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**NOTICE OF DISBARMENT AND RESTITUTION**  
**(By Consent)**

Case No. 15-102-GA

**Notice Issued: January 13, 2016**

J. Kim Welch, P 59766, Clarkston, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #62.

1. Disbarment
2. Effective July 3, 2014<sup>1</sup>

The respondent and the Grievance Administrator filed a stipulation for a consent order of discipline, in accordance with MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by the hearing panel. Based on respondent's plea of no contest, the hearing panel found that respondent neglected his clients' legal matters, in violation of MRPC 1.1(c); failed to communicate with his clients to the extent reasonably necessary to permit the clients to make informed decisions regarding the representation, in violation of MRPC 1.4(b); failed to pay or deliver funds that the client or a third party is entitled to receive, in violation of MRPC 1.15(b)(3); failed to hold his client's funds and/or funds in which a third party had interest in a client trust account and separate from his own funds, in violation of MRPC 1.15(d); failed to refund the advance payments of unearned fees to clients, in violation of MRPC 1.16(d); failed to respond to the lawful demand of the Grievance Administrator, in violation of MRPC 8.1(a)(2); violated or attempted to violate the rules of professional conduct, in violation of MRPC 8.4(a); 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 prejudicial to the proper administration of justice, in violation of MCR 9.104(1); engaged in conduct which exposed the legal profession or the courts to obloquy, contempt, censure or reproach, in violation of MCR 9.104(2); engaged in conduct that was contrary to justice, ethics, honesty or good morals, in violation of MCR 9.104(3); failed to notify his clients of his suspension, in violation of MCR 9.119(A); failed to notify the court of his suspension, in violation of MCR 9.119(B); failed to file an accurate affidavit of compliance, in violation of MCR 9.119(C); and failed to answer three requests for investigation, in violation of MCR 9.104(7), MCR 9.113(A), and MCR 9.113(B)(2).

The panel ordered that respondent be disbarred from the practice of law in and that he pay restitution in the amount of \$18,206.00. Costs were assessed in the amount of \$937.67.

Mark A. Armitage

Dated: January 13, 2016

<sup>1</sup> Respondent has been continuously suspended from the practice of law in Michigan since July 3, 2014. Please see Notice of Suspension (By Consent) issued July 3, 2014.