

Attorney Discipline Board



BOARD MEMBERS
 FREDERICK G. BUSSER, JR.
 JOHN L. COTE, CHAIRPERSON
 MSGR CLEMENT H. KEARN
 DAVID BAKER LEWIS, SECRETARY
 FRANK J. MCDEVITT, D.O.
 WILLIAM G. REAMON
 LYNN M. SNECER,
 VICE-CHAIRPERSON

JOHN F. X. DWAINY
 Executive Director
 & General Counsel
 SUITE 1260
 333 W FORT STREET
 DETROIT MICHIGAN 48226
 TELEPHONE (313) 963-5553

This is to inform the Courts of the State of Michigan of the following Order of Discipline:

NOTICE OF REPRIMAND

File No. 35669-A

SHELDON HALPERN (P14560), 515 Monroe, Detroit, MI 48226, by Order of the Michigan Supreme Court reducing from a discipline of suspension of one (1) month rendered by the Wayne Circuit Hearing Panel "C", the suspension had been affirmed by the Discipline Board.

- (1) Reprimand;
- (2) Effective November 25, 1980.

6 The Formal Complaint charged that Respondent failed to carry out the terms of a retainer agreement providing for representation of a prisoner in parole proceedings in violation of Canon 1, DR 1-102 (A), Canon 6, DR 6-101 (A) (3), Canon 7, DR 7-101 (A), and Supreme Court Rule 15.2. A second count charged that Respondent failed to answer the Grievance Administrator's Request for Investigation in violation of the former Supreme Court Rule 15.2 (7) and 16.6.

The Hearing Panel found that Respondent did not perform his contract with the family of the prisoner, and that Respondent's efforts fell substantially short of the legal services promised. Although the Panel granted Respondent's Motion to Set Aside Default, they found violations of all disciplinary rules charged in the Complaint, and found no merit for the defense asserted for failure to answer the Request for Investigation and the Formal Complaint, thereby finding violations of former Supreme Court Rule 15.2 (7) and 16.6. The Attorney Discipline Board approved the Respondent's Petition for Review, conducted a hearing and remanded the matter to a special master for a report regarding appropriate legal services in a parole matter; the Board subsequently affirmed the 30 day suspension rendered by the Panel. Respondent was assessed costs in the amount of \$750.95. Respondent's appeal to the Supreme Court resulted in reduction of the suspension to a reprimand. The Supreme Court specifically noted that the finding

80m-35669-A

that Respondent failed to provide the parole board with the views of the sentencing judge was not supported by the record.



David Baker Lewis, Secretary
ATTORNEY DISCIPLINE BOARD

Date of Issuance:

FEB 6 1981