

NOTICE OF SUSPENSION WITH CONDITIONS

Case No. 98-156-GA

Andree J. DuFresne, P-13000, Trenton, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #19.

- 1) Suspension - 180 Days;
- 2) Effective December 1, 1998.

Respondent was retained to represent the complainant in a divorce matter. After the representation had concluded, respondent unilaterally obtained a lien against the complainant's residence in the amount of \$782, which represented the complainant's unpaid balance. The complainant thereafter made payments to respondent totaling \$782.

The panel found, by default, that respondent filed an improper and unauthorized lien against the complainant's property; the lien imposed an impermissible and usurious rate of 10% interest on the balance claimed; respondent informed a title company that the complainant owed her \$2,230 on the lien when such was not true; respondent accepted the sum of \$2,230 from the title company based on the improperly asserted lien; respondent refused to return the money to the complainant until shortly before the hearing on the Formal Complaint; and respondent falsely testified under oath before the Attorney Grievance Commission that she never received the \$2,230 from the title company.

The panel concluded that respondent's conduct violated MCR 9.103(C); MCR 9.104(1)-(4) and (6); and Michigan Rules of Professional Conduct 1.5(a); 1.15; 4.1; and 8.4(a)-(c).

The panel ordered that respondent be suspended from the practice of law in Michigan for a period of 180 days, subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$346.10.