

NOTICE OF REPRIMAND

Case No. 92-65-GA

Walter F. Finan, Jr., P25711, Bradenton, Florida (formerly of Oakland County, Michigan), by the Attorney Discipline Board affirming a hearing panel order of reprimand.

- 1) Reprimand;
- 2) Effective July 16, 1993.

After receiving a substantial attorney fee in a wrongful death case, the respondent gave money described as "gifts" or "loans" to a non-lawyer who had recommended the client to the respondent. The hearing panel concluded that the respondent's conduct violated Michigan Rules of Professional Conduct 7.2(c) [a lawyer shall not give anything of value to a person for recommending the lawyer's services].

Separate petitions for review were filed by the respondent and the Grievance Administrator seeking review of the hearing panel's decision to impose a reprimand. In an opinion issued June 24, 1993, the Attorney Discipline Board ruled that there was proper evidentiary support for the conclusion that the respondent's conduct violated MRPC 7.2(c). The Board's majority affirmed the panel's decision to impose a reprimand under the specific circumstances of the case, noting that a suspension could be appropriate in a case involving a repeated pattern of so-called "gifts" or evidence of a specific agreement by an attorney to pay a referral fee to a non-lawyer. A dissenting Board member would impose a suspension. Costs were assessed in the amount of \$1056.83.