

NOTICE OF SUSPENSION WITH CONDITIONS

Case Nos. 97-169-GA; 97-183-FA

James Stevenson Childress, P-50204, Detroit, Michigan, by
Attorney Discipline Board Tri-County Hearing Panel #9.

- 1) Suspension - Five (5) Years;
- 2) Effective June 9, 1998.1.

The complainant retained respondent to represent her in a pending divorce matter. The panel found, by default, that respondent repeatedly touched the complainant in a sexual manner, attempted to kiss her, forced her to engage in sexual intercourse with him, threatened to withdraw from representing her in the divorce matter if she did not succumb to his sexual and other demands, and then threatened her if she did not agree to keep his advances secret. The panel further found that respondent required the complainant to pay him \$200 for alleged deposition costs when no depositions were taken in her case and failed to refund the unearned \$200. Respondent also failed to timely answer the Formal Complaints.

Respondent's conduct was found to be in violation of MCR 9.104(1)-(4) and (7); and Michigan Rules of Professional Conduct 1.5(a); 1.7(b); 1.15(b); 1.16(d); 6.5(a); 8.1(b); and 8.4(a) and (c).

Following a separate hearing on discipline, the panel ordered that respondent be suspended from the practice of law for a period of five years effective June 9, 1998, subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$742.56.

Respondent filed a petition for review and request for stay of discipline. The request for stay was denied. In an order issued July 16, 1998, the Attorney Discipline Board dismissed respondent's petition for review for his failure to file the required brief.

1. Respondent has been continuously suspended from the practice of law in Michigan since December 6, 1996.

