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NOTICE OF REPRIMAND WITH CONDITIONS (By Consent)

Case No. 21-1-GA

Notice Issued: June 11, 2021

Daniel I. Weberman, P 41644, West Bloomfield, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #56.

Reprimand, Effective June 9, 2021

Respondent and the Grievance Administrator filed a Stipulation for Consent Order of Discipline with Conditions, pursuant to MCR 9.115(F)(5), which was superceded by an Amended Stipulation for Consent Order of Discipline With Conditions, that was approved by the Attorney Grievance Commission and accepted by the hearing panel. Based upon respondent's admissions, no contest pleas and the stipulation of the parties, the panel found that respondent committed professional misconduct when he neglected his client's personal injury matter and failed to adequately communicate with his client, after he filed her acceptance of a case evaluation award, which resulted in the eventual dismissal of his client's case by the court. The panel also found that respondent committed professional misconduct as the result of his improper use of his IOLTA account in November 2019.

Specifically, and in accordance with the parties' stipulation, the panel found that respondent failed to provide competent representation to a client by neglecting a legal matter entrusted to him, in violation of MRPC 1.1(c); failed to seek the lawful objective of a client through reasonably available means, in violation of MRPC 1.2; failed to act with reasonable diligence and promptness when representing a client, in violation of MRPC 1.3; failed to keep a client reasonably informed regarding the status of a matter, in violation of MRPC 1.4(a); failed to hold property of his clients or third persons separate from his own, in violation of MRPC 1.15(d); and had direct supervisory authority over a non-lawyer whom he employed or retained, or with whom he associated, but failed to make reasonable efforts to ensure that the person's conduct was compatible with the professional obligations of the lawyer, in violation of MRPC 5.3(b). Respondent was also found to have violated MCR 9.104(1) and (4); and MRPC 8.4(a).

In accordance with the stipulation of the parties, the hearing panel ordered that respondent be reprimanded and subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$765.05.