

NOTICE OF REVOCATION AND RESTITUTION

Case Nos. 97-186-GA; 97-222-FA; 97-204-GA

Arthur Borja, P-45771, Grand Rapids, Michigan, by Attorney Discipline Board Muskegon County Hearing Panel #1.

- 1) Revocation;
- 2) Effective December 2, 1997.

Three separate complainants retained respondent to represent them in bankruptcy matters and paid him a total of \$1720 in fees. The panel found, by default, that respondent neglected the matters; failed to refund the unearned fees or return the client files; knowingly made a false statement to one complainant; and failed to answer the Requests for Investigation.

The fourth complainant paid respondent \$400 to represent him in a custody matter. The panel found, by default, that respondent neglected the matter; failed to refund the unearned fee; and failed to answer the Request for Investigation.

Respondent was suspended from the practice of law for sixty days effective April 30, 1997, and for 180 days effective June 20, 1997. Those suspensions have not been terminated. The panel found that respondent failed to provide the complainants with written notice of his suspension; failed to file an affidavit of compliance showing that he provided written notice of his suspension to clients, courts and opposing counsel; failed to pay the costs assessed in the disciplinary proceedings; and failed to answer the Formal Complaints. Respondent also failed to appear at the disciplinary hearing.

Respondent's conduct was found to be in violation of MCR 9.103(C); MCR 9.104(1)-(4), (7) and (9); MCR 9.113(A) and (B)(2); MCR 9.119(A)-(C) and (E); MCL 600.916; MSA 27A.916; and Michigan Rules of Professional Conduct 1.1(c); 1.2(a); 1.3; 1.4; 1.5(a); 1.16(d); 3.2; 3.4(c); 5.5(a); 8.1(b); and 8.4(a)-(c).

The panel ordered that respondent's license to practice law in Michigan be revoked, and that he make restitution to the complainants totalling \$2120. Costs were assessed in the amount of \$403.39.

