

NOTICE OF SUSPENSION AND RESTITUTION WITH CONDITION
(By Consent)

Case No. 06-61-GA

Notice Issued: November 7, 2006

Mark L. Fischer, P 58231, Plymouth, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #10.

1. Suspension - 3 Years
2. Effective November 3, 2006

The respondent and Grievance Administrator filed a stipulation for consent order of discipline, in accordance with MCR 9.115(F)(5), containing respondent's plea of no contest to the allegations that, during the representation of a personal representative in probate proceedings, he undertook representation in a matter in which he was not competent without associating himself with a lawyer who was competent to handle the matter; failed to act with reasonable diligence and promptness in representing his client; failed to adequately communicate with his client regarding the status of the matter, including settlement discussions; knowingly made false statements of material fact to the court when he presented the court with pleadings bearing the forged signature of his client; knowingly made false statements of material fact to his client by presenting him with documents purporting to close the estate; forged his client's signature to a settlement agreement which he then presented to opposing counsel; engaged in dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law where such conduct reflects adversely on his honesty, trustworthiness or fitness as a lawyer; engaging in conduct that exposes the legal profession or the courts to obloquy, contempt, censure or reproach; and engaged in conduct contrary to justice, ethics, honesty or good morals.

Respondent was charged with violations of mcr 9.104(A)(1) and (2); and Michigan Rules of Professional Conduct 1.1(a); 1.3; 1.4(a); 3.3(a)(1); 3.4(a) and (b); and 8.4(b) and (c).

The parties agreed that respondent's license to practice law in Michigan should be suspended for three years and that respondent shall pay restitution, if any is ordered by the Wayne County Probate Court. The parties also agreed that respondent shall be subject to a condition relevant to the alleged misconduct. Costs were assessed in the amount of \$761.60.