

Attorney Discipline Board



BOARD MEMBERS
WILLIAM G. REAMON, CHAIRPERSON
Martin M. Doctoroff
BERNADINE N. DENNING, SECRETARY
JOHN L. COTE

PATRICK J. KEATING, Vice-Chairperson
CHARLES C. VINCENT, M. D.

JOHN F. X. DWAINY
EXECUTIVE DIRECTOR &
GENERAL COUNSEL

SUITE 1260
333 W. FORT STREET
DETROIT, MICHIGAN 48225
TELEPHONE: (313) 963-5553

NOTICE OF SUSPENSION

File No. DP 112/84

PHILIP S. TSCHIRHART, (P21599), 4020 Orchard Beach Road, Cheboygan, MI 49721, by Supplemental Order of Attorney Discipline Board Oakland County Hearing Panel #4, filed February 8, 1985.

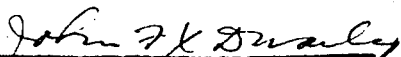
- (1) Suspension
- (2) For a Period of Sixty (60) Days
- (3) Effective September 10, 1984 (Pursuant to a Retroactive Provision in Order).

The Formal Complaint filed by the Attorney Grievance Commission cited the findings of the Judicial Tenure Commission including the following:

Respondent, while serving as a District Court Judge, permitted a Magistrate appointed by Respondent to preside over a case in which Respondent's son was named as a defendant; Respondent's sought favorable treatment from the State Police and prosecuting attorney for his son in connection with said case and failed to notify the State Court Administrator's office that he had disqualified himself in said case after it had been pending for one year during which period Respondent failed to schedule said case for trial; Respondent engaged in ex parte conversations with the visiting Judge assigned to preside over said case to obtain an adjournment of it; Respondent improperly used his Judicial office to hinder, delay and/or frustrate the collection of a loan to the Respondent's son which Respondent had guaranteed, and threatened retaliation against the attorney for the bank which sued Respondent and his son for their default on said loan.

The Attorney Discipline Board hearing panel found that the findings of the Tenure Commission were in accordance with the evidence presented and adopted those findings. The Discipline Board hearing panel found violations of former GCR 1963, 951(1-4) and Canon 1, DR1-102(A)(4-6) of the Code of Professional Responsibility. The panel noted that there has been no prior history of disciplinary action.

Dated: 3/8/85


**JOHN F. X. DWAINY, Executive Director
& General Counsel**