

NOTICE OF REPRIMAND WITH CONDITIONS
(By Consent)

Case No. 98-238-GA

Mark H. Teklinski, P-21319, Warren, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #104.

- 1) Reprimand;
- 2) Effective May 4, 1999.

Respondent was retained to represent the complainant in an immigration matter, and appeared at a deportation proceeding on the complainant's behalf. At that hearing, respondent withdrew the complainant's Application for Asylum and Withholding Deportation and chose to pursue only an Application for Adjustment based upon the complainant's recent marriage to an American citizen. The immigration judge continued the hearing for four months. Respondent was warned to comply with the Immigration Court's local operating procedures and to provide all appropriate documentation and documentary evidence to the court and counsel for the Immigration and Naturalization Service [INS] at least 10 days prior to the continued hearing. Respondent was also warned to be prepared to prove to the satisfaction of the court that the complainant had a bona fide marriage.

Respondent pled no contest to allegations that he neglected the matter by failing to timely file an Application to Register Permanent Residence or Adjust Status with the court and counsel for the INS; failing to timely file the complainant's fingerprints and Biographic Information for processing prior to the continued hearing; failing to arrange for the appearance of the complainant's wife at the continued hearing or to present other evidence sufficient to prove to the satisfaction of the court that the complainant had a bona fide marriage; and failing to respond to the complainant's or to successor counsel's reasonable requests for information. The panel concluded that respondent's conduct violated MCR 9.104(1)-(4); and Michigan Rules of Professional Conduct 1.1(a)-(c); 1.3; 1.4(a); 3.2; 3.4(c); and 8.4(a) and (c).

The parties stipulated that respondent be reprimanded and placed on a monitoring period of one year, subject to conditions including completion of a continuing education course in law office management and/or immigration law. Costs were assessed in the amount of \$65.94.