

NOTICE OF SUSPENSION
(By Consent)

Case No. 99-152-GA

Issued: February 18, 2000

Hon. William Waterman, P-22020, Pontiac, Michigan, by Tri-County Hearing Panel #1, approving a stipulation for consent order of discipline.

1. Suspension - 60 days (with credit given for 15 days).
2. Effective November 16, 1999.

On September 14, 1999, the Michigan Judicial Tenure Commission filed its decision and recommendation for order of discipline with the clerk of the Michigan Supreme Court. With respondent's consent, the Judicial Tenure Commission ("JTC") recommended that respondent be suspended from the performance of his judicial duties as a judge in the 50th District Court for a period of 60 days, with credit to be given for 15 days. On September 22, 1999, the Grievance Administrator filed a formal complaint with the Attorney Discipline Board based upon the recommendation of the JTC, in accordance with MCR 9.116(B) and (C).

On October 26, 1999, the Supreme Court entered an order in the matter of Hon. William Waterman, Supreme Court No. 111839, adopting the findings and conclusions of the JTC that, while a judge, respondent owned an office building in Pontiac and leased office space to various attorneys. The Court concluded that during their tenancies, those attorneys regularly appeared before respondent and received numerous assignments from him but that respondent failed to disqualify himself from cases involving those attorneys and failed to disclose his financial relationship when they appeared before him in violation of the Michigan Code of Judicial Conduct, Canon 1; Canons 2(A)-(C); Canon 3(C); Canon 5(C)(1) and Canon 5(C)(3).

In another matter, the Court found that respondent signed a writ for restitution in favor of the plaintiff in a land contract forfeiture action on February 19, 1997. On February 20, 1997, respondent met with a Pontiac City Councilman, ex parte, to discuss that individual's request for a stay of the writ of execution. Based on this ex parte conversation, respondent instructed the court officer not to execute the writ, although there was no motion before respondent at the time, no notice was provided to counsel for the plaintiff and no order staying the writ was issued. The Court concluded that respondent's conduct violated the Code of Judicial Conduct, Canons 2(A)-(C); Canon 3(A)(4) and MCR 9.104(1)-(3). The Court adopted the recommendation of the JTC that respondent be suspended from his judicial obligations for a period of 60 days commencing 21 days after the Court's order, with credit given for 15 days.

On January 13, 2000, respondent and the Grievance Administrator filed a stipulation for consent order of discipline pursuant to MCR 9.115(F)(5) containing respondent's plea of no contest to the charges in the formal complaint filed by the Attorney Grievance Commission and agreeing that respondent's license to practice law in Michigan should be suspended for 60 days, with credit given for 15 days, to run concurrently with the suspension from judicial duties imposed by the Michigan Supreme Court. The stipulation was approved by the Attorney Grievance Commission and a hearing panel. Costs were assessed in the amount of \$7.72.