

NOTICE OF SUSPENSION AND RESTITUTION

Case No. 00-203-GA

Notice Issued: April 17, 2001

Pamela Clemens Hartwig, P-10706, St. Joseph, Michigan by Attorney Discipline Board Berrien County Hearing Panel.

1. Suspension - 1 Year;
2. Effective April 17, 2001.

The hearing panel found, based on respondent's default, that the allegations of professional misconduct in the formal complaint were established, specifically: In a divorce matter, respondent failed to take further action to prosecute the matter after instituting the proceedings; failed to seek court orders for temporary custody, parenting time, child support, or to remove the defendant from the marital abode; failed to maintain reasonable communications with her client; abandoned the representation of her client; failed to file a stipulation for substitution of attorneys, or to turn over the client file to successor counsel despite numerous requests; and failed to return unearned fees. In an estate matter, respondent failed to appear for citation hearings; failed to accomplish tasks required by the court; failed to file a motion to close the estate until the court threatened additional sanctions; delayed in serving the motion and noticing it for hearing; and as of Spring 2000, had not followed the correct procedure in obtaining the final inheritance tax determination. Further, respondent failed to answer two requests for investigation served by the Grievance Administrator and failed to cooperate with the Attorney Grievance Commission in its investigation.

Respondent's conduct was in violation of MCR 9.104(1)-(4) and (7); MCR 9.113(A); MCR 9.113(B)(2); and Michigan Rules of Professional Conduct 1.1(a)-(c); 1.2(a); 1.3: 1.4(a); 1.5(a); 1.16(d); 3.2; 3.4(c); 8.1(b); and 8.4(a) and (c).

The hearing panel ordered that respondent's license be suspended for one year. Respondent was ordered to pay restitution in the amount of \$1,540.00 plus interest, and costs were assessed in the amount of \$432.43.