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FINAL NOTICE OF DISBARMENT AND RESTITUTION

Case No. 12-20-GA


Notice Issued: June 19, 2013

David A. Monroe, P 44418, Brighton, Michigan, by the Attorney Discipline Board Livingston County Hearing Panel #1.

1. Disbarment
2. Effective October 18, 2012¹

Respondent filed answers to the formal complaint and first amended formal complaint. Respondent also appeared at the public hearings. The panel found that respondent neglected the legal matters of seven clients, in violation of MRPC 1.1(c); failed to act with reasonable diligence and promptness in representing his clients, in violation of MRPC 1.13; failed to appropriately safeguard a client's property, in violation of MRPC 1.15(d); failed to keep his clients reasonably informed about the status of their matters, in violation of MRPC 1.4(a); and made a misrepresentation to a client, in violation of MRPC 8.4(b). The panel also found that respondent, in six legal matters, failed to return unspent costs and unearned fees paid in advance upon the termination of his representation, in violation of MRPC 1.15(b)(3) and 1.16(d); and failed to deposit expenses which were paid in advance into his client trust account, in violation of MRPC 1.15(g). The panel also found that respondent failed to hold the property of his client separate from his own funds and failed to deposit said funds into his trust account, in violation of MRPC 1.15(d); charged an excessive fee in three legal matters, in violation of MRPC 1.5(a); failed to notify a client when funds in which the client had an interest were received, in violation of MRPC 1.15(b)(1); failed to promptly pay or deliver client funds to his client, in violation of MRPC 1.15(b)(3); failed to properly supervise non-lawyer assistants, in violation of MRPC 5.3(b) and (c); and failed to make reasonable efforts to ensure that a nonlawyer subordinate's conduct is compatible with his professional obligations, in violation of MRPC 5.3(b). Finally, the panel found that respondent failed to answer 11 requests for investigation served upon him by the Grievance Administrator, in violation of MCR 9.104(7); engaged in conduct in violation of the Rules of Professional Conduct, contrary to 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).

The panel ordered that respondent be disbarred from the practice of law in Michigan and pay restitution in the aggregate amount of \$10,415.00. Respondent filed a petition for review. Upon review, the Board issued its order and opinion affirming the hearing panel's order of disbarment and restitution. On January 23, 2013, the Board issued its order denying respondent's motion for reconsideration and, on May 28, 2013, the Supreme Court denied respondent's application for leave to appeal. Total costs were assessed in the amount of \$6,096.36.


John F. Van Bolt

Dated: **JUN 19 2013**

¹ Respondent has been continuously suspended from the practice of law in Michigan since October 18, 2012. Please see Notice of Disbarment [Pending Appeal] issued October 24, 2012.