

STATE OF MICHIGAN

Attorney Discipline Board

GRIEVANCE ADMINISTRATOR,
Attorney Grievance Commission,

Petitioner/Appellee,

v

Case No. 20-54-GA

RAYMOND GUZALL, III, P 60980,

Respondent/Appellant.

**ORDER DENYING RESPONDENT'S MOTION FOR RECONSIDERATION, TO CORRECT MISTAKES,
APPLY ERRORS AND FOR CLARIFICATION OF THE BOARD'S 9-29-23 OPINION AND ORDER**

Issued by the Attorney Discipline Board
333 W. Fort St., Ste. 1700, Detroit, MI

Respondent filed a motion seeking reconsideration of the Attorney Discipline Board's September 29, 2023 order affirming the hearing panel's findings of misconduct, reducing discipline from a 179-day suspension to a 90-day suspension, and modifying conditions. The Grievance Administrator filed a response requesting that respondent's motion be denied.

The Board has considered respondent's motion together with the response filed by the Grievance Administrator, and is otherwise fully advised;

NOW THEREFORE,

IT IS ORDERED that respondent's motion for reconsideration, to correct mistakes, apply

errors and for clarification is **DENIED**. Respondent's motion merely presents the same issues already ruled on by the Board, and he has failed to demonstrate a palpable error by which the Board has been misled, or to otherwise demonstrate that the September 29, 2023 decision of the Board was entered erroneously.

IT IS FURTHER ORDERED that the automatic stay pursuant to MCR 9.118(E) shall remain in effect for a period of 28 days from the date of this order.

IT IS FURTHER ORDERED that respondent's license to practice law in Michigan is **SUSPENDED FOR 90 DAYS, EFFECTIVE DECEMBER 27, 2023**, and until the respondent's filing of an affidavit of compliance in accordance with MCR 9.123(A).

IT IS FURTHER ORDERED that, in accordance with the Board's September 29, 2023 opinion and order, respondent is subject to the following conditions for a minimum of ONE YEAR from the effective date of the order of discipline:

1. Respondent shall meet on an individual basis with a licensed mental health therapist as referred by the State Bar of Michigan's Lawyers and Judges Assistance Program (LJAP) for a minimum of one year. Respondent shall, within 30 days of the effective date of this order, provide: (a) written verification to the Grievance Administrator and the Attorney Discipline Board that he has secured the services of a therapist; (b) the name, address, and telephone number of the therapist; and (c) a waiver allowing the Attorney Grievance Commission and LJAP to communicate with the therapist concerning his evaluation, any clinical recommendations made, and/or treatment. The purpose of this condition is to address documented problems with anger management and promote/improve general mental health wellness, as well address respondent's refusal to take any responsibility for his actions, blaming of others for the consequences of his own conduct as

evidenced by the record in this proceeding, and ability to accept responsibility for his conduct.

2. Respondent's counseling shall be monitored by LJAP, to allow a clinical team to stay in communication with the therapist regarding frequency, progress, and prognosis. The LJAP clinical team will review all therapy reports to ensure appropriate standards of care and scope of practice. If additional clinical needs arise during the course of treatment, this will be addressed in collaboration with the therapist and LJAP. The therapist shall provide quarterly reports regarding respondent's continued treatment and satisfactory progress to the Attorney Grievance Commission and the LJAP clinical team. The first report shall be due within 60 days of the effective date of this order and shall include a diagnosis, prognosis, and recommendation(s). All subsequent reports shall indicate whether positive progress is being made. Respondent shall comply with all recommendations made by the therapist and/or LJAP regarding frequency, progress, and prognosis.

IT IS FURTHER ORDERED that, in the event that respondent fails to comply with the above conditions, the Grievance Administrator may seek modification of the order of discipline to increase the suspension of respondent's license to one year.

IT IS FURTHER ORDERED that from the effective date of this order and until reinstatement in accordance with the applicable provisions of MCR 9.123, respondent is forbidden from practicing law in any form; appearing as an attorney before any court, judge, justice, board, commission or other public authority; or holding himself out as an attorney by any means.

IT IS FURTHER ORDERED that, in accordance with MCR 9.119(A), respondent shall, within seven days after the effective date of this order, notify all of his active clients, in writing, by registered or certified mail, return receipt requested, of the following:

1. the nature and duration of the discipline imposed;
2. the effective date of such discipline;
3. respondent's inability to act as an attorney after the effective date of such discipline;
4. the location and identity of the custodian of the clients' files and records which will be made available to them or to substitute counsel;
5. that the clients may wish to seek legal advice and counsel elsewhere; provided that, if respondent was a member of a law firm, the firm may continue to represent each client with the client's express written consent;
6. the address to which all correspondence to respondent may be addressed.

IT IS FURTHER ORDERED that, in accordance with MCR 9.119(B), respondent must, on or before the effective date of this order, in every matter in which respondent is representing a client in litigation, file with the tribunal and all parties a notice of respondent's disqualification from the practice of law.

IT IS FURTHER ORDERED that, respondent shall, within 14 days after the effective date of this order, file with the Grievance Administrator and the Attorney Discipline Board an affidavit of compliance as required by MCR 9.119(C).

IT IS FURTHER ORDERED that respondent's conduct after the entry of this order but prior to its effective date, shall be subject to the restrictions set forth in MCR 9.119(D); and respondent's compensation for legal services shall be subject to the restrictions described in MCR 9.119(F).

IT IS FURTHER ORDERED that respondent shall, on or before December 27, 2023, pay costs in the amount of \$5,672.05, consisting of costs assessed by the hearing panel in the amount of \$5,413.55 and court reporting costs incurred by the Attorney Discipline Board in the amount of \$258.50 for the review proceedings conducted on June 21, 2023. Please refer to the attached cost payment instructions for methods and forms of payment accepted.

ATTORNEY DISCIPLINE BOARD

By: /s/ Peter A. Smit, Vice-Chairperson

Dated: November 28, 2023

Board members Peter A. Smit, Rev. Dr. Louis J. Prues, Jason M. Turkish, Andreas Sidiropoulos, MD, Katie Stanley, Tish Vincent, and Kamilia Landrum concur in this decision.

Board members Alan Gershel and Linda M. Orlans were recused and did not participate.