

STATE OF MICHIGAN

Attorney Discipline Board

GRIEVANCE ADMINISTRATOR,
Attorney Grievance Commission,

Petitioner/Appellee,

v

Case No. 23-74-GA

JASON KOLKEMA, P 55936,

Respondent/Appellant.

ORDER REDUCING SUSPENSION FROM 180 DAYS TO 90 DAYS AND AFFIRMING CONDITIONS

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

On August 28, 2024, Muskegon County Hearing Panel #2 entered an order suspending respondent's license to practice law in Michigan for a period of 180 days, effective September 19, 2024, with a condition that required him to be supervised by LJAP for one year, including participation in substance abuse and mental health counseling. On October 15, 2024, the panel entered an order granting the Grievance Administrator's motion to amend the order of suspension with conditions, ordering respondent to sign waivers to allow the Grievance Administrator to be provided reports from LJAP.

Respondent filed a timely petition for review and for a stay of the effective date of the hearing panel's order of suspension with condition. On September 18, 2024, the Board entered an order granting respondent's petition for stay, on an interim basis, pending further consideration by the Board. On October 15, 2024, an order granting respondent's petition for

stay was entered staying the hearing panel's order of suspension with conditions, pending completion of the review proceedings before the Board.

The Attorney Discipline Board has conducted review proceedings in accordance with MCR 9.118, including review of the record before the hearing panel and consideration of the briefs and arguments presented by the parties.

NOW THEREFORE, for the reasons discussed in the attached opinion,

IT IS ORDERED that discipline in this case is reduced from 180-day suspension of respondent's license to practice law in Michigan to a **90-DAY SUSPENSION, EFFECTIVE JULY 31, 2025**, and until further order of the Supreme Court, the Attorney Discipline Board or a hearing panel, and until respondent complies with the requirements of MCR 9.123.

IT IS FURTHER ORDERED that the conditions imposed by the hearing panel requiring respondent to be supervised by LJAP for one year, including participation in substance abuse and mental health counseling, are **AFFIRMED**, as amended, and are as follows:

1. Respondent shall remain abstinent from alcohol and non-prescription controlled substances and provide a quarterly affidavit to the Grievance Administrator or his designee of compliance with this provision. Respondent shall consume prescription medications only under the direction and supervision of a treating physician and shall provide proof of the prescription(s);
2. Respondent shall participate in a one-year Monitoring Agreement with the Lawyers and Judges Assistance Program (LJAP) and comply with the conditions of the Monitoring Agreement. Respondent shall enter into a monitoring with LJAP within 21 days of the effective date of this order;
3. Respondent shall provide the Attorney Grievance Commission with a copy of any and all LJAP assessments within 21 days of the assessment(s);
4. Respondent shall provide or cause to be provided quarterly reports from LJAP to the Grievance Administrator or his designee. The report should generally include a diagnosis, prognosis, and recommendation. All reports shall indicate whether positive progress is being made;
5. Within 30 days of the effective date of this order, respondent shall sign any and all waivers necessary to allow LJAP to provide reports to the Attorney Grievance Commission as to respondent's progress in the LJAP program and, if known to LJAP and its agents, any violations by respondent of the Michigan Rules of Professional Conduct. The waiver shall be irrevocable for two years from the date respondent signs or signed the LJAP monitoring agreement;
6. Within 30 days of the effective date of this order, respondent shall sign any and all waivers necessary to allow the Attorney Grievance Commission to communicate with respondent's other medical, psychological, and counseling providers, if any, concerning his treatment. The waivers shall be irrevocable for two years from the date respondent signs or signed the LJAP monitoring agreement; and,
7. Respondent shall promptly notify, in writing, the Grievance Administrator or his designee of any changes to respondent's address and/or telephone number during the period of time he is being monitored by LJAP.

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 **July 31, 2025**, pay costs previously assessed by the hearing panel in the amount of **\$2,663.18**. Please refer to the attached cost payment instructions for methods and forms of payment accepted.

ATTORNEY DISCIPLINE BOARD

By: /s/ Alan Gershel, Chairperson

DATED: July 2, 2025

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

Board member Jason M. Turkish was absent and did not participate in this decision.