

NOTICE OF REPRIMAND

(By Consent)

Case No. 24-50-GA

Notice Issued: October 23, 2024

John A. Engman, P 13198, Grand Rapids, Michigan

Reprimand, Effective October 23, 2024

Respondent and the Grievance Administrator filed a Stipulation for Consent Order of Discipline in accordance with MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by Kent County Hearing Panel #3. The stipulation contained respondent's admission to the factual allegations, and his no contest plea to the allegations of professional misconduct as set forth in the formal complaint, namely that respondent committed professional misconduct by misusing his IOLTA. Specifically, the complaint alleged that respondent's IOLTA was overdrawn by several transactions that were business expenses and should have been paid out of his business account. Respondent admitted that all of the funds in his IOLTA were client funds, and that upon learning of the overdrafts, he deposited funds from his general business account into his IOLTA to cover the insufficient funds.

Based upon respondent's admission, no contest plea, and the parties' stipulation, the panel found that respondent failed to hold property of clients or third persons in connection with a representation separate from the lawyer's own property, in violation of MRPC 1.15(d); failed to safeguard client funds in his IOLTA, in violation of MRPC 1.15(d); deposited funds into his IOLTA in an amount in excess of an amount reasonably necessary to pay financial institution service charges or fees, in violation of MRPC 1.15(f); engaged in conduct that violates the Rules of Professional Conduct, in violation of MRPC 8.4(a) and MCR 9.104(4); and engaged in conduct that exposes the legal profession to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2).

In accordance with the stipulation of the parties, the panel ordered that respondent be reprimanded. Costs were assessed in the amount of \$909.92.