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NOTICE OF SUSPENSION AND RESTITUTION

Case No. 17-1-GA

Notice Issued: November 21, 2018

Lawrence B. Shulman, P 45075, Bloomfield Hills, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #69.

Suspension - 90 Days, effective May 4, 2018¹

After proceedings in accordance with MCR 9.115 and based on the evidence presented by the parties at the hearings held in this matter, the hearing panel found that respondent committed professional misconduct in his representation of a client in an appeal of a federal criminal conviction during which respondent failed to prepare and file the brief on appeal, resulting in dismissal of the appeal. Respondent then failed to refund any portion of the fee paid by the client and his wife. The panel also found that respondent failed to answer the request for investigation filed by the client.

The panel found that respondent neglected a legal matter, in violation of MRPC 1.1(c); failed to seek the lawful objectives of his client through reasonably available means, in violation of MRPC 1.2(a); failed to act with reasonable diligence and promptness, in violation of MRPC 1.3; failed to keep his client reasonably informed about the status of the matter and comply promptly with reasonable requests for information, in violation of MRPC 1.4(a); failed to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation, in violation of MRPC 1.4(b); failed to refund an unearned fee upon termination of the representation, in violation of MRPC 1.16(d); knowingly made a false statement of material fact or law to a third person in the course of representing a client, in violation of MRPC 4.1; knowingly failed to respond to a lawful demand for information, in violation of MRPC 8.1(a)(2); engaged in conduct that involved dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law, where such conduct reflected adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b); and failed to answer a request for investigation in conformity with MCR 9.113, in violation of MCR 9.104(7). Respondent was also found to have violated MCR 9.104(1)-(3); and MRPC 8.4(a) and (c).

¹ Respondent was suspended from the practice of law in Michigan on April 25, 2018. See Notice of Automatic Suspension for Non-Payment of Costs, issued May 1, 2018. Pursuant to MCR 9.123(A), respondent was reinstated to the practice of law September 13, 2018, upon the filing of an affidavit with the clerk of the Michigan Supreme Court, the Attorney Discipline Board, and Attorney Grievance Commission, attesting to his full compliance with the terms and conditions of the Order of Suspension and Restitution issued in this matter.

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The panel ordered that respondent's license to practice law be suspended for a period of 90 days and that he be required to pay restitution in the amount of \$6,750. The Grievance Administrator petitioned for review. Upon review, the Board affirmed the hearing panel's order of suspension and restitution on October 22, 2018. Total costs were assessed in the amount of \$2,870,37.

Mark A. Armitage Executive Director

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