

NOTICE OF SUSPENSION

Case No. 95-121-GA

Issued: November 26, 1996

Richard M. Van Orden, P-21766, Grand Rapids, Michigan, by the Attorney Discipline Board affirming Kent County Hearing Panel #1's Order of Suspension and Modifying the Commencement Date.

- 1) Suspension - thirty (30) days;
- 2) Effective February 1, 1997.

The panel found, by a preponderance of the evidence, that respondent received non-refundable retainer fees from clients and did not obtain written retainer agreements and otherwise failed to comply with the procedural formality required for non-refundable retainers; and failed to answer the Request for Investigation. 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 the Michigan Rules of Professional Conduct, 1.5; 8.1(b); and 8.4(a)and(c). The panel ordered that respondent be suspended from the practice of law for thirty days commencing July 24, 1996.

Respondent filed a petition for review and received an automatic stay of discipline. In an order entered October 31, 1996, the Attorney Discipline Board affirmed the thirty-day suspension and amended the commencing date to February 1, 1997. Costs were assessed in the amount of \$1,141.78.