney Discipline Board, please contact:

Attorney Discipline Board
211 W. Fort Street
Suite 1410
Detroit, MI 48226-3236

Telephone: (313) 963-5553
Facsimile: (313) 961-5571
Website: www.adbmich.org

Mark A. Armitage, Executive Director

James M. Cameron, Jr., Chairperson

APPENDIX "A"
ANNUAL ACTIVITY REPORT
JANUARY 1, 2012 THROUGH DECEMBER 31, 2012

I. CASES FILED

A.	Formal Complaints	91
B.	Automatic Interim Suspensions (AI)	4
C.	Judgment of Conviction (JC)	18
D.	Petitions for Reciprocal Discipline (RD)	10
E.	Petitions to Transfer to Inactive Status (PI)	2
F.	Petitions for Reinstatement (RP)	10
G.	Miscellaneous (MZ)	8
H.	TOTAL CASES FILED	143

II. FINAL DISPOSITIONS

A.	Final Orders of Discipline	115
1.	Disbarments	21
2.	Suspensions	57
a.	Subject to MCR 9.123(A)	28
b.	Subject to MCR 9.123(B)	22
c.	Subject to MCR 9.123(B) & (C)	7
3.	Reprimands	35
4.	Misconduct But No Discipline	1
5.	Probation	1
B.	Transfer to Inactive Status	3
C.	Dismissals	11
D.	Reinstatements Granted	5
E.	Reinstatements Denied or Dismissed	5
F.	Other	3
G.	TOTAL FINAL DISPOSITION ORDERS	142

III. OTHER NOTICES ISSUED

A.	Automatic Interim Suspensions [MCR 9.120]	5
B.	Interim Suspensions Ordered By Hearing Panel [MCR 9.115(H)]	5
C.	Automatic Reinstatements Under MCR 9.123(A)	21
D.	TOTAL OTHER NOTICES ISSUED	31

IV. PUBLIC HEARINGS BY HEARING PANELS

A.	Scheduled	250
B.	Held	109

V. COSTS

Total Costs Reimbursed to the State Bar of Michigan by Respondents and Petitioners	\$124,270.78
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APPENDIX "B"
SANCTIONS IMPOSED - 2012
By Type of Misconduct¹

	DISBARMENT	SUSP. 3 YRS +	SUSP. 180 DAYS LESS 3 YRS	SUSP. 30 - 179 DAYS	REPRIMAND	PROBATION	NO DISCIPLINE	TOTAL
NEGLECT ²	1		3	7	8	1		20
NEGLECT (Accompanied by Failure to Answer R/I)		2	2	3	1			8
NEGLECT (Aggravated by Misrepresentation to Client or Court)	1	2						3
MISAPPROPRIATION	7							7
OTHER MONEY OFFENSES	1		4	2	5			12
CONVICTION (Felony)	6	1		2	1			10
CONVICTION (Misdemeanor)			4	7	8			19
CONFLICT OF INTEREST			1	1	3			5
FAIL TO COMPLY/PRACTICE WHILE SUSPENDED	1	1	1	2				5
MISREPRESENTATION/FRAUD	1		4	1				6
RECIPROCAL DISCIPLINE/ JUDICIAL DISCIPLINE	2		1	1	1			5
FAILURE TO SUPERVISE		1						1
OTHER	1		2	2	8		1	14
TOTAL:	21	7	22	28	35	1	1	115

¹ Formal complaints filed by the Grievance Administrator commonly include multiple charges of misconduct. For this chart, the sanctions are categorized based on the most serious misconduct found by the panel or the Board.

² For purposes of this chart, the term "neglect" encompasses the concepts of competence, neglect, diligence, and communication found in MRPC 1.1, 1.2, 1.3 and 1.4.

APPENDIX "C"
DISCIPLINED ATTORNEYS BY TYPE OF DISCIPLINE - 2012

DISBARMENTS (21)

RESPONDENT	EFFECTIVE DATE
ANJORIN, Gbenga	March 10, 2012
BARTKO, Gregory	November 18, 2010
BARTKUS, Joseph D.	June 14, 2012
BERNDT, David R.	February 11, 2012
CANADY, Mark H.	December 27, 2012
DEVINE, Anthony W.	August 15, 2012
GODFREY, William A.	November 2, 2012
HOWE, Peter T.	March 9, 2011
KAREGA, Che A.	September 15, 2012
KOVACH, Timothy	December 16, 2014
KRAFT, Ronald G.	September 14, 2011
McDONALD, Frederick L.	August 1, 2012
MERRITT, John M.	January 26, 2012
ORR, Tina Elizabeth	May 24, 2012
PHILLIPS, James R.	December 20, 2010
PLANTS, Karen K.	March 2, 2011
PRATER, Craig L.	December 22, 2012
RINALDI, Paul J.	August 16, 2012
ROMINGER, Charles S., Jr.	May 10, 2011
SAFAVIAN, David Hossein	December 2, 2006
SCHNEIDER, Edward A.	August 13, 2011

SUSPENSIONS SUBJECT TO MCR 9.123(B) AND (C) [THREE YEARS OR MORE] (7)

RESPONDENT	LENGTH	EFFECTIVE DATE
BLACK, David D.	Four Years	April 13, 2011
BRADY, Debra F.	49 Months	April 28, 2011
HALL, James C.	Three Years	October 24, 2012
HUNTER, Daniel E.	Three Years	April 24, 2012
MACDONALD, Raymond A.	Three Years	August 3, 2010
MERROW, Douglas A.	Five Years	December 27, 2012
THOMPSON, Rochelle J.	37 Months	September 14, 2011

SUSPENSIONS SUBJECT TO MCR 9.123(B) [180 DAYS BUT LESS THAN THREE YEARS] (22)

RESPONDENT	LENGTH	EFFECTIVE DATE
ACKERMAN, Jeanine M.	One Year	December 11, 2012
BANTA, Richard L., II	180 Days	April 1, 2012
BENSKY, Alexander R.	180 Days	July 25, 2011
CARTER, David B., Jr.	Eight Months	August 17, 2011
COLBERT-OSAMUEDE, Valerie	18 Months	April 26, 2012
FOSTER, David M.	180 Days	November 24, 2012
FRENCH, Nathan S.	180 Days	July 7, 2012
GREEN, Heather J.R.	Two Years	March 7, 2012
HICKS, Gary L.	180 Days	October 24, 2012
KEATON, Kristine K.	One Year	July 6, 2012
MENGESHA, Thomas A.	180 Days	December 18, 2012
MURPHY, Keith T.	One Year	January 2, 2012
PUSHMAN, Susan S.	One Year	December 27, 2011
SKUZENSKI, Kenneth A.	180 Days	October 28, 2011
SLADEK, Bryan E.	180 Days	September 6, 2012
SLOTNICK, Jan E.	180 Days	December 13, 2012
TALLERDAY, Ray G.	18 Months	October 12, 2012
THOMPSON, Rochelle J.	35 Months	September 14, 2011
TUNNEY, Stephen L.	10 Months	May 24, 2012
VAIL, Russell O.	180 Days	April 27, 2012
VESPA, Anthony L.	Two Years	July 1, 2012
WINN, Roy R., Jr.	180 Days	December 1, 2012

SUSPENSIONS SUBJECT TO MCR 9.123(A) [LESS THAN 180 DAYS] (28)

RESPONDENT	LENGTH	EFFECTIVE DATE
BARRON, Jarrod A.	60 Days	April 10, 2012
CONNOR, Stephen E.	90 Days	February 10, 2012
DUNN, David B.	30 Days	October 24, 2012
GERISCH, Jonathan P.	30 Days	January 27, 2012
GOSS, Dante' L.	30 Days	October 20, 2012
GRAHAM, Susan G.	45 Days	February 29, 2012
GRIFFIN, John J., III	179 Days	November 14, 2011
HARRIS, James R.	120 Days	February 18, 2012
HIRSCH, Jonathan Craig	179 Days	January 25, 2012
JONES, Gregory B.	30 Days	July 2, 2012
JORDAN, Carl	179 Days	August 24, 2012
JOSEY, Michael R.	30 Days	December 1, 2012
KUXHAUS, Byron O.	30 Days	June 14, 2012
MAZE, William J.	30 Days	June 1, 2012
MILHOUSE, Harrell D.	30 Days	November 15, 2012
NEWTON, Jeffrey S.	30 Days	January 1, 2012
PEMBERTON, Paul J.	30 Days	June 1, 2012
REDMAN, Bruce R.	60 Days	January 26, 2012
RUBIN, David J.	30 Days	November 20, 2012
SHANNON, Thomas J.	90 Days	October 12, 2012
SIWEK, Michael E.	179 Days	January 1, 2013
STIMPSON, David M.	30 Days	December 17, 2011
THAV, Jeffrey David	179 Days	August 22, 2012
TIMBAN, Demetrio S.	175 Days	November 30, 2012
VAZQUEZ, Vanessa E.	179 Days	January 27, 2012
WENGER, David K., II	90 Days	May 24, 2012
YONO, Francis F.	30 Days	November 21, 2012
ZOCK, Judith H.	90 Days	March 15, 2012

REPRIMANDS (35)

RESPONDENT	EFFECTIVE DATE
AMBROSE, Daniel D.	June 5, 2012
BARKOVIC, Timothy S.	March 13, 2012
BARKOVIC, Timothy S.	October 20, 2012
BASKIN, Henry	October 4, 2012
BREWER, Dennis L.	November 2, 2012
CARLIS, Elaine R.	September 1, 2012
DAVIS, Mark A.	November 28, 2012
DICKSON, Lyle	August 8, 2012
DODSON, John	August 31, 2012
FRAGEL, Patrick S.	December 13, 2012
HAMMONDS, Stephanie L.	February 17, 2012
HARWELL, Cameron S.	July 11, 2012
HASKELL, Lori Anne	November 16, 2012
HILL, Beth T.	April 4, 2012
HILL, David T.	March 10, 2012
HOLLINGSWORTH, Marc J.	August 28, 2012
HUNT, James M.	July 9, 2012
IAMARINO, Steven P.	June 28, 2012
KARNANI, Achla B.	August 9, 2012
KAUFMAN, Mark A.	February 15, 2012
KOHLER, R. Timothy	November 6, 2012
MACUGA, Peter W., II	August 12, 2011
MERTZ, Robert A.	December 30, 2011
PATERSON, John S.	March 7, 2012
PLEZNAC, Robert J.	April 11, 2012
RADDEN, Lawrence N.	October 4, 2012
SCARFONE, Richard R.	January 27, 2012
SELLES, Terry L.	July 6, 2012
SIEGEL, Sheldon	September 1, 2012
SIRLIN, Ralph J.	February 11, 2012
SMITH, Eric J.	July 12, 2012
SUNDQUIST, William A.	May 15, 2012
WALTERS, Edward N.	November 3, 2012
WIDENBAUM, Susan F.	December 5, 2012
WINES, James D.	November 20, 2012

MISCONDUCT BUT NO DISCIPLINE (1)

RESPONDENT	EFFECTIVE DATE
BINKLEY, David A.	December 8, 2012

PROBATION (1)

RESPONDENT	EFFECTIVE DATE
OSTROM, Gregory J.	April 6, 2012

DISBARMENTS	21
SUSPENSIONS - MCR 9.123(B) and (C)	7
SUSPENSIONS - MCR 9.123(B)	22
SUSPENSIONS - MCR 9.123(A)	28
REPRIMANDS	35
MISCONDUCT BUT NO DISCIPLINE	1
PROBATIONS	1

APPENDIX "D"

**Attorney Discipline Board Comparative Statement of Expenses,
Years Ended September 30, 2011 & September 30, 2012**

<u>Expense Item</u>	<u>FY 2011</u>	<u>FY 2012</u>
Salaries & Longevity	460,983	443,155
Payroll Taxes	34,029	30,953
Employee Insurance	123,934	112,479
Pension Contribution	41,412	40,206
Payroll Processing Fee	2,832	6,091
Retiree Health Care Expense	43,085	55,967
Rent	114,159	116,526
Electricity	4,635	4,675
Parking	6,314	6,300
Law Clerk and Professional Fees	22,342	17,044
Bookkeeping and Audit	14,666	15,084
Hearing Panel Expenses/Transcripts	46,638	53,676
Machine Rental	8,696	9,165
Meetings	8,338	7,950
Travel	7,828	10,018
Telephone	6,103	6,431
Books and Subscriptions	6,577	7,615
Office Supplies	4,187	7,297
Printing and Stationery	310	822
Postage	4,886	4,402
Insurance	12,258	12,725
Repairs and Maintenance	1,477	815
Office Expenditures	3,908	4,868
Professional Education	3,090	3,517
Dues	2,059	1,672
Miscellaneous	1,121	860
Depreciation	2,695	3,167
TOTAL	988,562	983,480

APPENDIX "E"
ATTORNEY DISCIPLINE BOARD
MEMBERS' BIOGRAPHICAL INFORMATION

THOMAS G. KIENBAUM of BIRMINGHAM
Chairperson
Term Expires: September 30, 2013

Mr. Kienbaum is a founding member of the Birmingham law firm of Kienbaum, Opperwall, Hardy & Pelton, P.L.C., a firm specializing in labor and employment matters. He is a graduate of the University of Michigan and of the Wayne State University Law School, where he graduated magna cum laude, served on the Law Review, and was awarded the Order of the Coif. Mr. Kienbaum is a former President of the State Bar of Michigan, the Detroit Metropolitan Bar Association, and the Detroit Barristers Association. He is a Fellow of the American and Michigan Bar Foundations and was inducted into the College of Labor and Employment Lawyers. Mr. Kienbaum serves on the Advisory Board of the National Employment Law Institute and lectures frequently on behalf of that institute and the Michigan Institute of Continuing Legal Education. He was appointed to a three-year term on the Attorney Discipline Board commencing October 1, 2007, and reappointed for a second term commencing October 1, 2010. He was appointed by the Supreme Court to a third one-year term as Vice-Chairperson before being appointed to a one-year term as Chairperson commencing October 1, 2012.

JAMES M. CAMERON, JR. of ANN ARBOR
Vice-Chairperson
Term Expires: September 30, 2015

Jim Cameron is a member of the Dykema law firm and is the Office Managing Member for Dykema's Ann Arbor, Michigan office. He graduated with honors from Harvard University in 1973 and obtained his law degree from American University in 1978. Between college and law school, Mr. Cameron taught high school English. Since joining Dykema in 1978, Mr. Cameron has been a member of the firm's Litigation Group, practicing primarily in the area of commercial litigation with experience in patent infringement suits and construction contract litigation. Mr. Cameron has an interest in alternative dispute resolution and has significant experience as a facilitator, mediator, and arbitrator. Mr. Cameron has been actively involved in public education as a past trustee for the Ann Arbor Public Schools Board of Education, as a board member and past Chairperson of the Ann Arbor Public Schools Educational Foundation, and as Chairman for the Michigan Teacher Tenure Commission. He is also a past member of the Board of Trustees, Planning Commission and Zoning Board of Appeals for Scio Township, and has served on the Elected Officials Compensation Committee and Zoning Board of Appeals for the City of Ann Arbor. In December 2008, the Michigan Supreme Court appointed Mr. Cameron to fill an unexpired term on the Attorney Discipline Board ending September 30, 2009. He was re-appointed to a full three-year term commencing October 1, 2009, and appointed to a one-year term as Vice-Chairperson commencing October 1, 2011. He was re-appointed to a second three-year term and reappointed to a one-year term as Vice-Chairperson commencing October 1, 2012.

SYLVIA P. WHITMER, Ph.D, of WEST BLOOMFIELD
Secretary
Term Expires: September 30, 2015

Dr. Whitmer received her undergraduate degree and a post-graduate degree as an education specialist from Wayne State University. She holds a masters degree from the University of Edinborough, Scotland, and a doctorate (PhD) from Michigan State University. During her professional career in education, Dr. Whitmer has been a high school teacher, an elementary school principal and, from 1990 until her retirement in 2005, the Executive Director of Instruction, K-12, for the Birmingham Public Schools. Dr. Whitmer was an elected member of the Birmingham Board of Education from 1975 to 1987, serving three times as its president. In addition to her service as a Board member of the Birmingham Area Senior Coordinating Council, Dr. Whitmer is involved in the Birmingham Optimist Organization, the League of Women Voters and the American Association of University Women. Dr. Whitmer was appointed by the Supreme Court to a three-year term on the Attorney Discipline Board commencing October 1, 2009. She was re-appointed to a full three-year term, commencing October 1, 2012. The members of the Board elected Dr. Whitmer to serve as the Board's Secretary for a one-year term commencing October 1, 2012.

ROSALIND E. GRIFFIN, M.D., of FARMINGTON HILLS
Term Expires: September 30, 2013

Dr. Griffin is a psychiatrist practicing in the field of adult and adolescent psychotherapy, with special qualifications in forensic psychiatry. Dr. Griffin is a graduate of Wayne State University (BA) and the Wayne State University School of Medicine (MD). Following her internship at Harper Grace Hospital, she performed her psychiatric residency at Sinai Hospital of Detroit. She is an assistant professor at the Wayne State University College of Medicine and she has held numerous positions in Detroit's medical community including medical director of the Partial Day Hospital Program at Sinai Grace Hospital and medical director of the Deaf Counseling Services Center at Sinai Grace Hospital. Her professional memberships include the Michigan Psychiatric Society (Ethics Committee and co-chair of the Women's Issues Committee); the Wayne County Medical Society (Peer Review Committee); Michigan State Medical Society (Member, House of Delegates); and the American Psychiatric Association. Dr. Griffin was appointed by the Michigan Supreme Court to its Task Force on Gender and Race Bias (1987-1990) and she was later appointed by the Court as a non-lawyer member of the Attorney Grievance Commission (1990-1994). Dr. Griffin is a former member of the Oakland County Bar Association's Public Advisory Committee on Judicial Candidates and she is a former member of the Board of Regents of Eastern Michigan University. The Michigan Supreme Court appointed Dr. Griffin to fill a vacancy on the Attorney Discipline Board in July 2008 and, on September 21, 2010, appointed her to her first full term as a non-lawyer member commencing October 1, 2010. In 2010, the members of the Board elected Dr. Griffin to serve as the Board's secretary and she was reelected to that position in 2011.

CARL E. VER BEEK of GRAND RAPIDS
Term Expires: September 30, 2014

Mr. Ver Beek is a former partner, and currently Of Counsel to the law firm of Varnum, Riddering, Schmidt & Howlett in Grand Rapids. He is a graduate of Hope College (B.A.) and The Indiana University School of Law (J.D.). He is a member of the Council of the American Bar Association's Dispute Resolution Section and a former member of the Council of the ABA's Labor and Employment Section. He is a Fellow of the College of Labor and Employment Attorneys. Following service as Chair of the Character and Fitness Committee of the State Bar of Michigan, Mr. Ver Beek was appointed by the Supreme Court of Michigan to the Attorney Grievance Commission in 1999. He served for six years as a member of the Grievance Commission, including four years as its Chairperson. Mr. Ver Beek's community activities include his service as Chairman of the Academic Affairs Committee, and member of the Executive Committee of the Hope College Board of Trustees; Chair of the Bethany Christian Services Board; Chair of the Jellema House Board; Board Member of the Michigan Chamber of Commerce; Chairperson of the Grand Rapids Area Chamber of Commerce; Chairperson of the Kent Health Plan; Chairperson of the Holland Home Board and Chairperson of Faith Hospice Board. Mr. Ver Beek was appointed to a three-year term on the Attorney Discipline Board commencing October 1, 2008, and reappointed to a second three-year term commencing October 1, 2011.

CRAIG H. LUBBEN of KALAMAZOO
Term Expires: September 30, 2014

Mr. Lubben is a member of the law firm of Miller Johnson at the firm's office in Kalamazoo where he practices in the area of civil litigation with a focus on commercial and employment dispute. He is a graduate of Calvin College (B.A.) and a cum laude graduate of Northwestern University School of Law where he was on the Board of Directors of the Journal of Criminal Law and Criminology and member of the Order of the Coif. Mr. Lubben is a former President of the Kalamazoo County Bar Association and has served on the State Bar of Michigan's Representative Assembly and Board of Commissioners. He is currently on the Executive Committee of the Federal Bar Association for the Western District of Michigan. His community service includes membership on the boards of Family and Children Services of the Kalamazoo area, including two terms as president; the Kalamazoo Symphony; the Kalamazoo Christian School Association; and the Calvin College Alumni Association Board, president, 2004-2005. The Michigan Supreme Court appointed Mr. Lubben to a three-year term on the Attorney Discipline Board commencing October 1, 2008. He was re-appointed to a second three-year term, commencing October 1, 2011.

LAWRENCE G. CAMPBELL of FRANKLIN
Term Expires: September 30, 2014

Mr. Campbell is a member of Dickinson Wright, a multi-state law firm specializing in corporate and business law. Mr. Campbell has extensive experience in handling business and commercial litigation, with particular emphasis in securities, fraud defense, accountant malpractice, and contract disputes. He is a graduate of Michigan State University and the University of Detroit Law School, where he was the Managing Editor of the University of Detroit Law Review. Mr. Campbell is a past president of the Detroit chapter of the Federal Bar Association and has served as Chairperson of the U.S. Courts Committee of the State Bar of Michigan. Mr. Campbell has been a member of the Commercial Litigation Committee of the Corporate, Finance and Business Law Section of the State Bar of Michigan. He is a member of the American Arbitration Association's Panels of Commercial Arbitrators and Employment Arbitrators, as well as a member of that association's Complex Case Program. In 2007, Mr. Campbell was the recipient of the Michigan Defense Trial Counsel's Annual Excellence in Defense Award awarded to civil defense counsel who have demonstrated superior professionalism and advocacy skills. He was appointed by the Michigan Supreme Court to a three-year term on the Attorney Discipline Board, commencing October 1, 2011.

DULCE M. FULLER of BIRMINGHAM
Term Expires: September 30, 2014

Dulce M. Fuller was appointed by the Michigan Supreme Court to a three-year term as a non-lawyer member of the Attorney Discipline Board, commencing October 1, 2011. Ms. Fuller is the principal in Park Gardens Ltd., a commercial interior design firm, as well as the owner and operator of Woodward & Maple, LLC. Ms. Fuller is Chairman of the Southeast Community Committee for the Heritage Foundation (Washington, D.C.) and is a member of the Board of Directors of the Mackinac Center for Public Policy (Midland, MI). Ms. Fuller attended Oakland Community College.

LOUANN VAN DER WIELE of AUBURN HILLS
Term Expires: September 30, 2015

Ms. Van Der Wiele holds the position of Vice President & Associate General Counsel in the Office of the General Counsel of Chrysler Group LLC with responsibility for product liability litigation and discovery (worldwide). In addition, Ms. Van Der Wiele oversees the defense of class action, commercial, employment, warranty and lemon law litigation. She also advises the Company on other vehicle-related consumer protection matters, regulatory affairs and risk management issues. Ms. Van Der Wiele is a graduate of Wayne State University (BS) and the Wayne State University Law School (JD). She is a highly regarded speaker and participant in panel discussions at the national and international levels and has been named by Michigan Lawyers Weekly as an *In-House Leader in the Law*. Ms. Van Der Wiele was appointed by the Supreme Court to a three-year term on the Attorney Discipline Board effective October 1, 2012.

APPENDIX "F"
2012 HEARING PANEL ROSTER³

ALLEGAN COUNTY

OYLER, W. Tedd

ALPENA COUNTY

WHITE, Daniel W.

ANTRIM COUNTY

HOUGHTON, Ralph H., Jr.

BAY COUNTY

GIUNTA, Rozanne M.
LEARMAN, Richard C.
MOROSI, John M.

BENZIE COUNTY

McKAY, Joan S.

BERRIEN COUNTY

ANDERSON, Kevin S.
BURDICK, Carl R.
CONYBEARE, Bruce C.
DESEMBERG, Louis A.
PETERSON, David M.
SMITH, Peter W.
STRAUB, James M.
TAGLIA, Paul A.

CALHOUN COUNTY

CHRIST, Chris T.
FISHER, James A.
GEIL, Thomas D.
KARRE, Nelson T.
MUMFORD, Daryl J.
STEFFEL, Vern J., Jr.

CHARLEVOIX COUNTY

ARNER, Timothy D.
KLEVORN, Kevin G.

CHIPPEWA COUNTY

VEUM, Thomas J.

DELTA COUNTY

CLARK, Richard C.
GREEN, Nino E.
PETERSON, Ralph B.K.

EMMET COUNTY

MURRAY, James J.
RAMER, James T.
SMITH, W. Richard
TRESIDDER, Stephen J.
WURSTER, Joel D.

GENESEE COUNTY

BAESSLER, Joseph E.
BARKEY, Brian M.
BUCKLEY-O'NEILL, Kathleen
CULLARI, Francine
DIESEL, Peter L.
GRIFFIN, Walter P.
HALDY, Ronald L.
HART, Clifford
HENNEKE, Edward G.
KNECHT, Timothy H.
KRELLWITZ, Michael W.
MANGAPORA, Michael J.
MINER, Sharon K. S.
PABST, Tom R.
PIPER, Randolph P.
REISING, H. William
SIMMINGTON, Glen M.
SMITH, Alan M.
TREMBLEY, James J.
TUCKER, John R.
TURNAGE, Frank G.
WHEATON, Robin L.

GRAND TRAVERSE COUNTY

ASSEDELFT, Barbara A.[#]
BICKEL, Mark P.
BIMBER, Frederick R.
BUDROS, Barbara D.
CHRISTOPHERSON, James A.
FISHER, Joseph C.

HOUGHTON COUNTY

DAAVETILA, Robert T.

INGHAM COUNTY

BEHAN, Michael R.
BEHAN, Raymond R.
BENGTSON, Thomas A.
BOSSENBROOK, Arlyn J.
CASEY, Nan Elizabeth
CUNNINGHAM, Janice K.
DALE, Julia A.
DE VINE, Barry F.
DOSTER, Eric E.
EDGAR, Mary C.

INGHAM COUNTY
(Continued)

EMERY, Lawrence J.
FRIEDMAN, Leo H.
GALLAGHER, Bryon P., Jr.
GROLL, Catherine
HOGAN, Patrick R.
HOOVER, C. Mark
HORNBACK, Oskar M.
JAMO, James S.
LOVIK, Mary M.
MALLORY, Susan L.
MANIS, Paula K.
McCARTHY, Robert E.
PELOT, Michael J.
STROPKAI, James L.
STROUD, Ted W.
SUHRHEINRICH, Richard J.
TIMMER, Amy
TYSZKIEWICZ, Roman
WADDELL, David D.
WARD, James R.
WONCH, Nancy A.
ZULAKIS, George

ISABELLA COUNTY

BLOEM, Gordon M.

JACKSON COUNTY

HAMILTON, Janet L.

KALAMAZOO COUNTY

DELEHANTY, Mary E.
FENTON, Stuart L.
GETTING, Jeffrey S.
HAYTER, Karen M.
KEISER, W. Jack
KNEAS, John W.
LEVINE, Sharan Lee
RUSSELL, Gregory W.
RYAN, William J.
SHARMA, Namita
SMITH, C. Giles, Jr.
ZAUSNER, Henry T.

KENT COUNTY

BLACK, James G.
COURTADE, Bruce Anthony
DAVID, Ronald E.
EDGAR, Christopher L.
FARR, William S.
FIELDS, Geoffrey A.
KOLENIC, Anthony J., Jr.

³ *Deceased.
#Retired or resigned as panelist.
%Inactive panelist.
⁸All full-time judges removed as hearing panelists.

KENT COUNTY
(Continued)

KOSTA, Michael J.
McCARTHY, Paul A.
McGLADDERY, Patrick C.
MELTON, Scott R.
MUDIE, Kent W.
O'DOWD, Kevin J.
RABIDEAU, Christopher J.
REAMON, Martha E.
SAALFELD, James R.
SMIETANKA, John Allen
SPALDING, Arthur C.
THEIME, R. Kevin
VAN'T HOF, William K.
VULETICH, Victoria V.
WALTON, Michael C.
WOOD, Rock A.

LAPEER COUNTY

PETERS, Neill T.

LIVINGSTON COUNTY

DRICK, Jay R.
GARDELLA, Robert C.
MILLER, Bonnie J.
TROST, Richard M.

MACOMB COUNTY

ANDERSON, Philip J.
CARDAMONE, Emil E.
COLMAN, Neil M.
CURTIS, Robert J.
DELEKTA, Diane Hubel
FINAZZO, Lori J.
GARVEY, Paul T.
GARVEY, Robert F.
GOODMAN, Mark D.
HRIBAR, Robert J.
KATZ, Lawrence S.
LANGE, Craig W.
LASCOE, John S.
LEGGHIO, Brian M.
LUJAN, Joseph G.
MAKARSKI, Daniel P.
MARTIN, James N.
McCULLOUGH, Max D.
MERRY, Cynthia E.
PUTMAN, Alicia M.
PUZZUOLI, Joseph P.
RINI, James W.
RUSSELL, Karen
SCHOENHERR, Craig S., Sr.
SHATZMAN, Pearl P.
TEGEL, Renee D.
WARNEZ, Dana M.
WOMACK, P. Douglas, Jr.
WYSS, William A.

MANISTEE COUNTY

KELEHER, Dennis L.

MASON COUNTY

ANDREWS, Robert D., Jr.
NICHOLSON, Gary L.

MARQUETTE COUNTY

CASSELMAN, Thomas P.
KEEFE, Ronald D.
KOCH, Kevin Wm.
PENICE, Steven L.

MIDLAND COUNTY

DURANCE, Stephen E.
MADDOX, Mark R.
MATHIEU, James H.

MONROE COUNTY

HORKEY, Christian J.
LAVOY, Jill M.
WETZEL, Robert
ZAGORSKI, Maria

MUSKEGON COUNTY

BALGOOYEN, Fredric F.
BLEAKLEY, Frederick W.
BOSSENBROEK, David L.
CHESSMAN, Robert O.
DAVIS, Shawn P.
MAY, Berton K.
NEAL, Gary T.
SCOTT, Brianna
SNIDER, I. John, II

OAKLAND COUNTY

ABBO, Peter
ABRAMS, Nina Dodge
ACKER, Gerald H.
APPEL, Jeffrey S.
AUGER, Cheryl J.
AUGUST, Gary K.
BAIERS, James E.
BALIAN, Michael J.
BALON-VAUGHN, Roberta S.
BARKER, Lori A.
BASILE, Andrew R. #
BATTERSBY, Michael L.
BAUM, Martin S.
BAUMHART, A. David, III
BENHAM, Lucy R.
BERNSTEIN, Douglas C.
BERNSTEIN, Mark J.
BERNSTEIN, Samuel I.
BERNSTEIN, Stephen R.
BINKLEY, David A. %
BOOKHOLDER, Ronald W.
BRAZZIL, Cynthia E.
BROOKS, Keefe A.
BROWN, Geoffrey M.
BRUKOFF, William M.
BURDICK, James W.
CANVASSER, Sue Ann
CARUSO, Kathryn M.
COLLINS, Morton B.

OAKLAND COUNTY
(Continued)

COLTON, Michael W.
CRANMER, Thomas W. %
CUTLER, Donald M.
DAKMAK, John D.
DAMREN, Samuel C.
DE VINE, Clifford, J.
EICHENHORN, Emily J.
FABRIZIO, Joseph J.
FELDMAN, Barry M.
FOX, Sharon Mullin
FREILICH, Diane M.
FRYHOFF, Timothy T.
GAGE, William C.
GERSHEL, Alan M.
GOLD, Edward D.
GOLDMAN, Barry
GOLDSTEIN, Ronald A.
GOODMAN, Barry J.
GOOGASIAN, George A.
GRAMZOW, Kirsten E.
GROFFSKY, Richard L.
GUERRIERO, Timothy M.
GURWIN, Howard E.
HARNISCH, Alan C.
HARON, David L.
HAROUTUNIAN, Edward L.
HEWSON, James F.
HOHAUSER, Michael S.
HUTSON, Michael W.
JACOBS, Mark S.
KANTER, Alan M.
KINSLEY, Stephen L.
KUTHY, Douglas E.
LEONARD, Norbert B.
LEONARD, Veronica R.
LERNER, Joshua A.
LICHTERMAN, Susan S.
LINDEN, Howard T.
LINDEN, Jeffrey B.
LOGAN, Leslie Anne
LOWENTHAL, Betty L.
MANTESE, Gerard V.
MARTENS, William L. #
MARVIN, Ronald S.
MATZ, Steven J.
McCANN, D. Michael
MILLER, Leonard E.
MITSEFF, Kimberly R.
MORROW, Raymond L.
NOVAK, Richard A., Jr.
O'CONNOR, Julie McCann
PALETZ, Susan E.
PAPPAS, Edward H.
PARKER, Joyce E.
PERLMUTER, Gary
PIA, Joseph
RICE, Cinnamon A.
RONAYNE, Colleen V.
RYAN, Thomas J.
SALTZMAN, Shirley A.
SEIFMAN, Barry A.
SCHEIBLE, Eric D.
SCHNELZ, Kurt E.
SHABAN, Tova G.
SHERR, Paul D.

OAKLAND COUNTY
(Continued)

SHULMAN, Marc I.
SILVER, Kenneth F.
SIMPSON, Thomas C.
SKILLMAN, Alicia J.
STERLING, J. Robert
STERLING, Raymond J.
STEWART, Jeffrey T.
STOOPS, Kevin J.
SUSSER, Danielle F.
SUSSER, Steven C.
TALARICO, Paula M.
TATE, Towana
TEICHER, Mark L.
TOOHEY, Robert E.
TRIEST, Brent S.
TUCK, Marsha Lynn
TURNER, Lee I.
VIEGAS, Christine Bernhard
WALKER, David R.
WALLACH, Howard I.
WARSH, Richard L.
WELLS, Steven W.
WERDER, Mark R.
WILLIS, Robert L., Jr.
WILSON, Eric S.
WOLOCK, Steven M.
YOCKEY, Kurt D.
YOCKEY, Michael J.
ZEMMOL, Allen
ZUPPKE, David F.

OCEANA COUNTY

ROSE, James M.

OTTAWA COUNTY

HANN, Donald H.
MARQUIS, John R.
McNALLY, Sheila F.
MULDER, Andrew J.

ROSCOMMON COUNTY

MEIRING, Ronald C.

SAGINAW COUNTY

CHASNIS, John A.
HAHN, Robert A.
MOSSNER, Eugene D.
SMITH, Lawrence Wm., Jr.
WALLACE, David A.
WASHBURN, Douglas S.

ST. CLAIR COUNTY

HILL, Steven L.
KELLY, Charles G.#
McGLYNN, Meghan A.
McNAMEE, John B.
WATSON, George C.
WHIPPLE, David C.#

ST. JOSEPH COUNTY

DAVIDSON, Matthew S.

VAN BUREN COUNTY

DuBAY, Mark D.
SCHUITMAKER, Harold G.

WASHTENAW COUNTY

BARR, John
BASTA, Joseph C.
BURKE, Joseph F.*
CARTER, Stefani A.
CONNORS, Margaret A.
CONTI, Guy T.
DEW, Thomas E.
DODD, Gregory L.
EGGAN, Andrew M.
FINK, Sally Claire
FLINTOFT, Peter C.
GREEN, Philip
JONES, Constance L.
KESSLER, Barbara L.
LAX, Jerold
LOVERNICK, Richard N.
MURPHY, Barbara L.
NICHOLS, Margaret J.
SACKS, Monika H.
SAFRANEK, Stephen J.
SENDELBACH, Karen S.
SLANK, Eileen J.
STARK, Sheldon J.
SUGERMAN, Donald F.
VARTANIAN, Michael G.
VESTRAND, Joan P.
WAX, Harvey I.
WEBER, Deborah J. Hammerlind

WAYNE COUNTY

BAKER, Chandra W.
BARTOS, Suzanne P.
BOLDEN, Carl B., Jr.
BUFFINGTON, Lamont E.
BURGESS, Laurence C.
CAMINSKY, Jeffrey
CHADWELL, Kenneth R.
COHEN, David M.
COSTELLO, Margaret A.
COTHORN, John A.
CUMMINGS, Owen J.
DOCTOROFF, Andrew S.
DUFRANE, Kyle R.
DUNN, William B.
EDWARDS, Sharon-Lee
EISENBERG, Stuart B.
ELLIOTT, Sylvia J.
ESSAD, Kenneth M.
ESSHAKI, Gene J.
FIELDMAN, Elaine S.
FISCHER, Paul J.
FISHER, Dodd B.
FRIMPONG, Ben K.
GAZALL, Robert S.
GARBARINO, Linda M.
GESKEY, Stephen M.

WAYNE COUNTY
(Continued)

GRUSKIN, Michael A.
GULLEN, John D.
HAMPTON, Verne C., II
HURWITZ, Miles A.
JACOBS, John P.
JADALLAH, Samer Naim
JORDAN, Teri A.
KASIBORSKI, Chester E., Jr.
KITCH, Richard A.
KUPLICKI, Francis P.
LAKE, Timothy W.
LEMIRE, John J.
LIZZA, John B.
LONGSTREET, Kristine Heard
MAVEAL, Gary M.
McGRAW, Stephen D.
McLAIN, Patrick
MILLER, Bruce A.
MILLER, C. David, II
MOREY, Blondell L.#
NIFOROS, Lambro
PAPISTA, Anthea E.
PHILLIPS, Dwight W.
PITTS, Stanley H.
PLUMB, Frederick B.
RIVARD, Donald M., Jr.
ROBINSON, Ron D.
RODWAN, Gail O.
RONAYNE, John J., III
ROSS, Steven P.
SAUGET, William J.
SCHONBERG, Edward R.
SERYAK, Richard J.
SHERROD, Patricia L.
SINCLAIR, Jennifer J.
TALON, Marianne G.
TEALL, Graham L.
THOMAS, Cynthia G.
THOMAS, James C.
TRZCINSKI, Thomas J.
TUKEL, Jonathan
URSO, John R.
VAN HOEK, Dawn A.
VENDITTELLI, Nicholas J.
WATZA, Michael J.
WELLER, Robert Y., II
WHITE, Lynda D.
WIDLAK, Anne
WILLIAMS, Avery K.
WYNNE, James E.
YOTT, Cynthia K.

WEXFORD COUNTY

McCURDY, David S.
PETERSON, David R.