

NOTICE OF SUSPENSION

Case No. 23-19-GA

Notice Issued: January 30, 2024

Garrett C. Kerr, Frankenmuth, Michigan, by the Attorney Discipline Board Tri-Valley Hearing Panel #4

Suspension - 1 Year, Effective January 30, 2024

After proceedings conducted pursuant to MCR 9.115, the panel found, by default, that respondent committed professional misconduct during his employment as a law clerk at a Michigan law firm. As a condition of respondent's employment at the firm, he was supposed to apply for admission to the State Bar of Michigan. In July 2021, respondent told his employer that he had not actually applied to become licensed to practice law in Michigan¹ and he was terminated from the firm. After respondent's termination, his former employer discovered that respondent had held himself out to several clients as a Michigan licensed attorney, despite specific instructions that he not sign any pleadings, appear in court, or offer any legal advice to clients. Respondent rendered legal advice, signed retainer agreements, took or intended to take money from clients in exchange for legal services, and otherwise engaged in the practice of law in Michigan. In addition, respondent failed to answer a Grievance Administrator's Request for Investigation inquiring into respondent's employment at the firm.

Based on respondent's default, the hearing panel found that respondent engaged in the unauthorized practice of law, in violation of MRPC 5.5 and MRPC 8.1(b)(1); engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation, in violation of MRPC 8.4(b); neglected a legal matter entrusted to the lawyer, in violation of MRPC 1.1(c); failed to seek the lawful objectives of a client, in violation of MRPC 1.2(a); failed to act with reasonable diligence and promptness in representing his clients, in violation of MRPC 1.3; failed to keep his clients reasonably informed about the status of a matter and comply promptly with reasonable requests for information, in violation of MRPC 1.4(a); violated or attempted to violate the Rules of

¹ Contrary to what respondent told his employer, he had applied for reciprocal admission but was rejected by the Board of Law Examiners.

Professional Conduct, in violation of MRPC 8.4(a); engaged in conduct prejudicial to the administration of justice, in violation of MRPC 8.4(c) and MCR 9.104(1); engaged in conduct that exposes the legal profession to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2); engaged in conduct that is contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3); engaged in conduct that violates the standards or rules of professional responsibility adopted by the Supreme Court, in violation of MCR 9.104(4); and, failed to respond to a Request for Investigation in violation of MCR 9.104(7) and 9.113(B)(3).

The panel ordered that respondent be suspended for one year, effective January 30, 2024, and that should respondent seek licensure, special admission, or other permission to practice as an attorney in Michigan, he shall disclose this disciplinary sanction to the admitting court, agency, or other authority. Costs were assessed in the amount of \$1,897.69.