

**State of Michigan  
Attorney Discipline Board**

FILED  
ATTORNEY DISCIPLINE BOARD

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

Petitioner,

**Case No. 17-45-GA**

v

**Elizabeth J. Ollgaard, P71436,**

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 2008 and who resides or has her place of business in the County of Oakland.

**Count One**

**(Factual Allegations)**

5. In late 2014, Respondent was retained by Charlotte Goins to represent her in a social security appeal matter.

6. The Administrative Law Judge's action was dated October 10, 2014.

7. A request for review was due by December 15, 2014.

8. Respondent filed a request for review on behalf of Ms. Goins on January 27, 2015.

9. Respondent did not include a statement or any other information regarding why she did not timely file the appeal.

10. On March 29, 2016, the Social Security Administration sent Respondent a letter.

11. The letter advised Respondent that her request for review was filed late and that she should send them a statement within 30 days showing the reason(s) why she did not file the request for review within 60 days of receipt of the notice of the Administrative Law Judge's action.

12. The letter also advised Respondent to include any evidence that supported her explanation.

13. The letter further advised Respondent that if she did not show that she had good cause for filing late, the Appeals Council would dismiss Ms. Goins's request for review.

14. Respondent did not respond to the letter.

15. Respondent did not keep Ms. Goins informed of the status of the matter.

16. Successor counsel for Ms. Goins re-filed her appeal and the matter is still pending.

**(Grounds for Discipline)**

17. By reason of the conduct described above in Count One of this Complaint, Respondent has engaged in the following misconduct:

- a) neglected a legal matter, in violation of MRPC 1.1(c);
- b) failed to seek the lawful objectives of the client, in violation of MRPC 1.2(a);
- c) failed to act with reasonable diligence and promptness, in violation of MRPC 1.3;
- d) failed to keep a client reasonably informed about the status of a matter, in violation of MRPC 1.4(a);
- e) engaged in conduct in violation of the Rules of Professional Conduct, in violation of MRPC 8.4(a) and MCR 9.104(4);
- f) engaged in conduct that is prejudicial to the administration of justice, in violation of MRPC 8.4(c) and MCR 9.104(1);
- g) engaged in conduct that exposes the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2); and,
- h) engaged in conduct that is contrary to justice, ethics,

honesty, or good morals, in violation of MCR  
9.104(3).

**Count Two**  
**(Factual Allegations)**

18. In January of 2015, Respondent was retained by Robert Arseneau to represent him in a social security appeal matter.

19. The Administrative Law Judge's decision was issued on February 24, 2015.

20. A request for review was due within 60 days from the date notice of the decision was received.

21. Respondent filed an untimely request for review on September 3, 2015.

22. Respondent did not advise Mr. Arseneau that she did not timely file the request for review.

23. On July 20, 2016, the Social Security Administration sent a letter to Mr. Arseneau advising him that they had dismissed his request for review.

24. The letter attached an order which stated that the request for review filed on his behalf was untimely.

25. The order advised Mr. Arseneau that the dismissal of the request for review was final and not subject to further review.

**(Grounds for Discipline)**

26. By reason of the conduct described in Count Two of this Complaint, Respondent has engaged in the following misconduct:

- a) neglected a legal matter, in violation of MRPC 1.1(c);
- b) failed to seek the lawful objectives of the client, in violation of MRPC 1.2(a);
- c) failed to act with reasonable diligence and promptness, in violation of MRPC 1.3;
- d) failed to keep a client reasonably informed about the status of a matter, in violation of MRPC 1.4(a);
- e) engaged in conduct in violation of the Rules of Professional Conduct, in violation of MRPC 8.4(a) and MCR 9.104(4);
- f) engaged in conduct that is prejudicial to the administration of justice, in violation of MRPC 8.4(c) and MCR 9.104(1);
- g) engaged in conduct that exposes the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2); and,
- h) engaged in conduct that is contrary to justice, ethics,

honesty, or good morals, in violation of MCR  
9.104(3).

**Count Three**  
**(Factual Allegations)**

27. In January of 2015, Respondent was retained by Neal Greenfield to represent him in a social security appeal matter.

28. Respondent never filed a request for review on behalf of Mr. Greenfield.

29. Respondent did not advise Mr. Greenfield that she did not file a request for review.

30. In November of 2015, Mr. Greenfield learned from Respondent's employer that she never filed a request for review on his behalf.

**(Grounds for Discipline)**

31. By reason of the conduct described in Count Three of this Complaint, Respondent has engaged in the following misconduct:

- a) neglected a legal matter, in violation of MRPC 1.1(c);
- b) failed to seek the lawful objectives of the client, in violation of MRPC 1.2(a);
- c) failed to act with reasonable diligence and promptness, in violation of MRPC 1.3;

- d) failed to keep a client reasonably informed about the status of a matter, in violation of MRPC 1.4(a);
- e) engaged in conduct in violation of the Rules of Professional Conduct, in violation of MRPC 8.4(a) and MCR 9.104(4);
- f) engaged in conduct that is prejudicial to the administration of justice, in violation of MRPC 8.4(c) and MCR 9.104(1);
- g) engaged in conduct that exposes the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2); and,
- h) engaged 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 and circumstances of such misconduct.

Dated: April 21, 2017



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