

NOTICE OF SUSPENSION AND RESTITUTION WITH CONDITION

Case No. 03-147-GA

Notice Issued: August 13, 2004

Francis Krcmarik, P 43347, Flint, Michigan, by the Attorney Discipline Board
Genesee County Hearing Panel #2.

1. Suspension - 30 Months
2. Effective September 1, 2004

The hearing panel found that respondent, as personal representative of an estate, commingled and misappropriated funds from his client trust account in the amount of \$46,356.36; failed to file a timely inventory; failed to timely pay the inventory fee; and failed to promptly conclude the administration of the estate. Respondent's conduct was found to be in violation of MCR 9.104(A)(1)-(4); and Michigan Rules of Professional Conduct 1.1(a)-(c); 1.2(a); 1.3; 1.15(a)-(d); and 8.4(a)-(c).

The hearing panel ordered that respondent's license to practice be suspended for 30 months and that he provide proof of full restitution, specifically, that he provide proof of satisfaction of the order of surcharge and indemnity claim. The panel also ordered that respondent attend the Ethics School conducted by the State Bar of Michigan within two years of the date of its order. Costs were assessed in the amount of \$2,346.83.