

NOTICE OF REVOCATION AND RESTITUTION

Case No. 04-62-GA

Notice Issued: September 1, 2004

James Thomas, P 47952, Detroit, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #17.

1. Revocation
2. Effective September 1, 2004

The respondent was found to be in default for his failure to file an answer to the formal complaint or appear at the hearing. Based on that default, the panel found that respondent, in various conservatorships and guardianships, misappropriated and/or failed to account for monies from the wards' estates; failed to properly account for assets; failed to file, or timely file, inventories or accountings; filed a false inventory and accounting; commingled funds with his personal account; failed to make appropriate expenditures for care; failed to account for payments made by one ward's granddaughter for rental of ward's home; failed to make timely mortgage payments on one ward's home; failed to timely renew Medicaid certifications for two wards; failed to make timely payments to a nursing home for three wards; failed to comply with court; failed to appear at a hearing; failed to respond to numerous phone calls; failed to promptly conclude estates; left a decedent's body in storage for ten months despite having cash assets in the estate for burial; failed to ensure prompt appointment of a fiduciary in a ward's decedent estate; engaged in assaultive behavior; and failed to answer two requests for investigation served by the Grievance Administrator.

Respondent's conduct was in violation of MCL 750.81; MCR 9.104(A)(1)-(5) and (7); MCR 9.113(A) and (B)(2); and Michigan Rules of Professional Conduct 1.1(a) and (c); 1.3; 1.4(a); 1.15(a)-(c); 3.3(a)(1) and (4); 3.4(c); 6.5(a); 8.1(a)(2); and 8.4(a)-(c).

The hearing panel ordered that respondent's license to practice law be revoked and that respondent pay restitution in the aggregate amount of \$668,434.28. Costs were assessed in the amount of \$1,747.20.