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APPENDIX A

NOT RECOMMENDED FOR FULL-TEXT
PUBLICATION
No. 21-1426
UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

December 29, 2022

In Re: FRANK J. LAWRENCE, JR.,

Petitioner-Appellant.

ON APPEAL FROM THE UNITED STATES
DISTRICT COURT FOR THE WESTERN DISTRICT
OF MICHIGAN

OPINION

BEFORE: SILER, BUSH, and READLER, Circuit
Judges.

JOHN K. BUSH, Circuit Judge. Frank Lawrence appeals an order of the United States District Court for the Western District of Michigan that denied his third petition for admission to practice law before that court. Finding the district court did not abuse its discretion, we AFFIRM.

I.

Lawrence has a long history with bar admission officials in the state of Michigan. *See Lawrence v. Chabot*, 182 F. App'x 442, 445–46 (6th Cir. 2006); *Lawrence v. Welch*, 531 F.3d 364, 366–68 (6th Cir. 2008); *Lawrence v. Parker*, Order at 1–2, No. 17-1319 (6th Cir. Dec. 22, 2017); *In re Lawrence*, 761 F. App'x 467, 468–72 (6th Cir. 2019). Relevant to the present application are facts from his last denied petition for admission to the Western District of Michigan in October 2017. During that application process, Lawrence reported a conviction for interfering with a police officer. This disclosure prompted the chief judge to send Lawrence a letter seeking additional facts. Lawrence responded with more than just the requested information: he accused the chief judge of violating Canon 3(a)(4) of the Code of Judicial Conduct for United States Judges, which prohibits judges from engaging in certain *ex parte* communications. According to Lawrence, the chief judge inappropriately directed a court employee to contact an investigator with the State Bar of Michigan Character & Fitness Department and seek personal information contained in Lawrence's confidential files at that department.

After a letter exchange with Lawrence's attorney, the chief judge referred Lawrence's case to a three-judge panel. Lawrence then sent a letter to the panel's chair requesting the testimony of the court employee whom he believed the chief judge had used to obtain confidential information. The panel denied his request, explaining that such testimony would be irrelevant to the issues in his petition.

Soon after, Lawrence filed a motion for the panel to reconsider their refusal to allow the court employee to testify. On February 2, 2018, the panel issued a memorandum opinion and order denying the motion for reconsideration and also denying Lawrence's petition for admission. It concluded that the chief judge had not violated any local rules or done anything irregular in handling Lawrence's petition. Further, the panel noted Lawrence's "long history of engaging in inappropriate and unprofessional conduct that reflects, at the very least, very poor judgment." *In re Lawrence*, 1:17-mc-0098-JTN, Mem. Op. and Order Den. Pet. for Admis., (W.D. Mich., ECF 6, PageID 142). Lawrence's pattern of mounting "unsubstantiated allegations of misconduct against those whose decisions he dislikes" had continued through his allegations made against the chief judge.¹ *Id.* at PageID 140. The panel therefore determined that Lawrence had failed to demonstrate that he was "qualified to be entrusted with professional matters and to aid in the administration of justice as an attorney and officer of the Court." *Id.* at PageID 142 (quoting W.D. Mich. LCivR 83.1(c)(ii)).² Lawrence appealed the district court's order denying his petition

¹ Other allegations that the district court found unsubstantiated include racism on the part of a board member from the Michigan Civil Rights Commission, misconduct from a trial court judge handling his case involving interference with a police officer, misconduct from the State Bar of Michigan President, and misconduct from the Board of Law Examiners.

² The local rules were revised effective January 1, 2019. The rules governing attorney admission to practice law are now found at W.D. Mich. LGenR 2.1(a).

for admission. This court affirmed. *See In re Lawrence*, 761 F. App'x 467.

In its order denying Lawrence's 2017 petition, the district court gave him the opportunity to re-apply for admission after three years. Lawrence took that opportunity three years and a day later, when he filed yet another petition for admission.

Upon receiving Lawrence's new petition, the chief judge again referred the matter to a three-judge panel, which requested that Lawrence provide supplemental information. For example, the district court asked Lawrence to address previous concerns about his "past tendency to attack decision makers whose decisions he does not like." Lawrence gave the panel some of what was requested but again levied allegations against the chief judge, as well as charges of wrongdoing by others. In addition to rehashing his previous complaint concerning the chief judge's allegedly inappropriate investigation, Lawrence asserted that certain state officials had engaged in misconduct and that the chief judge may have been responsible for the death of the court employee who allegedly conducted the improper investigation into Lawrence's confidential file. That employee had tragically died in 2018 because of a pulmonary embolism. Lawrence alleged that job-related stress or anxiety may have caused the employee's condition. The petitioner claimed that the employee may have been stressed because of the chief judge's supposed untoward use of the employee to investigate Lawrence, as well as other unspecified improprieties.

For these reasons, Lawrence called for a full investigation into the matter.

After denying Lawrence's investigation request, the district court denied his new petition for admission. That decision was based on Western District Michigan Local Rule 2.1, which lists three requirements for bar admission: that the applicant (1) be admitted to practice before a court of record of a state; (2) be in good standing with that court; and (3) be of "good moral and professional character." W.D. Mich. LGenR 2.1(a).

The district court determined that Lawrence met the first two requirements but failed to satisfy the third. It found that Lawrence continued to exhibit the same problematic tendencies that had led to his 2018 denial. He remained "obsessed" with his claim that the chief judge had committed judicial misconduct and continued to research extensively into the matter. This finding was significant to the panel for two reasons. First, Lawrence offered no evidence to substantiate his claims against the chief judge; indeed, the record demonstrated that the chief judge did nothing wrong. Second, both the district court and this court had already determined that the chief judge's handling of the petition was irrelevant because he took no part in the earlier panel's decision to deny the application. What's more, the panel found that Lawrence continued "to demonstrate a penchant for personally attacking officials whose decisions he dislikes, including a willingness to make baseless, unsubstantiated allegations." This was evinced by Lawrence's claim that he intended to hire private

investigative firms to investigate and report on state bar officials, as well as his new allegations against the chief judge involving the death of a court employee. All of this evidence led the panel to conclude that Lawrence “has ‘show[n] a propensity to act other than in a ‘fair’ manner. He has not shown that he will exercise good judgment, that he will conduct himself professionally and with respect for the law.’” *In re Lawrence*, 1:17-mc-0098, Mem. Op. And Order Den. Re-App. for Admis., (W.D. Mich., ECF 19, PageID 245–46) [hereafter: Denial Order]. Thus, the district court denied Lawrence’s petition for failing “to establish that he possesses the good moral and professional character required for admission to practice” in the court. Lawrence timely filed an appeal.

II.

We first address Lawrence’s argument concerning the proper standard of review. In *Application of Mosher*, this court stated that “a district court’s denial of an application for admission to practice before the district court is reviewable by this court for an abuse of discretion.” 25 F.3d 397, 400 (6th Cir. 1994) (*citing Ex parte Burr*, 22 U.S. (9 Wheat.) 529, 531 (1824)). Lawrence contends that Mosher was wrongly decided because the precedent it relied on did not address the proper standard for reviewing a denial of admission to practice in a district court, nor did dicta from those cases compel an abuse-of-discretion standard. He also asserts that the Supreme Court has never specifically addressed the proper standard of

review for such cases. Lawrence also argues that the opportunity to practice law is a fundamental right within the meaning of the Privileges and Immunities Clause in Article IV. *See Supreme Court of New Hampshire v. Piper*, 470 U.S. 274, 283 (1985). Therefore, Lawrence argues, this court ought to apply *de novo* review in place of the abuse-of-discretion standard.

Lawrence's argument does not persuade us. Abuse of discretion is the appropriate standard of review for at least three reasons. First, when there is published Sixth Circuit precedent that addresses an area of law, that decision "generally binds later panels." *United States v. King*, 853 F.3d 267, 274 (6th Cir. 2017) (*citing United States v. Pawlak*, 822 F.3d 902, 911 (6th Cir. 2016)). As previously stated, our precedent clearly requires an abuse-of-discretion standard for reviewing a district court's denial of an application for admission. *See Mosher*, 25 F.3d at 400.

Second, though Lawrence is correct that the Supreme Court has not formally announced the proper standard of review for bar-admission cases, longstanding legal authority governing admission to federal courts favors the abuse-of-discretion standard. In *Ex parte Burr*, 22 U.S. (9 Wheat.) 529 (1824), for example, Chief Justice Marshall noted the inherent tension in the individual interest in practicing law vis à-vis a court's ability to maintain harmony with those who practice before it. *See id.* at 530 ("On one hand, the profession of an attorney is of great importance to an individual, and the prosperity of his whole life may depend on its exercise . . . On the other, it is extremely

desirable that the respectability of the bar should be maintained, and that its harmony with the bench should be preserved.”) Chief Justice Marshall resolved this tension by stating that discretion ought to reside with the court where the petitioner seeks to practice, but that such discretion should be exercised with “great moderation and judgment.” *Id.* He noted that “no other tribunal can decide . . . with the same means of information as the [court] where the attorney wants permission to appear. *Id.*; see also *In re Snyder*, 472 U.S. 634, 643 (1985) (“Courts have long recognized an inherent authority to suspend or disbar lawyers . . . This inherent power derives from the lawyer’s role as an officer of the court which granted admission.”) (citations omitted).

In *Mosher* the Sixth Circuit followed Chief Justice Marshall’s reasoning. We found that there is great interest in attorneys practicing their profession and litigants having the attorney of their choosing, but that this interest is countervailed by the public interest that requires the court to “consider whether the applicant attorney possesses the professional and ethical competence expected of an officer of the court.” *Mosher*, 25 F.3d at 400 (citing *In re G.L.S.*, 745 F.2d 856, 860 (4th Cir. 1984)).

Also, the rules governing admission to federal courts support an abuse-of-discretion standard. District courts have not only inherent authority but statutory power to govern membership of their bars. Congress has permitted district courts to prescribe rules to conduct their own business. 28 U.S.C. § 2071; see *In re Desilets*, 291 F.3d 925, 929 (6th Cir. 2002) (“It

is clear from 28 U.S.C. § 1654 that the authority provided in § 2071 includes the authority of a district court to regulate the membership of its bar.”) (*quoting Frazier v. Heebe*, 482 U.S. 641, 652 (1987) (Rehnquist, J., dissenting)); *Brown v. McGarr*, 774 F.2d 777, 782 (7th Cir. 1985) (“[E]very federal court which has construed [28 U.S.C. §§ 1654, 2071 and Fed. R. Civ. P. 83] has held that they permit a federal district court to regulate the admission of attorneys who practice before it.”) (citations omitted). Pursuant to that authority, Fed. R. Civ. P. 83 allows district courts to adopt and amend rules governing legal practice before those tribunals. *See Brown*, 774 F.2d at 782.

Third, though *Piper* characterizes the right to practice law as “fundamental,” we do not read that opinion as broadly as Lawrence does. *Piper* involved the New Hampshire Supreme Court barring a Vermont resident from admission to the bar because the attorney did not have a New Hampshire residence. 470 U.S. at 276. The Supreme Court held that such refusal violated the Privilege and Immunities Clause of Article IV of the Constitution. *Id.* at 288. Lawrence would have us read *Piper* to require a de novo standard of review for federal court bar admission decisions. But, despite reaching the conclusion that practicing law is a fundamental right, the Supreme Court explained that the decision was still compatible with the principle that “[s]tates should be left free to ‘prescribe the qualifications for admission to practice and the standards of professional conduct’ for those lawyers who appear in its courts.” *Id.* at 283 n.16 (*quoting Leis v. Flynt*, 439 U.S. 438, 442 (1979)).

Essentially, the *Piper* decision reached only the question of whether states could bar nonresidents from bar admission; it did not seek to displace the inherent authority of a court to determine how it will admit lawyers to appear before it. *See id.* at 283.

For these reasons, we conclude that the abuse-of-discretion standard is the appropriate standard of review for denied applications for admission to practice in a district court.

III.

We now determine whether the district court abused its discretion when it denied Lawrence's most-recent petition for admission. Abuse of discretion requires "a definite and firm conviction that the trial court committed a clear error of judgment." *Davis by Davis v. Jellico Cnty. Hosp. Inc.*, 912 F.2d 129, 133 (6th Cir. 1990) (citation omitted). Abuse of discretion generally occurs when a district court "relies on clearly erroneous findings of fact, uses an erroneous legal standard, or improperly applies the law." *United States v. Flowers*, 963 F.3d 492, 497 (6th Cir. 2020) (citation omitted).

The district court found that Lawrence lacked the "good moral and professional character" to be admitted to its bar. In reaching its conclusion, the court cited to Lawrence's continued interest in investigating State Bar officials and pursuing baseless claims against the chief judge, including an allegation of manslaughter. According to the district court, Lawrence "has not shown that he will exercise good judgment, that he will conduct himself professionally

and with respect for the law.” Denial Order, PageID 245–46.

Lawrence, on the other hand, contends that he has the requisite character to be admitted to practice in the court. As evidence of this, Lawrence offers that he is admitted to practice in other federal courts, including this court. In addition, he notes that he has handled pro bono cases for the United States District Court for the Eastern District of Michigan.³ He contends that his work on those matters demonstrates that the district court erred in its assessment of him.

Having reviewed the evidence, we find no abuse of discretion in the district court’s denial of Lawrence’s application based on Local Rule 2.1. It relied solely on the evidence Lawrence provided in his latest petition for admission. It requested additional information for that application concerning whether he had been disbarred from other courts and whether he sought admission to the State Bar of Michigan since February 2, 2018, along with similar clarifying questions. Lawrence chose to use that opportunity to not only respond to the questions but rehash many allegations of impropriety he raised in his 2017 petition, all of which the district court had already determined were unfounded. The new allegation of the chief judge’s supposed involvement in the death of a court employee gave only more reason for the district court to

³ Indeed, Lawrence indicated that one of his cases has a motion to transfer venue from the Eastern District of Michigan to the Western District of Michigan. *See Harper v. Arkesteyn, et al.*, 2:19- cv-11106-AJT-DRG (E.D. Mich., ECF 44, PageID 192). But that motion to transfer venue was denied in February of this year. *See id.* at ECF 90.

conclude that the same character traits that led to denial of Lawrence’s petition in 2018 continued to plague him in 2021. As for Lawrence’s argument that he has demonstrated “good moral and professional character” in other jurisdictions, the district court did not abuse its discretion when it concluded that it must make its own determination concerning Lawrence’s character irrespective of what other courts have decided. This is a natural extension of a district court’s inherent authority to govern its own practices. *See Burr*, 22 U.S. at 530; Fed. R. Civ. P. 83. Thus, the district court did not abuse its discretion when it determined that Lawrence did not satisfy its admission requirements under the local rule.

Lawrence contends, alternatively, that he has a First Amendment right to call for investigations and to condemn government officials, and that the district court’s decision effectively requires him to abandon his constitutional rights and lawful activity in exchange for the ability to practice law before the court. But Lawrence raises this argument for the first time on appeal. Indeed, when the district court asked him to explain his “past tendency to attack decision makers whose decisions he does not like,” Lawrence failed to make any First Amendment defense as to his conduct. Because Lawrence failed to raise properly his First Amendment issue before the district court, he has failed to preserve it for appeal and we decline to resolve it here in the first instance. *See Thurman v. Yellow Freight Systems, Inc.*, 97 F.3d 833, 835 (6th Cir. 1996) (determining that an argument must be

first raised and clearly presented before the district court to be preserved properly for appeal).

IV.

For the foregoing reasons we AFFIRM the district court's denial of Lawrence's petition for admission.

APPENDIX B

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Case No. 1:17-mc-0098
Administrative Order No. 21-AD-028

IN THE MATTER OF THE PETITION
FOR ADMISSION OF FRANK J. LAWRENCE

MEMORANDUM OPINION AND ORDER
DENYING RE-APPLICATION FOR ADMISSION

Mr. Lawrence never misses an opportunity to miss an opportunity. A little more than three years ago, Mr. Lawrence submitted a petition for admission to this Court. Given the fact of Mr. Lawrence's prior misdemeanor conviction, the Chief Judge reviewed the petition, asked Mr. Lawrence for additional information, and ultimately referred the matter to the undersigned three-judge panel for decision. The undersigned judicial panel conducted a hearing, giving Mr. Lawrence an opportunity to demonstrate his fitness for admission. Rather than candidly address the Court's legitimate concerns, Mr. Lawrence returned to his well-worn playbook of deflecting blame for his own misconduct and of attacking decision makers whose decisions he does not like. This included specious allegations he made against this Court's Chief Judge.

On February 2, 2018, the Court denied Mr. Lawrence's petition for admission in a 85-page opinion recounting his long, contentious history with the Michigan State Bar, and his penchant for personally disparaging state bar officials and judicial officers who crossed his path. (*In re Petition for Admission*, Memorandum Opinion and Order Denying Petition for Admission, Case No. 1:17-mc-0098, ECF No. 6, 2018 WL 10228439 (W.D. Mich. Feb. 2, 2018)). The Court gave Mr. Lawrence an opportunity to re-apply after three years. His re-application raises the same baseless allegations of misconduct against the Court's Chief Judge, and it provides incomplete answers to two of the questions on the application form. It does not address any of the Court's previously-stated concerns about his character and fitness to practice law. Accordingly, the Court gave him another opportunity to answer some simple, relevant questions. Mr. Lawrence's verified response to the Court's request for additional information can fairly be described as reckless, irrational, and even bizarre.

The Court is not competent to opine as to Mr. Lawrence's mental or psychological stability, but it is capable of ascertaining whether he possesses the "good moral and professional character" to be entrusted with the administration of justice as an attorney and officer of the Court. *See* W.D. MICH. LGENR 2.1(a). To the extent there was any remaining doubt concerning that issue, Mr. Lawrence's response has erased it. His re-application for admission to this Court will be denied.

Procedural History

On October 5, 2017, Frank L. Lawrence, Jr., filed a petition for admission to the District Court for the Western District of Michigan. (ECF No. 1-2).¹ Given that Mr. Lawrence reported a conviction for interfering with a police officer, the Chief Judge sent him a letter, dated October 6, 2017, seeking additional information. (ECF No. 1-3). On October 12, 2017, Mr. Lawrence responded to that letter, through counsel, providing some of the requested information. (ECF No. 1-4). The letter also accused the Chief Judge of accessing confidential information from Mr. Lawrence's State Bar of Michigan "confidential file." (*Id.* at PageID.12). The Chief Judge responded to that letter on October 16, 2017, notifying Mr. Lawrence's counsel of his decision to refer the petition for admission to a three-judge panel for decision. (ECF No. 1-5). In that letter, the Chief Judge advised that he had not received any information from the State Bar of Michigan. (*Id.* at PageID.18).

On December 4, 2017, Mr. Lawrence's counsel sent a letter to the chair of the three-judge panel, seeking the testimony of Ashley Mankin, who at the time was an employee of the Clerk's Office, in order to pursue Mr. Lawrence's allegation that the Chief Judge had obtained confidential information about him from files at the State Bar of Michigan. (ECF No. 1-6). Counsel also requested "a document akin to a bill of particulars" as to why Mr. Lawrence's petition was not approved by the Chief Judge. (*Id.* at PageID.20).

¹ Unless otherwise noted, all parenthetical record cites are to the docket in this matter: 1:17-mc-0098.

The undersigned judicial panel conducted a hearing on December 13, 2017, at which Mr. Lawrence and his counsel appeared. (Minutes, ECF No. 2). The Court advised Mr. Lawrence that it was denying his request to have Ms. Mankin testify, explaining that any testimony she could have provided would be irrelevant to the issues in Mr. Lawrence's petition. (Hrg Tr. at 3, ECF No. 4, PageID.57). On December 27, 2017, Mr. Lawrence filed a motion for reconsideration of the Court's denial of his request for Ms. Mankin's testimony, in which he also argued that the judicial panel lacked jurisdiction over his petition unless and until the Chief Judge made a determination as to his eligibility for admission to the Court. (ECF No. 3).

On February 2, 2018, the Court issued a memorandum opinion and order denying Mr. Lawrence's motion for reconsideration. (ECF No. 6, PageID.110-17, 142). The Court specifically found that the Chief Judge had not violated any local rule, nor had he engaged in any "irregularities" in the handling of Mr. Lawrence's petition, as suggested by Mr. Lawrence. (*id.* at PageID.110-13). The Court found that Mr. Lawrence had waived any objection to the jurisdiction and constitution of the three-judge panel (*id.* at PageID.114), and, alternatively, that the panel had been properly constituted under the Court's local rules (*id.* at PageID.114-17).

The Court also denied Mr. Lawrence's petition for admission. (*id.* at PageID.117-42). In reaching that decision, the Court noted Mr. Lawrence's "long history of engaging in inappropriate and unprofessional

conduct that reflects, at the very least, very poor judgment.” (*id.* at PageID.142). The Court found that Mr. Lawrence “[was] willing to make unsubstantiated allegations of misconduct against those whose decisions he dislikes” (*id.* at PageID.140), and that he had “continued that pattern with his recent spurious allegations against this Court’s Chief Judge.” (*id.* at PageID. 141). In conclusion, the Court determined that Mr. Lawrence had failed to demonstrate that he was “ ‘qualified to be entrusted with professional matters and to aid in the administration of justice as an attorney and officer of the Court.’ ” (*id.* at PageID.142 (*quoting* W.D. Mich. LCivR 83.1(c)(ii))).² Mr. Lawrence was allowed to re apply for admission after a period of three years. (*See id.*).

Mr. Lawrence timely appealed that decision to the Sixth Circuit Court of Appeals. (ECF No. 7). On July 8, 2018, during the pendency of that appeal, Mr. Lawrence sent a letter to the Chief Judge, which the Chief Judge placed on the record. (ECF No. 9). The content of Mr. Lawrence’s letter demonstrates that he remained preoccupied with his allegation that the Chief Judge had engaged in “improprieties” in the handling of his petition for admission, and that he was conducting an ongoing investigation into the judge’s background. (*See id.*, PageID.183). The Chief Judge responded, noting, among other things, the impropriety of engaging in ex parte communications during the pendency of the appeal. (ECF No. 9-1).

² The Court’s local rules were amended, effective January 1, 2019. The applicable rules for attorney admission to practice in the Western District of Michigan are now found under Local General Rule 2.1.

On January 14, 2019, the Sixth Circuit affirmed this Court’s decision denying Mr. Lawrence’s petition for admission. *In re Frank J. Lawrence, Jr.*, 761 F. App’x 467 (6th Cir. 2019). The Sixth Circuit rejected Mr. Lawrence’s argument that the Court committed reversible error in denying his request to have Ms. Mankin³ testify, finding: “Such testimony is of no bearing on Lawrence’s character, the subject of the hearing. We thus decline to remand for further fact finding on this issue, and similarly decline to refer the Chief Judge to the Circuit Executive’s Office.” *Id.* at 472. The Sixth Circuit also held that the Court did not abuse its discretion in denying Mr. Lawrence’s admission to this Court’s bar. *Id.* at 476. The Supreme Court denied Mr. Lawrence’s petition for writ of certiorari. *Lawrence v. United States District Court for the Western District of Michigan*, __ U.S. __, 140 S. Ct. 243 (Oct. 7, 2019).

Three years and a day after last being denied admission, Mr. Lawrence filed his pending re application.⁴ On February 23, 2021, the Chief Judge referred this matter to the undersigned three-judge panel. (ECF No. 14). On March 4, 2021, the

³ The Sixth Circuit referred to Ms. Mankin as “the Chief Judge’s clerk.” *In re Frank J. Lawrence, Jr.*, 761 F. App’x 467, 472 (6th Cir. 2019). This, no doubt, is due to the fact that Mr. Lawrence referred to her as such. Ms. Mankin was an “Operations Specialist” for the Clerk’s Office.

⁴ This is Mr. Lawrence’s third attempt to be admitted to practice in this Court. His first petition was denied on May 1, 2009, due to the fact that he had not been admitted to practice law in any state. Mr. Lawrence unsuccessfully appealed that decision. See *In re Frank J. Lawrence, Jr.*, No. 09-1636, Slip Op. at 1 (6th Cir. Dec. 2, 2009) (unpublished) (a copy is filed in this matter at ECF No. 5).

undersigned judicial panel ordered Mr. Lawrence to supplement his re-application with additional information. (ECF No. 15). Mr. Lawrence has provided his verified response. (ECF No. 16, 17).⁵

Legal Standards

This Court “has both statutory and inherent authority to control the membership of its bar.” *In re Frank J. Lawrence, Jr.*, 761 F. App’x 467, 472 (6th Cir. 2019). That statutory authority is found in 28 U.S.C. § 2071, which allows a district court to set rules for the conduct of its business. That authority includes the ability to regulate the membership of its bar. *In re Desilets*, 291 F.3d 925, 929 (6th Cir. 2002) (*citing* 28 U.S.C. 1654); *see also Greer’s Refuse Serv., Inc. v. Browning-Ferris Indus. of Delaware*, 843 F.2d 443, 446 (11th Cir. 1988) (“[F]ederal district courts have clear statutory authority to promulgate rules governing the admission and conduct of the attorneys who practice before them.”); FED. R. Civ. P. 83 (“After giving public notice and an opportunity for comment, a district court, acting by a majority of its district judges, may adopt and amend rules governing its practice.”).

“A federal district court has the ‘inherent authority’ to deny an attorney’s application for admission to practice before that court.” *Stilley v. Bell*, 155 F. App’x 217, 219 (6th Cir. 2005) (*citing* *In re Application of Mosher*, 25 F.3d 397, 399-400 (6th Cir.

⁵ Mr. Lawrence submitted two duplicate responses, one to District Judge Neff, the chair of the three-judge panel (ECF No. 16), as instructed by the Court; the other he sent to the Clerk of the Court (ECF No. 17). The Court will cite to the former.

1994)); *accord In re Desilets*, 291 F.3d at 929. This Court may “deny an attorney’s application for admission to its bar when it is not satisfied that he possesses good private and professional character.” *In re G.L.S.*, 745 F.2d 856, 859 (4th Cir. 1984). “[T]he exercise of the authority to admit, deny, or suspend an attorney is left to the discretion of the district court.” *Stilley*, 155 F. App’x at 219 (*citing In re Snyder*, 472 U.S. 634, 643 n.6 (1985)).

Western District of Michigan Local Rule 2.1 governs the admission of attorneys. To be qualified for admission, an attorney must meet three requirements: (1) be admitted to practice before a court of record of a state; (2) be in good standing with that court of record of a state; and (3) be of “good moral and professional character.” W.D. Mich. LGenR 2.1(a). Mr. Lawrence appears to meet the first two requirements (*see* ECF No. 18, PageID.233 (re-application for admission)); the question before the Court is whether he meets the third.

This Court must make an independent determination of whether Mr. Lawrence has demonstrated that he “possesses the professionalism and ethical competence expected of an officer of the court.” *In re Mosher*, 25 F.3d at 400 (*citing In re G.L.S.*, 745 F.2d at 859). A review of the record in this matter demonstrates that he has not.

Discussion

It should be noted at the outset, that Mr. Lawrence’s nineteen-year-old misdemeanor conviction plays little part in the Court’s decision. While the

circumstances of that conviction indicate that Mr. Lawrence exercised extremely poor judgment, and that he demonstrated a lack of respect for the law, time and age should have addressed those deficiencies.⁶ The Court is much more concerned with Mr. Lawrence's continued interest in harassing State Bar officials and with his obsession with pursuing baseless claims against the Court's Chief Judge, including an irrational suggestion that the Chief Judge is guilty of manslaughter. Sadly, it is evident that he has learned nothing from his past experiences, and that he lacks the character to conduct himself in the professional manner expected of officers of this Court.

The Court's February 2, 2018, memorandum opinion and order denying Mr. Lawrence's last application for admission documented his misconduct relating to his unsuccessful efforts to be admitted to the State Bar of Michigan. This included the public disparagement of State Bar officials, which was calculated to cause embarrassment and financial harm, rather than serve any legitimate effort to be

⁶ It is, however, disconcerting that Mr. Lawrence continues to minimize his culpability concerning his conduct relating to that conviction. In his pending re-application, he again asserts that he was "ticketed" for violating a city ordinance for "interfering" with a police officer after telling the officer he "needed to secure a search warrant before conducting a warrantless search." (ECF No. 18, PageID.233). The record demonstrates, however, that Mr. Lawrence was arrested after repeatedly refusing to obey lawful orders of police officers who were engaged in a criminal investigation; that he repeatedly used abusive and profane language against the officers; and that he falsely testified as to his and the officers' actions during the trial resulting in his conviction. (See ECF No. 6, PageID.133 37).

admitted to the bar. (See ECF No. 6, PageID.126-33, 137-42). Mr. Lawrence also raised baseless allegations of misconduct against a state court district judge who offered in 2002 to help Mr. Lawrence advance his application with the State Bar of Michigan Character and Fitness Committee. (See *id.* at PageID.123-25).

Having reviewed his verified response to the Court's latest query, it is evident that Mr. Lawrence remains obsessed with his claim that this Court's Chief Judge engaged in "judicial misconduct" in the initial handling of his October 5, 2017, petition for admission. (ECF No. 16, PageID.213-16), He also acknowledges that he has been engaged in "extensive research" into the Chief Judge's purported misconduct. (*id.* at PageID.219-20). Mr. Lawrence's stubborn refusal to let go of this issue is telling. First, the record demonstrates that the Chief Judge did nothing wrong. Second, both this Court and the Court of Appeals have pointed out to Mr. Lawrence the irrelevance of the Chief Judge's handling of the initial application. The Chief Judge had no part in the undersigned judicial panel's decision to deny Mr. Lawrence's last petition for admission.

Mr. Lawrence continues to demonstrate a penchant for personally attacking officials whose decisions he dislikes, including a willingness to make baseless, unsubstantiated allegations. He has not learned the lesson this Court and others have tried to teach him.

Moreover, Mr. Lawrence's obsession with the Chief Judge appears to have taken a dark turn. He now suggests that the Chief Judge is responsible for

the death of Ms. Mankin, who tragically died in 2018 as a result of pulmonary embolisms, and he is calling for a “full investigation.” (ECF No. 16, PageID.215). These allegations go beyond rank speculation. They can only fairly be described as reckless, irrational, and even bizarre. The impropriety of making these baseless assertions is patent, and it tends to undermine public confidence in this Court.

In his verified response, Mr. Lawrence also acknowledges a continued interest in going after individual members of the State Bar of Michigan Character and Fitness Committee. He notes: “I am in the process of making inquiries with private investigative firms with the intention of hiring one or more of those entities to investigate and report whether certain state officials have engaged in conduct that calls into question their ability to serve the public.” (ECF No. 16, PageID.218). This is reminiscent of his previous efforts to harass and humiliate State Bar officials. As the Michigan Board of Law Examiners previously noted, instead of working solely within the appellate process, Mr. Lawrence chooses to attack the individuals who make the decisions. Mr. Lawrence has “ ‘show[n] a propensity to act other than in a ‘fair manner. He has not shown that he will exercise good judgment, that he will conduct himself professionally and with respect for the law.’ ” (ECF No. 6, PageID.131 (quoting *In re Frank J. Lawrence, Jr., Board of Law Examiners Opinion* (June 14, 2006), found at *Lawrence v. Berry*, Case No. 5:06-cv-134, ECF No. 1-2, PageID.20-21 (W.D. Mich. Sept. 9, 2006)).

This Court places a high premium on civility and in maintaining the public's confidence in both the legal profession and the judicial system. “[I]t is extremely desirable that the respectability of the bar should be maintained, and that its harmony with the bench should be preserved.” *Ex Parte Burr*, 22 U.S. 529, 530 (1824). Mr. Lawrence’s proclivity for engaging in personal attacks against decision makers, including judicial officers, is contrary to what the Court expects from “a profession dedicated to the peaceful and reasoned settlement of disputes” between individuals, and between individuals and their government. *Law Students Civil Rights Research Council, Inc. v. Wadmond*, 401 U.S. 154, 166 (1971). The Sixth Circuit has acknowledged that this Court “is constitutionally entitled to look at such conduct in deciding whether [Mr.] Lawrence should be admitted.” *In re Frank J. Lawrence, Jr.*, 761 F. App’x at 47.⁷

In the December 13, 2017, hearing regarding his previous application for admission, Mr. Lawrence was asked why, given his previous misconduct, this Court should conclude that he has sufficient good judgment to be admitted. He responded: “What I can

⁷ This Court has considered the fact that Mr. Lawrence has been admitted to practice before other federal courts. But this Court is not cognizant of what information the other courts had or considered in making the decision to admit him; nor is the Court privy to Mr. Lawrence’s conduct in the handling of a limited number of pro bono cases in another district. This Court can — and must — make an independent decision as to whether Mr. Lawrence meets the requirements for admission in this district. See *Stilley v. Bell*, 155 F. App’x 217, 224 (6th Cir. 2005) (“[O]ne court’s decision to admit an applicant does not diminish another court’s discretion to refuse to do so.”).

tell you is I am not the same person. I have grown older and wiser and slower, and I've developed an appreciation for respect and an appreciation for resolving things amicably without turning it into a big deal." (Hrg'g Tr. at 45, ECF No. 4, PageID.99). His actions continue to speak louder than his words.

Conclusion and Order

For the reasons stated herein, as well as those articulated in the Court’s Memorandum Opinion and Order of February 2, 2018, the undersigned judicial panel finds that Mr. Lawrence has failed to establish that he possesses the “good moral and professional character” required for admission to practice in this Court. Accordingly, Mr. Lawrence’s re-application for admission to practice in the District Court for the Western District of Michigan is DENIED.

April 28, 2021 /s/Janet T. Neff
JANET T. NEFF
United States District Judge

April 28, 2021 /s/Scott W. Dales
SCOTT W. DALES
Chief United States
Bankruptcy Judge

April 28, 2021 /s/Phillip J. Green
PHILLIP J. GREEN
United States Magistrate
Judge