

STATE OF MINNESOTA

IN SUPREME COURT

A22-0951

**FILED**

February 17, 2023

**OFFICE OF  
APPELLATE COURTS**

In re Petition for Disciplinary Action Against  
Mikael Merissa, a Minnesota Attorney,  
Registration No. 0329587.

O R D E R

The Director of the Office of Lawyers Professional Responsibility has filed a petition for disciplinary action alleging that respondent Mikael Merissa committed professional misconduct warranting public discipline in four client matters. Specifically, Merissa misappropriated client funds in two matters by failing to place clients' advance filing fees into trust and using those funds for purposes the clients did not intend. *See* Minn. R. Prof. Conduct 1.15(a), 8.4(c). Merissa also made knowingly false statements or false statements by omission to a client, a third party, or the Director in two matters; failed to safeguard client funds in three matters; failed to diligently and competently handle four matters, including by failing to complete agreed-on work, failing to subpoena a witness, and allowing long periods of inactivity on client matters; failed to adequately communicate with clients in four matters; failed to promptly refund unearned attorney fees and unused filing fees in two matters; failed to promptly provide the client or the client's counsel with a copy of the client's file in four matters; deceptively sought and was paid additional fees for work respondent had already been paid to perform in one matter; and entered into an improper business transaction with a client in one matter. *See* Minn. R. Prof. Conduct 1.1, 1.2(a), 1.3, 1.4(a)(1)–(4), 1.4(b), 1.5(a)–(b), 1.8(a)(1)–(3), 1.15(a)–(b), 1.15(c)(3)–(5), 1.15(h), 1.16(d), 4.1, 8.1(a), 8.4(c).

The parties have entered into a stipulation for discipline. In it, respondent waives his rights pursuant to Rule 14, Rules on Lawyers Professional Responsibility (RLPR), withdraws his previously filed answer, and unconditionally admits the allegations of the petition. The parties recommend that, in light of mitigating factors, the appropriate discipline is a 30-month suspension.

Based upon all the files, records, and proceedings herein,

IT IS HEREBY ORDERED THAT:

1. Respondent Mikael Merissa is indefinitely suspended from the practice of law, effective 14 days from the date of this order, with no right to petition for reinstatement for 30 months.
2. Respondent may petition for reinstatement pursuant to Rule 18(a)–(d), RLPR. Reinstatement is conditioned on successful completion of the written examination required for admission to the practice of law by the State Board of Law Examiners on the subject of professional responsibility, *see* Rule 18(e)(2), RLPR; *see also* Rule 4.A.(5), Rules for Admission to the Bar (requiring evidence that an applicant has successfully completed the Multistate Professional Responsibility Examination); and satisfaction of continuing legal education requirements, *see* Rule 18(e)(4), RLPR.
3. Respondent shall comply with Rule 26, RLPR (requiring notice of suspension to clients, opposing counsel, and tribunals), and shall pay \$900 in costs pursuant to Rule 24(a), RLPR.

Dated: February 17, 2023

BY THE COURT:



Natalie E. Hudson  
Associate Justice