

NOTICE OF SUSPENSION

Case Nos. 96-183-GA; 96-211-FA

James J. Lait, P-37802, Kalamazoo, Michigan, by Attorney Discipline Board Kalamazoo County Hearing Panel #1.

- 1) Suspension - ninety (90) days;
- 2) Effective March 9, 1998.

Respondent was retained by a hospital to obtain writs of garnishment in two collection matters. The writs provided that payments should be made payable to the hospital, but mailed to respondent. Pursuant to the writs, two employers delivered checks to respondent totalling \$374.02. The panel found, by default, that respondent failed to inform his client that he received the payments; failed to deliver the payments to his client; and failed to return telephone calls, or to otherwise inform his client concerning the status of the matters. Upon being advised by the hospital that respondent failed to deliver the payments, and that he failed to communicate with the hospital about the payments, the 8th District Court issued an Order to Show Cause requiring respondent to appear to show cause why he should not be held in contempt for failing to remit the checks to his client. The panel found, by default, that respondent failed to appear before the Court; and failed to contact the Court to explain why he could not, or would not, appear. Respondent also failed to answer the Request for Investigation and failed to answer the Formal Complaints.

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)and(B)(2); and Michigan Rules of Professional Conduct 1.1(c); 1.3; 1.4(a); 1.15(b); 3.4(c); 8.1(b); and 8.4(a)and(c).

The panel ordered that respondent be suspended from the practice of law for ninety days commencing March 9, 1998, to run consecutively to the two-year suspension imposed in Case Nos. 95-253-GA; 96-4-FA, which commenced on March 9, 1996. Costs were assessed in the amount of \$288.99.

NOTE: Respondent has been continuously suspended from the practice of law in Michigan since July 18, 1995.