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ATTORNEY DISCIPLINE BOARD
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State of Michigan
Attorney Discipline Board

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

Petitioner,

Case No. 17-51-GA

v

Ralph J. Sirlin, P24635,

Respondent.

_____ /

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 Ralph J. Sirlin, P24635, 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 1974 and who has his place of business in Oakland County.

(Factual Allegations)

5. In October 2016, David Brantley filed a request for investigation against Respondent alleging neglect.

6. On November 7, 2016, the request for investigation was served on Respondent for his answer.

7. Pursuant to MCR 9.113, Respondent had twenty-one days to provide a signed written answer to the request for investigation. The answer was due on November 28, 2016.

8. Respondent did not answer the request for investigation on or before November 28, 2016.

9. On December 6, 2016, a final notice, with the request for investigation enclosed, was served on Respondent by certified mail, return receipt requested, at his address of record with the State Bar. This response was due by December 16, 2016.

10. Respondent did not answer the request for investigation on or before December 16, 2016.

11. On February 22, 2017, Petitioner's investigator telephoned Respondent at his office. There was no answer and Petitioner's investigator left a voicemail.

12. On February 27, 2017, Respondent was emailed and reminded of his duty to answer the request for investigation and to contact Petitioner's office.

13. On February 28, 2017, Respondent left Petitioner's investigator a voicemail message stating that he would provide an answer to the request for investigation and asking to be called back at his office telephone number.

14. Respondent's telephone call was returned by Petitioner's counsel the same day, and during the conversation Respondent stated he would provide a written answer to the request for investigation by the end of that week.

15. Respondent did not provide a written answer to the request for investigation that week.

16. On March 14, 2017, a subpoena was issued to Respondent by certified mail requiring his appearance at Petitioner's office at 10:00 a.m. on March 29, 2017, for a sworn statement.

17. On March 17, 2017, an unknown individual signed the green certified mail receipt confirming delivery of the subpoena to Respondent's Rule 2 office address.

18. Respondent did not appear for the scheduled sworn statement. At 10:33 a.m. on March 29, 2017, Respondent's failure to appear was detailed on the record.

19. Respondent has made no effort to contact Petitioner or reschedule the sworn statement and has not provided any answer to the request for investigation.

(Grounds for Discipline)


20. 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) failed to answer a request for investigation within the time prescribed, in violation of MCR 9.104(7), MCR 9.113(A), and MCR 9.113(B)(2);

- b) knowingly failed to respond to a lawful demand for information from a disciplinary authority, in violation of MRPC 8.1(a)(2);
- c) engaged in conduct prejudicial to the administration of justice, in violation of MRPC 8.4(c) and MCR 9.104(1);
- d) engaged in conduct that exposes the legal profession to obloquy, contempt, censure, or reproach, in violation of MCR 9.103(2);
- e) engaged in conduct that is contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3).

Wherefore, Petitioner respectfully requests that Respondent be subjected to the discipline that is warranted by the facts or circumstances of such misconduct.

Dated: May 4, 2017



Alan M. Gershel (P29652)
Grievance Administrator
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