

NOTICE OF SUSPENSION

Case Nos. 00-113-GA;00-127-FA

Notice Issued: January 7, 2002

Joan Marsh Simmons, P-41442, Detroit, Michigan, by the Attorney Discipline Board, affirming Tri-County Hearing Panel #26's 45 day suspension and modifying restitution.

1. Suspension - 45 days.
2. Effective December 22, 2001.

The hearing panel found by default that respondent had failed to take timely action on behalf of her client, failed to provide reasonable information concerning the status of the matter; and failed to return unearned fees. Respondent also failed to answer a formal complaint served by the Grievance Administrator. Respondent's conduct was in violation of MCR 9.104(1)-(4) and (7); and Michigan Rules of Professional Conduct 1.1(c); 1.3; 1.4(a); 1.16(d); 8.1(b); and 8.4(a)-(c). The hearing panel ordered that respondent be suspended for 45 days and pay restitution in the amount of \$8,400.00.

The respondent petitioned for review and the Attorney Discipline Board affirmed the hearing panel's 45 day suspension but reduced the restitution to \$8,150.00. The respondent filed an application for leave to appeal with the Supreme Court which was denied on November 30, 2001 and granted a stay of discipline until December 22, 2001. Total costs were assessed in the amount of \$647.29.