

**State of Michigan**  
**Attorney Discipline Board**

FILED  
ATTORNEY DISCIPLINE BOARD  
17 FEB -7 PM 3:35

**Grievance Administrator,  
Michigan Attorney Grievance Commission,**

Petitioner,

Case No. 17-11-GA

v

**Cynthia Young, P75849,**

Respondent.

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**Formal Complaint**  
**(Parties and Jurisdiction)**

1. Petitioner, Grievance Administrator, is authorized by MCR 9.109(B)(6) to prosecute this Formal Complaint by the Attorney Grievance Commission, which is the prosecution arm of the Supreme Court for the discharge of its constitutional responsibility to supervise and discipline Michigan attorneys.

2. As a licensed Michigan attorney, Respondent is subject to the jurisdiction of the Supreme Court and the Attorney Discipline Board as set forth in MCR 9.104.

3. Michigan attorneys have a duty to conduct themselves personally and professionally at all times in conformity with the standards imposed on members of the Bar as a condition of the privilege to practice law.

4. Respondent is a Michigan attorney who was licensed in 2012, and who resides or has her place of business in Oakland County.

**Count One**  
**(Factual Allegations)**

5. On January 4, 2016, Respondent agreed to represent Ceceil Sheffield in a Chapter 7 bankruptcy.

6. Ms. Scheffield paid Respondent a flat fee of \$1,500 for the representation.

7. Respondent's fee agreement was a flat fee for the filing and representation of Ms. Sheffield in her bankruptcy.

8. On January 11, 2016, Respondent was suspended from the practice of law in *Grievance Administrator v Cynthia Young*, ADB Case No. 15-121-GA.

9. Pursuant to MCR 9.119(A), upon notice of her suspension, Respondent was required to provide written notice to all active clients, by regular or certified mail, of her suspension from the practice of law.

10. Respondent did not provide the written notice to Ms. Sheffield.

11. After hiring Respondent, Ms. Sheffield placed numerous calls to Respondent's office but Respondent did not answer, and Respondent's telephone was disconnected shortly thereafter.

12. In or about March 2016, Ms. Sheffield went to Respondent's office to provide Respondent with the verification of credit counseling necessary for her bankruptcy filing. During that meeting, Respondent advised Ms. Sheffield that she was "no longer practicing law" and would not file Ms. Sheffield's bankruptcy, but did not advise Ms. Sheffield of her suspension.

13. Respondent did not file Ms. Sheffield's bankruptcy.

14. On October 15, 2016, Respondent provided a refund of \$150 to Ms. Sheffield.

15. As Respondent never filed the bankruptcy and in fact unilaterally terminated the representation, Complainant was entitled to a full refund of the attorney fee.

16. Respondent has provided no additional refund.

**Count One**  
**(Grounds for Discipline)**


17. By reason of the conduct described above in this Formal Complaint, Respondent has committed the following misconduct, and is subject to discipline under MCR 9.104, as follows:

- a) failing to keep a client reasonably informed regarding the status of a matter, in violation of MRPC 1.4;
- b) failing to refund an unearned attorney fee, in violation of MRPC 1.16(d);
- c) failing to provide an active client written notice of a suspension order during the period of the representation, in violation of MCR 9.119(A);
- d) engaging in conduct involving dishonesty, fraud, deceit, and/or misrepresentation, in violation of MRPC 8.4(a);
- e) engaging in conduct prejudicial to the proper administration of justice, in violation of MCR 9.104(1);

- f) engaging in conduct that exposes the legal profession or the court to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2); and,
- g) engaging in conduct that is contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3).

Wherefore, Respondent should be subjected to such discipline as may be warranted by the facts or circumstances of such misconduct, including any restitution owed.

Dated: February 7, 2017

  
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**Alan M. Gershel, P29652**  
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