

NOTICE OF SUSPENSION AND RESTITUTION WITH CONDITIONS

Case No. 05-68-GA

Notice Issued: January 9, 2006

Harry R. Boffman, III, Detroit, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #2.

1. Suspension - 120 Days
2. Effective August 25, 2005

Respondent appeared at the hearing but was found to be in default for failing to file an answer to the formal complaint. Based on that default, the hearing panel found that respondent, in three matters, neglected the representation of three clients; failed to act with reasonable diligence and promptness; and failed to maintain reasonable communication with his clients. In two of those matters, respondent failed to refund unearned fees. Additionally, respondent failed to file answers to two requests for investigation served upon him by the Grievance Administrator; and to have failed to assist the Grievance Administrator in the investigation or disposition of a request for investigation or complaint.

Respondent's misconduct was in violation of MCR 9.103(C); MCR 9.104(A)(1)-(4) and (7); MCR 9.113(A) and (B)(2); and Michigan Rules of Professional Conduct 1.1(c); 1.3; 1.4; 1.5(a); 1.16(d); and 8.4(a). The panel ordered that respondent be suspended for 120 days, effective November 5, 2005, with conditions relevant to the established misconduct. The panel also ordered that respondent pay restitution in the aggregate amount of \$1,800.00. Costs were assessed in the amount of \$1,900.24.

Respondent filed a motion to amend the effective date of commencement of his suspension to August 25, 2005. The motion was not opposed by the Grievance Administrator and, on January 5, 2006, the Attorney Discipline Board issued a notice modifying the effective date of respondent's suspension to August 25, 2005.