

NOTICE OF SUSPENSION AND RESTITUTION

Case Nos. 00-177-GA; 00-205-GA

Notice Issued: May 3, 2001

Neal Bush, P-11471, Detroit, Michigan by the Attorney Discipline Board Tri-County Hearing Panel #24.

1. Suspension - 3 Years.¹
2. Effective May 2, 2001.

The hearing panel accepted respondent's plea of no contest to the allegations of misconduct in Formal Complaint 00-177-GA and 00-205-GA, specifically: In a wrongful death matter, respondent failed to timely comply with discovery requests, resulting in a show cause order and sanctions; failed to respond to the defendant's summary judgment motion and the claim was dismissed; filed an untimely motion for rehearing and reconsideration; failed to advise his client of the dismissal of the action and gave repeated assurances to his client, after the dismissal, that the matter was being handled. In five matters, respondent failed to maintain reasonable communications with his clients and abandoned his clients' representation. In four matters, respondent failed to advise his clients of the true status of their matters and gave repeated assurances that their matters were being handled. In three matters, respondent did not take any action on his clients' behalf or explain why he could not take action on his clients' behalf. In two matters, respondent failed to take action prior to the running of the statute of limitations, or advise his clients he would not handle their matters. In a parole matter, respondent failed to refund unearned fees.

With regard to his previous suspension from the practice of law, respondent failed to file the requisite affidavits of compliance with the Attorney Grievance Commission or the Attorney Discipline Board; failed to provide his clients with written notice of his inability to practice law; and failed to provide his clients with notice of the location of their files and records or to make their files available to them. Respondent also failed to answer seven requests for investigation served by the Grievance Administrator.

Respondent's conduct was found to be in violation of MCR 9.103(C); MCR 9.104(1)-(4) and (7); MCR 9.113(A); MCR 9.113(B)(2); MCR 9.119(A), (C), and (E); MCLA 600.916; MSA 27A.916; and Michigan Rules of Professional Conduct 1.1(a)-(c); 1.2(a); 1.3; 1.4(a) and (b); 1.5(a); 1.16(d); 4.1; 5.5(a); 8.1(b); and 8.4(a)-(c).

The hearing panel ordered that respondent be suspended for three years and pay restitution in the aggregate amount of \$3,000.00. Costs were assessed in the amount of \$560.61.

¹ Respondent has been continuously suspended from the practice of law in Michigan since January 3, 2000. See Corrected Notice of Suspension and Restitution with Conditions, issued December 22, 1999.