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NOTICE OF SUSPENSION WITH CONDITIONS
(By Consent)

Case No. 15-108-GA

Notice Issued: February 4, 2016

Bart R. Frith, P 39541, Vermontville, Michigan, by the Attorney Discipline Board Ingham County Hearing Panel #3.

1. Suspension - 30 Days
2. Effective March 12, 2016

The respondent and the Grievance Administrator filed a stipulation for a consent order of discipline, in accordance with MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by the hearing panel. Based on respondent's admissions, the panel found that respondent neglected his client's legal matter, in violation of MRPC 1.1(c); failed to consult with his client upon knowing that he expected assistance "not permitted by the Rules of Professional Conduct or other law," in violation of MRPC 1.2(d); failed to act with reasonable diligence and promptness in the representation of his client, in violation of MRPC 1.3; failed to keep his client reasonably informed about the status of his matter and to comply promptly with his reasonable requests for information, in violation of MRPC 1.4(a); failed to explain a matter to the extent reasonably necessary to permit his client to make informed decisions regarding the representations, in violation of MRPC 1.4(b); failed to timely seek the court's permission to withdraw from the representation of his client when respondent had determined that he did not have a good faith basis for filing an application for leave to appeal and doing so would be in violation of the Rules of Professional Conduct, in violation of MRPC 1.16(a)(3); failed to timely seek the court's permission to withdraw prior to October 2014, on the basis that respondent had a good cause for doing so and to allow his client a more timely option of obtaining new counsel, in violation of MRPC 1.16(b)(6); and, failed to take reasonable steps to protect his client's interests, such as giving reasonable notice to his client that he had: 1) concluded that he would not file an application for leave to appeal; and/or, 2) had stopped actively representing him notwithstanding the court's order appointing respondent to serve as his client's appellate counsel, so as to allow time for the appointment or employment of other counsel, or for self-representation, in violation of MRPC 1.16(d). Additionally, the panel found that respondent violated MCR 9.104(2) and (3) based on his plea of no contest.

In accordance with the stipulation, the hearing panel ordered that respondent's license to practice law in Michigan be suspended for 30 days, effective March 12, 2016, as stipulated by the parties. Respondent shall also be subject to a condition relevant to the admitted misconduct. Costs were assessed in the amount of \$757.89.

Mark A. Armitage

Dated: FEB - 4 2016