

**NOTICE OF SUSPENSION AND
RESTITUTION WITH CONDITIONS**

Case No. 01-16-GA

Notice Issued: July 30, 2004

Cheryl M. Warren, P 37448, Northville, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #13.

1. Suspension - 18 Months;
2. Effective April 30, 2003.

The hearing panel found that, in her representation of a client in a probate matter, the respondent failed to adequately inform a client of the nature and extent of legal services being provided, and billed and collected excessive fees. The panel further found that the respondent borrowed \$70,000.00 from her client without first ensuring that the terms of the loan and security agreement were both settled and fully understood by her client; that she failed to advise her client that he could revoke the power of attorney which he had given to her; and she engaged in conduct in which her personal and/or business interests were adverse to those of her client. Finally, the panel found that the respondent subsequently subjected her client and another attorney to written and verbal personal attacks and threats of legal retribution.

Respondent's conduct was found to be in violation of Michigan Rules of Professional Conduct 1.4(a) and (b); 1.5(a); 1.8(a); 1.14(a); and 6.5(a). The hearing panel ordered that respondent's license to practice law be suspended for 18 months. The panel also ordered respondent to comply with conditions relevant to the established misconduct, including the execution of a promissory note and mortgage securing the \$70,000.00 loan from her client, in addition to restitution to her client in the amount of \$14,450.00.

Respondent filed a timely petition for review and request for stay of discipline. The Attorney Discipline Board denied respondent's request for a stay of discipline on April 24, 2003 and scheduled the matter for a review hearing.* On October 2, 2003, the Board issued an opinion and order modifying the hearing panel's order of restitution (reducing restitution from \$14,450 to \$12,270), and affirming the suspension.

Respondent filed a motion for reconsideration which was denied by the Board on January 22, 2004, and respondent subsequently filed an application for leave to appeal and motion for remand with the Supreme Court. Respondent also filed a motion for relief from sanction order with the Board. On July 29, 2004, the Supreme Court denied respondent's application for leave to appeal and motion for remand, and the Attorney Discipline Board denied respondent's motion for relief from sanction order on July 30, 2004. Total costs were assessed in the amount of \$3,486.92.

* See Notice of Suspension and Restitution with Conditions (Pending Appeal), issued May 2, 2003.