

Attorney Discipline Board

2023-Jan-13

GRIEVANCE ADMINISTRATOR,
Attorney Grievance Commission,

Petitioner,

v

Case No. 22-74-RD

NEJLA K. LANE, P 68737

Respondent.

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ORDER DISMISSING NOTICE OF FILING OF RECIPROCAL DISCIPLINE AND DENYING MOTION FOR STAY

On September 27, 2022, the Grievance Administrator filed a Notice of Filing of Reciprocal Discipline Pursuant to MCR 9.120(C) against respondent. The Administrator's notice attached copies of a January 22, 2018, order from the United States District Court for the Northern District of Illinois that suspended respondent from the General Bar of the District Court for six months and from the Trial Bar of the District Court for one year; a report and recommendation filed on November 4, 2021, by the Hearing Board of the Illinois Attorney Registration and Disciplinary Commission recommending that respondent be suspended for nine months, with the suspension stayed after six months by six months of probation; and, a report and recommendation filed on July 12, 2022, by the Review Board of the Illinois Attorney Registration and Disciplinary Commission, affirming the hearing board's findings and recommended sanction.

The notice further advised that the Administrator "believes that a suspension for like term as *that imposed by the Illinois Attorney Registration and Disciplinary Commission* is an equivalent appropriate and comparable discipline." (Emphasis added.)

On October 7, 2022, the Board issued an Order Regarding Imposition of Reciprocal Discipline, which ordered the parties to, within 21 days from service of the order, inform the Board in writing of (i) any objection to the imposition of comparable discipline in Michigan based on the grounds set forth in MCR 9.120(C)(1) and (ii) whether a hearing was requested. No objection was filed by either party.

On December 2, 2022, the Grievance Administrator filed a Combined Motion and Brief to Stay Reciprocal Discipline Proceedings advising that respondent has appealed the report and recommendation of the Review Board of the Illinois Attorney Registration and Disciplinary Commission to the Illinois Supreme Court, thus there has been no final adjudication of respondent's Illinois disciplinary matter. The Administrator requests that the Board stay these proceedings until such time as the Illinois Supreme Court issues an opinion, in the interest of saving resources.

Pursuant to MCR 9.120(C)(1) and (2), a certified copy of a final adjudication by any court . . . determining that an attorney . . . has committed misconduct allows the Grievance Administrator to initiate a reciprocal disciplinary proceeding in Michigan. The Administrator is seeking comparable discipline as imposed by the Illinois Attorney Registration and Disciplinary Commission, but acknowledges that there has been no final adjudication of respondent's disciplinary proceeding in Illinois. Therefore, it would appear that there is currently no basis on which the Administrator can file a reciprocal discipline proceeding against respondent under MCR 9.120(C).

The Board, being otherwise fully advised;

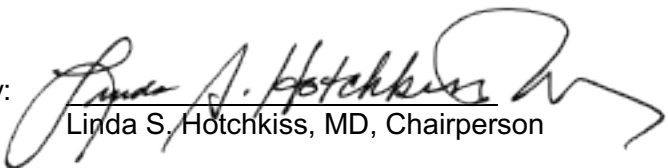
NOW THEREFORE,

IT IS ORDERED that the September 27, 2022 notice of filing of reciprocal discipline is **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that the Grievance Administrator's motion to stay is **DENIED AS MOOT**.

ATTORNEY DISCIPLINE BOARD

By:


Linda S. Hotchkiss, MD, Chairperson

Dated: January 13, 2023

Board members Linda S. Hotchkiss, MD, Alan Gershel, Rev. Dr. Louis J. Prues, Peter A. Smit, Linda M. Orlans, Jason M. Turkish, Andreas Sidiropoulos, MD, Katie Stanley, and Tish Vincent concur in this decision.