

STATE OF MICHIGAN

Attorney Discipline Board

FILED
ATTORNEY DISCIPLINE BOARD
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GRIEVANCE ADMINISTRATOR,
Attorney Grievance Commission,

Petitioner,

v

Case No. 09-26-JC

KEVIN M. SCHNEIDER, P 54175,

Respondent.

ORDER OF INCREASED SUSPENSION, WITH CONDITIONS

Issued by the Attorney Discipline Board
211 W. Fort St., Ste. 1410, Detroit, MI

On September 14, 2009, Tri-County Hearing Panel #101 of the Attorney Discipline Board entered an order of suspension with conditions directing that respondent be suspended from the practice of law in Michigan for a period of 179 days, commencing February 5, 2009, and that he be subject to certain probationary conditions for a period of two years. The Grievance Administrator petitioned the Attorney Discipline Board for review of that order. The Attorney Discipline Board has now considered the stipulations of the parties. In lieu of a hearing before the Board pursuant to MCR 9.118(C), the parties have stipulated that the Board may enter an order of discipline suspending respondent's license to practice law for a period of 180 days, commencing July 30, 2009 with probationary conditions running for a period of two years, commencing October 30, 2009. The Attorney Discipline Board has carefully reviewed the record before the panel and the stipulations submitted by the parties. The Board notes that the stipulation has been approved by the Attorney Grievance Commission and the Board is otherwise fully advised;

NOW THEREFORE,

IT IS ORDERED that respondent's license to practice law in Michigan is **SUSPENDED FOR A PERIOD OF 180 DAYS, DEEMED TO COMMENCE JULY 30, 2009** and until reinstatement by a hearing panel, the Attorney Discipline Board or the Supreme Court under the provisions of MCR 9.123(B) and MCR 9.124.

IT IS FURTHER ORDERED that the effective date of this order is December 22, 2009.

IT IS FURTHER ORDERED that for a period of two years, commencing **October 30, 2009**, respondent shall be subject to the following conditions which are deemed to be relevant to the established misconduct pursuant to MCR 9.106(2):

1. Respondent shall continue alcohol treatment and remain abstinent from alcohol;
2. Respondent's alcohol treatment shall consist of continued attendance at Alcoholic's Anonymous (AA) meetings, not less than two times per week, and continued individual therapy;
3. Respondent shall provide a sworn affidavit to the Grievance Administrator and the Attorney Discipline Board, on a quarterly basis, that he has continued to abstain from the use of alcohol as well as proof of continued alcohol treatment; and
4. Respondent shall meet on an individual basis with his therapist, who shall provide quarterly reports to the Grievance Administrator and the Attorney Discipline Board regarding respondent's continued treatment and satisfactory progress. Within 30 days of the effective date of this order, respondent shall provide a waiver allowing the Attorney Grievance Commission to communicate with the therapist concerning his treatment. The initial report shall be due within 30 days of the effective date of this order and shall include a diagnosis, prognosis, and recommendation. All subsequent reports shall indicate whether positive progress is being made.

IT IS FURTHER ORDERED that upon respondent's failure to comply with any of the conditions described above, the Grievance Administrator may petition the Attorney Discipline Board for the entry of an order directing respondent to appear before a hearing panel to show cause why further discipline should not be imposed.

ATTORNEY DISCIPLINE BOARD

By:



William J. Danhof, Chairperson

DATED: November 23, 2009

Board members William J. Danhof, Thomas G. Kienbaum, William L. Matthews, C.P.A., Andrea L. Solak, Rosalind E. Griffin, M.D., Carl E. Ver Beek, Craig H. Lubben, James M. Cameron, Jr. and Sylvia P. Whitmer, Ph.D. concur in this decision.