

NOTICE OF SUSPENSION WITH CONDITIONS

Case Nos. 06-129-GA; 06-148-FA

Notice Issued: February 16, 2007

Burt A. Bothell, P 34981, Grand Haven, Michigan, by the Attorney Discipline Board
Muskegon County Hearing Panel #2.

1. Suspension - 60 Days
2. Effective February 16, 2007

Respondent was found to be in default for his failure to file an answer to the formal complaint. Based on that default, the panel found that respondent, in two divorce matters, neglected the matter; failed to seek the lawful objectives of his client; failed to act with reasonable diligence and promptness in representing his clients; failed to keep the client reasonably informed about the status of the matter and to respond to requests for information; failed to communicate the basis of his fees; failed to safekeep client funds in a trust account; and failed to refund the unearned portion of the advance payment of the fees upon termination of his representation. In one of the matters, respondent failed to surrender documents to which his client was entitled. Finally, respondent was found to have failed to file an answer to two requests for investigation and the formal complaint.

Respondent's conduct was in violation of MCR 9.104(A)(1)-(4) and (7); MCR 9.113(A) and (B)(2); and Michigan Rules of Professional Conduct 1.1(c); 1.2(a); 1.3; 1.4(a); 1.5(b); 1.15(a); 1.16(d); 8.1(a)(2); and 8.4(a) and (c).

The panel ordered that respondent's license to practice law in Michigan be suspended for 60 days and he should be subject to conditions relevant to the established misconduct. Costs were assessed in the amount of 1,928.14.