STATE OF MISSOURI

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

P.O. Box 690, Jefferson City, Mo. 65102-0690

IN THE MATTER OF:	)	
	)	
Michael I. Lawrence, Sr.,	)	**Case No. 100617489C**
	)	
Applicant.	)	

CONSENT ORDER

John M. Huff, Director of the Department of Insurance, Financial Institutions and Professional Registration takes up the above matter for consideration and disposition. The Consumer Affairs Division, through legal counsel Ross A. Kaplan, and Michael I. Lawrence, Sr., have reached a settlement in this matter and have consented to the issuance of this Consent Order.

1. John M. Huff is the duly appointed Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration ("Director") whose duties, pursuant to Chapters 374, RSMo,[1] include the supervision, regulation and discipline of bail bond agents.

2. The Consumer Affairs Division ("Division") has the duty of conducting investigations into the acts of bail bond agents under the insurance laws of this state and is

[1] All statutory references are to the 2010 Supplement to the Revised Statutes of Missouri unless otherwise noted.

authorized by the Director to investigate and to recommend enforcement action for violations of the insurance laws of this state.

3. On March 05, 1980, in *State of Louisiana v. Michael I. Lawrence*, Docket No. 43896, in the Fifteenth Judicial District Court, Lafayette Parish, Louisiana, Lawrence pleaded guilty to theft of property valued at more than $500.00 in violation of La. Stat. Ann §14:67 (1972), after which the court suspended imposition of sentence and Lawrence was placed on probation for one year. Lawrence successfully completed the one year probationary period, and no record of conviction exists.

4. On August 25, 1994, in *State of Missouri v. Michael Ira Lawrence*, Case Number 931-02946-01, in the Circuit Court of the City of St. Louis, Missouri, Lawrence pleaded guilty to class C Felony Possession of a Controlled Substance in violation of §195.202 RSMo (Supp. 1989), after which the court suspended imposition of sentence and Lawrence was placed on probation for two years. Lawrence successfully completed the two year probationary period, and no record of conviction exists.

5. On November 15, 1994, in *State of Missouri v. Michael I. Lawrence*, Case Number 93R-06309-01, in the Circuit Court of St. Louis County, Missouri, Lawrence pleaded guilty to class D Felony Passing a Bad Check in violation of §570.120 RSMo (Supp. 1993). After the plea, the court suspended imposition of sentence and Lawrence was placed on probation for two years. Lawrence successfully completed the one year probationary period, and no record of conviction exists.

6. On January 24, 1995, in *In re Michael Lawrence*, No. 77576, the Missouri Supreme Court disbarred Lawrence for professional misconduct and failure to timely file an

answer or other response within 30 days of being served with the proposed Information pursuant to Missouri Supreme Court Rules 5.11 and 5.09.

7. On January 30, 1997, in *In re Michael Ira Lawrence*, M.R. 13026, the Illinois Supreme Court imposed reciprocal discipline and suspended Lawrence pursuant to Illinois Supreme Court Rule 763 for one year and until he was reinstated to the practice of law in the State of Missouri.

8. On April 01, 2003, in *In re Michael I. Lawrence, Sr.*, No. SC84815, the Missouri Supreme Court reinstated Lawrence to practice law in the State of Missouri.

9. On July 14, 2006, in *In re Michael Ira Lawrence, Sr.*, No. SC 87843, the Missouri Supreme Court ordered an interim suspension from the practice of law, finding there was probable cause to believe that Lawrence was guilty of professional misconduct or was unable to competently represent the interests of his clients and finding there was evidence that Lawrence posed a substantial threat of irreparable harm to the public.

10. On October 30, 2007, in *In re Michael Ira Lawrence, Sr.*, No. SC88707, the Missouri Supreme Court disbarred Lawrence for violating Missouri Rules of Professional Conduct: 4-1.1, 4-1.3, 4-1.4, 1-1.15, 4-3.2, and 4-8.4(d).

11. On November 18, 2008 in *In re Michael Ira Lawrence*, M.R. 22682, the Illinois Supreme Court imposed reciprocal discipline and disbarred Lawrence pursuant to Illinois Supreme Court Rule 763.

12. Lawrence acknowledges and understands that under § 374.755.1(6) the Director may refuse to issue a bail bond agent license to Lawrence for having violated a law of this state.

13. Lawrence acknowledges and understands that he has the right to consult counsel at his own expense.

14. This Consent Order is entered pursuant to § 374.046. As such, any interested person aggrieved by this Order may request a hearing before the Director or review of this Order in a circuit court under § 374.055. Although under the Department's interpretation of the relevant statutes, review of this Order by the Administrative Hearing Commission is not available, Lawrence nevertheless may have the right, under § 621.045, to submit this Consent Order to the Administrative Hearing Commission for a determination that the facts agreed to in this consent order constitute grounds to refuse Lawrence's license.

15. Except as provided in paragraph 14, above, Lawrence stipulates and agrees to waive any rights that he may have to a hearing before the Administrative Hearing Commission or the Director and any rights to seek judicial review or other challenge or contest of the terms and conditions of this Order and forever releases and holds harmless the Department, the Director and his agents, and the Consumer Affairs Division from all liability and claims arising out of, pertaining to, or relating to this matter.

16. Each signatory to this Consent Order certifies by signing that he or she is fully authorized, in his or her own capacity, or by the named party he or she represents, to accept the terms and provisions of this Consent Order in their entirety, and agrees, in his or her personal or representational capacity, to be bound by the terms of this Consent Order.

17. If the Director finds that Lawrence has violated any of the terms and conditions of licensure listed below, Lawrence agrees to voluntarily surrender to the Department any license granted by the Director within 15 days of such a finding.

18. Upon the execution of this Consent Order by all listed signatories below, Lawrence will dismiss, with prejudice, *Michael Ira Lawrence, Sr. vs. Director of Insurance*, No. 11-0255 DI, pending before the Missouri Administrative Hearing Commission.

Conclusions of Law

19. The actions admitted by Lawrence are grounds to refuse his Missouri bail bond agent license application pursuant to § 374.755.1(6).

20. The Director may impose orders in the public interest under § 374.046.

21. The terms set forth in this Consent Order are an appropriate disposition of this matter and entry of this Consent Order is in the public interest.

ORDER

IT IS ORDERED THAT the Department will issue a bail bond agent license to Michael Ira Lawrence, Sr. subject to the following terms and conditions.

IT IS FURTHER ORDERED THAT the Director may pursue additional legal remedies, as necessary and without limitation, as authorized by Chapters 374 and 375 RSMo.

IT IS FURTHER ORDERED THAT this Consent Order shall remain in effect for a period of two (2) years, after which time a new Consent Order may be issued upon receipt of application for renewal of Michael Ira Lawrence, Sr.'s bail bond agent license. The terms and conditions of this consent order shall take effect upon issuance of this Order by the Director.

Terms and Conditions of Licensure

General Requirements

A. Lawrence shall meet with the Consumer Affairs Division ("Division") at such times and places as required by the Division.

B. Lawrence shall submit documents showing compliance with the requirements of this Consent Order to the Division when requested and within the time limit the Division requests.

C. Lawrence shall inform the Division within ten (10) days of any change of home address or home telephone number.

D. Lawrence shall not violate the Professional Bail Bondsman and Surety Recovery Licensure Act, Chapter 374 RSMo, or any other insurance laws of this state.

E. Lawrence shall respond to all inquiries and consumer complaints forwarded or otherwise communicated to him by the Department of Insurance, Financial Institutions and Professional Registration within three business days of receipt. Lawrence shall immediately report in writing all inquiries and consumer complaints, both written and oral, to his general bail bond agent, and such general bail bond agent shall also respond to the Department or consumer regarding the complaints or inquiries within three business days of receipt.

F. Lawrence shall report to the Department of Insurance, Financial Institutions and Professional Registration any violation of or failure to comply with the laws set forth in Chapters 374 and 375, RSMo within three business days of such violation or failure to comply.

G. Lawrence shall keep the Division informed of his current place of employment and of any changes in his place of employment by notifying the Division within ten working days of such a change.

H. Lawrence shall provide a copy of this Consent Order to any general bail bond agent under which he is currently employed immediately upon receipt and to any potential employer acting in a capacity of general bail bond agent prior to acceptance of any offer of employment.

I. If Lawrence is not employed as a bail bond or surety recovery agent at any time during his licensure, he shall submit an affidavit stating the period(s) of unemployment.

J. Lawrence shall report to the Department of Insurance, Financial Institutions and Professional Registration any arrest, citation, guilty plea, nolo contendere plea, finding of guilt or conviction concerning a felony or crime of moral turpitude, including drug related charges, within three business days of such arrest, citation, plea or finding.

K. Lawrence shall execute any release or provide any other authorization necessary for the Division to obtain records of Lawrence's employment during the Consent Order.

L. Licensee shall bear all costs of complying with this Consent Order.

REQUIREMENTS REGARDING CHEMICAL DEPENDENCY TREATMENT AND REHABILITATION

A. Lawrence shall, within six (6) weeks from the effective date of this Consent Order, undergo a thorough evaluation for chemical dependency performed by a licensed chemical dependency professional. The chemical dependency professional shall submit to the Division evidence that he or she is licensed or certified in the treatment of chemical dependency. Lawrence sh all show this

agreement to the chemical dependency professional before the evaluation is performed.

B. Lawrence shall have the chemical dependency professional mail the results of the evaluation directly to the Department of Insurance, ATTN: Consumer Affairs Division, P.O. Box 690, Jefferson City, Missouri 65102 within ten (10) working days after the evaluation is complete.

C. Each written evaluation shall include:

1. A description of the tests performed and test results;
2. Discussion of relevant clinical interview findings/interpretations;
3. Specification of DSM IV diagnosis/es, and discussion of appropriate treatment recommendations/plan.
4. Discussion of appropriate treatment recommendations/plan. If there is no diagnosis requiring treatment, this should be specified in the evaluation.

IF TREATMENT IS NOT RECOMMENDED

A. If the chemical dependency professional determines that treatment is not recommended, Lawrence shall execute a release so that the Division can obtain the evaluation and supporting documents.

B. Lawrence shall abstain completely from the personal use of any controlled substance or other drug for which a prescription is required unless use of the drug has been prescribed by a person licensed to prescribe such.

C. Upon request, Lawrence shall execute a medical release authorizing the Division to access all records pertaining to Lawrence's condition, treatment and prescription(s) maintained by the health care professional that prescribed the controlled substance or other drug.

D. The presence of any controlled substance whatsoever in any biological sample obtained from Lawrence for which Lawrence does not hold a valid prescription shall constitute a violation of the Consent Order.

E. Lawrence shall provide the Division with documentation of any prescription upon request.

IF TREATMENT IS RECOMMENDED

A. Lawrence shall follow any recommendations for treatment made by the chemical dependency professional.

B. Lawrence shall execute a medical release or other appropriate releases which shall remain in effect for the entire period of his licensure as a bail bond agent

authorizing the Division to obtain records of Lawrence's treatment for chemical dependency. Lawrence shall not take any action to cancel this release. Lawrence shall take any and all steps necessary to continue the release in effect and shall provide a new release when requested.

C. Lawrence shall cause an update of treatment evaluation from the chemical dependency professional to be submitted to the Division at least quarterly, with due dates to be determined.

(1) The update shall include an evaluation of Lawrence's current progress and status related to the treatment recommendations/plan and Lawrence's current prognosis and treatment recommendations/plan.

D. Lawrence shall abstain completely from the personal use of any controlled substance or other drug for which a prescription is required unless use of the drug has been prescribed by a person licensed to prescribe such drug. Upon request, Lawrence shall execute a medical release authorizing the Division to access all records pertaining to Lawrence's condition, treatment and prescription(s) maintained by the health care professional that prescribed the controlled substance. The presence of any controlled substance whatsoever in any biological sample obtained from Lawrence for which Lawrence does not hold a valid prescription shall constitute a violation of the Consent Order.

E. Lawrence shall inform any professional preparing a prescription for Lawrence that Lawrence is chemically dependent.

F. Lawrence shall provide the Division with documentation of any prescription upon request.

G. If a twelve-step program or other support group attendance is recommended, Lawrence shall submit evidence of weekly (or recommended) attendance at Alcoholics Anonymous, Narcotics Anonymous or other support group meetings to the Division at such times as required by the Division, but not less than quarterly. The documentation shall include the date and name of the meeting and shall bear a signature or abbreviated signature of another person verifying attendance.

H. If the treatment of Lawrence is completed or terminated at any time during the period covered by this agreement, Lawrence shall cause the chemical dependency professional to submit a letter of final evaluation/summary which includes a statement describing Lawrence's status upon completion or termination of said treatment and indicating whether Lawrence should continue in a 12-step program. If continuance in a 12-step program is recommended, Lawrence shall comply with terms of documentation as outlined in the immediately preceding Paragraph G.

DRUG SCREENS

A. The conditions of this section apply to the Lawrence regardless of whether or not chemical dependency treatment is recommended by the chemical dependency evaluation.

B. Lawrence shall locate and contract with a Division approved third party administrator (TPA) to schedule random witnessed screening for drugs of abuse, the frequency and method of which shall be at the Division's discretion. The screenings may be conducted on urine, breath, blood or hair. The random screens shall be at the expense of Lawrence.

C. It is Lawrence's responsibility to assure that lab personnel observe all urine specimen collections. If the urine specimen collection is not observed, the Division, in its discretion, may consider the results to be invalid.

D. Within twenty (20) working days of the effective date of this Order, Lawrence shall complete the TPA's contract and submit the completed contract to the TPA.

E. Failure of Lawrence to comply with Lawrence's contract with the TPA shall constitute a violation of the terms of the Consent Order.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 7TH **DAY OF** DECEMBER **, 2011.**

JOHN M. HUFF
Director, Missouri Department of Insurance,
Financial Institutions and Professional
Registration

CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that Michael Ira Lawrence, Sr. has the right to a hearing, but that Michael Ira Lawrence, Sr. has waived the hearing and consented to the issuance of this Consent Order.

Michael Ira Lawrence, Sr.
5949 Enright Avenue
St. Louis, MO 63112
Applicant

11-29-11
Date

Counsel for Applicant
Name: _____
Missouri Bar No. _____
Address: _____
_____
Telephone: _____

Date

Ross A. Kaplan, Bar # 62990
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12/5/11
Date