

NOTICE OF SUSPENSION

Case No. 96-236-GA

J. Michael Hill, P-26769, Allen Park, Michigan, by the Attorney Discipline Board increasing Tri-County Hearing Panel #3's Order of Suspension for 60 days.

- 1) Suspension - 180 Days;
- 2) Effective March 31, 1999.

The panel found that respondent simultaneously represented the complainant/husband, charged with criminal sexual conduct, and the complainant and his wife, in an action to terminate their parental rights, without seeking or obtaining the informed consent of his clients; refused to refund the unused portion of the \$25,000 fee paid by his clients; failed to place the unearned retainer fee, not properly designated as a non-refundable retainer, in a segregated trust account; and interviewed a party who he knew or should have known was represented by counsel without that counsel's knowledge or consent. The panel concluded that respondent's conduct violated Michigan Rules of Professional Conduct 1.4(a) and (b); 1.5(a) and (b); 1.7(a) and (b); 1.15(a)-(c); 1.16(d); 4.2; 4.4; and 8.4(a)-(c). The panel ordered that respondent be suspended from the practice of law for 60 days.

The Grievance Administrator and the respondent each filed a petition for review, and respondent received an automatic stay of discipline. In an order entered on October 29, 1998, the Attorney Discipline Board affirmed the findings of misconduct and increased discipline to an 180-day suspension.

Respondent filed an application for leave to appeal. The Supreme Court granted his motion for stay of discipline. In an order entered on March 9, 1999, the Court denied the application for leave to appeal. The suspension is deemed to be effective March 31, 1999. Costs were assessed in the total amount of \$4,138.41.

NOTE: Respondent filed a request for further stay, which was denied by the Supreme Court in an order entered March 30, 1999.