

NOTICE OF SUSPENSION WITH CONDITIONS

Case No. 96-96-GA

Deborah C. Lynch, P-33418, Traverse City, Michigan, by the Attorney Discipline Board increasing Grand Traverse County Hearing Panel's Order of Reprimand With Conditions.

- 1) Suspension - 180 Days;
- 2) Effective October 22, 1997.

Respondent was retained to represent the complainant in a suit to quiet title to real estate the complainant had purchased. The title company thereafter issued an \$8,000 settlement check to respondent made payable to the complainant. Respondent admitted that she deposited the check into her regular checking account and not into a trust account. The panel further found that respondent failed to maintain sufficient funds in her account to reserve intact the \$8,000 due the complainant and that she failed to maintain a client trust account. Respondent's conduct was found to be in violation of MCR 9.104(1)-(4) and Michigan Rules of Professional Conduct 1.15(a)-(c). The panel concluded, by majority, that respondent should be reprimanded with conditions relevant to the established misconduct, including attending an ethics course and monitoring of her law practice for one year. A dissenting panelist concluded that one of the two dismissed counts should be sustained and that a suspension was warranted.

The Grievance Administrator filed a petition for review seeking reversal of two dismissed counts and an increase in discipline. In an order and opinion issued on September 30, 1997, the Attorney Discipline Board affirmed the dismissal of Counts One and Three; affirmed the finding of misconduct on Count Two; increased discipline to a 180-day suspension; and modified the conditions imposed by the panel. Costs were assessed in the total amount of \$1339.87.

