

NOTICE OF SUSPENSION AND PROBATION WITH RESTITUTION AND CONDITION
(By Consent)

Case Nos. 03-78-GA; 04-7-GA

Notice Issued: July 7, 2004

Jon Allen Broadworth, P 29947, Flint, Michigan, by the Attorney Discipline Board
Genesee County Hearing Panel #1.

1. Suspension - 179 Days
2. Probation - 2 Years
3. Effective July 7, 2004

The respondent and the Grievance Administrator filed a stipulation for a consent order of discipline containing respondent's admissions to the allegations of professional misconduct contained in two formal complaints. Specifically, that he failed to refund unearned fees in five client matters; and neglected two client matters. In one client matter, respondent abandoned the representation; misrepresented the true status of that client's matter to the client; and failed to ensure that the Michigan Rules of Professional Conduct were complied with and failed to take reasonable remedial action. Additionally, respondent failed to provide accountings to two clients; and failed to provide a copy of the client's file to one of those clients. Further, in a divorce matter, respondent engaged in tactics of delay; and failed to supervise his associate and office staff. Respondent also treated prospective clients in a rude, discourteous and sarcastic manner while apparently under the influence of alcohol. Finally, respondent failed to timely answer two requests for investigation and failed to answer five other requests for investigation, all served upon him by the Grievance Administrator.

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(a) and (c); 1.2(a); 1.3; 1.4(a) and (b); 1.15(a) and (b); 1.16(d); 3.2; 4.1; 4.4; 5.1(a)-(c); 5.3(a)-(c); 6.5(a); 8.1(b); and 8.4(a)-(c).

The parties agreed that respondent should be suspended for 179 days and concurrently serve a two year probation with a condition relevant to the admitted misconduct. The parties also agreed that respondent should pay restitution in the aggregate amount of \$11,850.00. Costs were assessed in the amount of \$842.45.