

Attorney Discipline Board



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

NOTICE OF REPRIMAND

File No. DP-20/80

Related: 33781 & 35995

THOMAS W. McCOY (P17340), 409 Main Street, St. Joseph MI 49085, by Stipulation for Consent/Discipline approved by the Attorney Discipline Board.

- (1) Reprimand;
- (2) Effective October 2, 1980.

Respondent was charged in a nine(9)-count Formal Complaint charging various acts of misconduct in the representation of a business client, including failure to properly advise said client regarding certain unethical and criminal conduct by said client, counseling and assisting said client in the deception of the client's employer and failure, neglect and refusal to advise said client to disclose and rectify said client's deception of his employer in regard to several separate transactions. The Complaint charged violations of Canon 1, Canon 2, Canon 7 of the Code of Professional Responsibility, and the Disciplinary Rules set forth at GCR 953 (1-5), as well as the provisions of MCLA 750.249. The Complaint also alleged that Respondent permitted the improper witnessing and/or notarization of three deeds.

In a Stipulation for Discipline by Consent, the Respondent acknowledged limited responsibility, in relation to Counts I through V of the Formal Complaint, for permitting the use of his client's trust account for improper transfer of funds by a business client, although Respondent derived no personal profit therefrom, said conduct being in violation of Canon 2, DR 2-110 (B) (2) of the Code of Professional Responsibility and GCR 953 (4). In said Stipulation, in regard to Count VI through VIII of the Formal Complaint, the Respondent further admitted responsibility for the failure to properly supervise the execution and verification of certain deeds, in violation of Canon 6, DR 6-101 (A) (3) of the Code of Professional Responsibility and GCR 953 (4). Therefore, to the limited extent indicated, Respondent admitted some responsibility for the conduct set forth in Counts I through VIII of the Formal Complaint. Count IX of the Complaint was dismissed with prejudice. The Attorney Discipline Board approved the Consent/Discipline of Reprimand requested by the parties.

October 21, 1980.

David Baker Lewis, Secretary
 ATTORNEY DISCIPLINE BOARD