

Attorney Discipline Board



BOARD MEMBERS

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

JOHN F. X. DWAIHY
 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 SUSPENSION

File No. 36253-A


DENNIS M. POWERS, (P23686), General Delivery, North Andover, MA 01845, by Attorney Discipline Board Order adopting Hearing Panel's recommendation.

- (1) Suspension;
- (2) For a period of 90 days;
- (3) Effective December 9, 1980.

The Formal Complaint charges that Respondent, while employed as an attorney by a private law firm, prepared, executed and presented for payment, or caused the same, vouchers for petty cash that Respondent collected in excess of Six Hundred (\$600.00) Dollars from the petty cash of said law firm, ostensibly for expenses incurred by him in the course of his employment, that said vouchers were false, and were known by Respondent to be false at the time of presentment, that Respondent commingled and converted said funds to his own use in violation of Canon 1, DR 1-102 (A) (3-4) (6) and GCR 953 (2-5).

The matter was referred to Oakland Circuit Hearing Panel "G" of the Discipline Board for hearing and recommendation as to appropriate discipline. The Panel found that the allegations in the Complaint had been proven. The Panel considered several mitigating factors, including Respondent's voluntary withdrawal from the practice of law for more than two (2) years, and efforts at personal rehabilitation as well as Respondent's level of competence, response to therapy, and self-awareness of the problems precipitating his

defalcation. The Panel's recommendation of a Suspension of 90 days was adopted by the Discipline Board. Respondent was assessed costs of \$322.10.



David Baker Lewis, Secretary
ATTORNEY DISCIPLINE BOARD

Date of Issuance: FEB 6 1981