

NOTICE OF SUSPENSION AND RESTITUTION
(With Condition)

Case No. 01-169-GA

Notice Issued: April 23, 2004

Richard P. Zipser, P 22747, Southfield, Michigan, by the Attorney Discipline Board affirming Tri-County Hearing Panel #78's order of suspension and restitution with condition.

1. Suspension - 60 Days
2. Effective April 21, 2004

Respondent pled no contest to allegations that he failed to properly represent a client in a criminal appeal; failed to return the unearned fee; and failed to return documents to his client or successor counsel. Respondent was charged with violations of MCR 9.104(A)(1)-(4); and Michigan Rules of Professional Conduct 1.1(c); 1.2(a); 1.3; 1.4(a); 1.15(b); 1.16(d); 3.2; and 8.4(a) and (c). The panel ordered that respondent be suspended for 60 days and pay restitution in the amount of \$10,000.00. The panel also ordered that respondent work with an attorney mentor upon his active reinstatement to the practice of law.

Both parties filed timely petitions for review and respondent also filed a timely petition for stay of discipline, which was granted by the Board. Upon review, the Attorney Discipline Board affirmed the hearing panel's order and extended the stay of discipline to November 1, 2003. Respondent filed a timely motion for reconsideration and a application for leave to appeal with the Supreme Court. The Board denied respondent's motion for reconsideration on November 21, 2003 and, on March 30, 2004, the Supreme Court denied respondent's application for leave to appeal but extended the stay of discipline an additional 21 days. Total costs were assessed in the amount of \$847.36.