

**NOTICE OF SUSPENSION**  
**(By Consent)**

Case No. 99-180-GA

**Notice Issued: July 13, 2001**

Hon. Cynthia Gray Hathaway, P-40096, Detroit, Michigan, by Tri-County Hearing Panel #18, approving a stipulation for consent order of discipline.

1. Suspension - 30 days;
2. Effective July 10, 2001.

On October 19, 1999, the Michigan Judicial Tenure Commission ("JTC") recommended that respondent be suspended from the performance of her judicial duties as a judge in the 36th District Court for a period of 30 days. On November 9 1999, the Grievance Administrator filed a formal complaint with the Attorney Discipline Board based upon the recommendation of the JTC, in accordance with MCR 9.116(B) and (C).

On January 19, 2000, respondent and the Grievance Administrator filed a stipulation for consent order of discipline pursuant to MCR 9.115(F)(5) containing respondent's plea of no contest to the charges in the formal complaint filed by the Attorney Grievance Commission, specifically: During an arraignment, respondent became impatient and arraigned the defendant without a written warrant, without a prosecutor present, and without waiting for defendant's fingerprints to clear. Respondent also arraigned the defendant on a charge not authorized by a prosecutor and set bail at a grossly insufficient amount despite being aware of pending federal charges against defendant. In a second matter, respondent adjourned numerous hearing and trial dates before finally disqualifying herself, without cause. In a third matter, respondent attempted to coerce a defendant to waive his right to a jury trial by threatening to remand defendant to jail overnight if he did not agree to a bench trial. Respondent's conduct was in violation of MCR 9.104(1)-(4); MCR 9.205; Michigan Rules of Professional Conduct 8.4(a)-(c); and the Michigan Code of Judicial Conduct, Canons 1, 2 and 3.

The parties agreed that respondent's license to practice law in Michigan should be suspended for 30 days contingent upon the issuance of a final order by the Michigan Supreme Court in the matter of In Re Hon. Cynthia Gray Hathaway, JTC Formal Complaint No. 60, and further conditioned upon the Supreme Court's issuance of a suspension of 30 days or more. In accordance with the stipulation filed by the parties, the hearing panel further ordered that upon issuance of an order by the Supreme Court suspending the respondent from her judicial duties for 30 days or more, the hearing panel's order suspending respondent's license to practice law for 30 days would immediately go into effect, to run concurrently with her suspension from judicial duties. The stipulation was approved by the Attorney Grievance Commission and a hearing panel. Costs were assessed in the amount of \$12.24.

On July 10, 2001, the Supreme Court entered an order in the matter of Hon Cynthia Gray Hathaway, Supreme Court No. 112495, modifying the recommendation of the JTC and increasing respondent's discipline to a six month suspension. In accordance with the hearing panel's order, respondent's license to practice law was suspended for 30 days, effective July 10, 2001.