

SUPREME COURT OF KANSAS

In the Matter of Michael R. McIntosh n/k/a Atif Michael McIntosh Abdel-Khaliq

248 P.3d 277 (Kan. 2011) · No. No. 83,037 · Decided March 22, 2011

SUMMARY

The Supreme Court of Kansas reinstated Michael R. McIntosh, also known as Atif Michael McIntosh Abdel-Khaliq, to the practice of law after an indefinite suspension. The court found that he had satisfied the conditions recommended by a hearing panel of the Kansas Board for Discipline of Attorneys, subject to compliance with continuing legal education and fee-payment requirements.

CASE DETAILS

COURT	Supreme Court of Kansas
JURISDICTION	Kansas
DECIDED	March 22, 2011
DOCKET	No. 83,037
DISPOSITION	other
PROCEDURAL POSTURE	Petition for reinstatement to the practice of law following an indefinite suspension.
STANDARD OF REVIEW	The court independently considered the record and accepted the hearing panel's findings and recommendations.
PRECEDENTIAL VALUE	Published Supreme Court of Kansas order; the opinion does not expressly characterize its precedential value.

TOPICS

appellate procedure

PRACTICE AREAS

attorney discipline

professional licensing

legal ethics

QUESTIONS PRESENTED

1. Whether McIntosh satisfied the requirements for reinstatement to the practice of law in Kansas.
2. What conditions should govern McIntosh's reinstatement.

HOLDINGS

1. McIntosh should be reinstated to the practice of law in Kansas because he satisfied the conditions recommended by the hearing panel and the court accepted the panel's findings and recommendation.
2. Reinstatement is conditioned on McIntosh's compliance with annual continuing legal education requirements and payment of all fees required by the Clerk of the Appellate Courts and the Kansas Continuing Legal Education Commission.

KEY QUOTATIONS

“The court, after carefully considering the record, accepts the findings and recommendations of the panel that the petitioner be reinstated to the practice of law in Kansas.” (248 P.3d at 278)

“IT IS THEREFORE ORDERED that McIntosh be reinstated to the practice of law in the state of Kansas conditioned upon his compliance with the annual continuing legal education requirements and upon his payment of all fees required by the Clerk of the Appellate Courts and the Kansas Continuing Legal Education Commission.” (248 P.3d at 278)

FACTUAL BACKGROUND

McIntosh had been indefinitely suspended from practicing law in Kansas in 1999. He later petitioned for reinstatement and participated in a hearing before a hearing panel of the Kansas Board for Discipline of Attorneys. The panel unanimously recommended reinstatement subject to conditions concerning tax compliance, supervised reentry, law-office-management education, and proof of continuing legal education payments. The petitioner satisfied those conditions.

PROCEDURAL HISTORY

The Supreme Court of Kansas suspended McIntosh from the practice of law indefinitely in 1999 and required payment of disciplinary costs, compliance with Supreme Court Rule 218, and a reinstatement hearing under Supreme Court Rule 219. McIntosh filed a reinstatement petition in 2009. After a hearing, a Kansas Board for Discipline of Attorneys hearing panel unanimously recommended reinstatement subject to specified conditions, and the Supreme Court accepted the panel's findings and recommendations after determining that the conditions had been satisfied.

DISPOSITION

other

CASES CITED

- In re McIntosh, 268 Kan. 73, 75-76, 991 P.2d 403 (1999)

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