

Attorney Discipline Board



BOARD MEMBERS

JOHN L. COTÉ, CHAIRPERSON
LEO A. FARHAT
MSGR. CLEMENT H. KERN
DAVID BAKER LEWIS, SECRETARY
FRANK J. MCDEVITT, D. O.
WILLIAM G. REAMON
LYNN H. SHECTER,
VICE-CHAIRPERSON

MAILING ADDRESS:
P. O. BOX 149
DETROIT, MICHIGAN 48231

JOHN F. X. DWAIHY
EXECUTIVE DIRECTOR &
GENERAL COUNSEL
SUITE 1260
333 W. FORT STREET
DETROIT, MICHIGAN 48226
TELEPHONE: (313) 963-5553

NOTICE OF SUSPENSION AND PROBATION


DP-146/81


HUGH J. McGUIRE (P 17429), 3959 Mt. Vernon, Birmingham, MI 48010, by order of the Attorney Discipline Board, the Michigan Supreme Court having denied the Grievance Administrator's application for leave to appeal.

- (1) The Suspension of 15 months was effective March 12, 1982 (See prior notice of revocation pending appeal issued March 15, 1982.)
- (2) Probation for a period of 2 years is effective June 3, 1983.

Hearing the matter pursuant to Respondent's petition for review, the Attorney Discipline Board reduced the hearing panel order of revocation to a suspension of 1 year and 3 months (time served as of date of Board decision) and imposed a 2 year term of probation with specific conditions to be ordered which will include rehabilitative therapy as required by GCR 1963, 970.3.

The Board found that Respondent had neglected a certain probate estate, failed to communicate with the client, and misappropriated assets of the estate in the amount of \$11,000; Respondent failed to answer the Formal Complaint and was placed in default. The hearing panel revoked Respondent's license. Respondent petitioned the Board for review under GCR 971 requesting reconsideration for probation under GCR 970.3(a)(1-4); Respondent filed an amended answer and the matter was remanded to a Master to consider certain medical evidence. Based upon the supplemented record, the Board found that Respondent's misconduct was caused by an impairment which was susceptible to treatment for which Respondent has submitted to treatment. The Board, in its opinion, noted that the 15 month period of suspension afforded a significant degree of public protection and an opportunity to fashion a plan of rehabilitation under specific conditions, including, but not limited to, restitution with interest to the clients.


JOHN F. X. DWAIHY, Executive Director
& General Counsel


DAVID BAKER LEWIS, Secretary of the
Attorney Discipline Board