

FINAL NOTICE OF REPRIMAND

Case No. 98-216-GA

Issued: October 23, 2000

Ralph E. Musilli, P-18132, St. Clair Shores, Michigan, by the Attorney Discipline Board, increasing an order of "No Discipline" by Tri-County Hearing Panel #103 to a reprimand.

1. Reprimand.
2. Effective October 21, 2000.

The hearing panel found that respondent had committed misconduct by failing to appear at a scheduled trial date in a civil matter. The panel found that there was no credible evidence that respondent had actual knowledge that the trial date had been set when he entered his appearance as substitute counsel in the pending matter. However, the panel cited respondent's neglect and/or lack of diligence for failing to make serious inquiry as to the existence of a trial date. Respondent's conduct was found to be in violation of MCR 9.104(1)-(4); and Michigan Rules of Professional Conduct 1.1(b) and (c); 1.3; 3.2; and 8.4(a) and (c). The hearing panel ordered that respondent should be subject to an order imposing "No Discipline." Costs were assessed in the amount of \$1,042.20.

The Grievance Administrator petitioned for review and a review hearing was held on June 15, 2000. The Attorney Discipline Board entered an order modifying the hearing panel's order of "No Discipline" and imposing a reprimand. Additional costs were assessed in the amount of \$108.00.