

NOTICE OF SUSPENSION AND RESTITUTION
(By Consent)

Case No. 95-241-GA

Frank G. Proctor, P-19112, Waterford, Michigan, by Attorney
Discipline Board Tri-County Hearing Panel #58.

- 1) Suspension - Ninety (90) Days;
- 2) Effective February 18, 1997.

Respondent filed a petition for commencement of proceedings on behalf of an estate in Oakland County Probate Court, and the complainant was granted letters of authority as personal representative of the estate. Respondent pled no contest to allegations that he neglected the estate; filed an accounting on behalf of the estate which contained an inaccurate statement; filed a lawsuit on behalf of the estate which was not supported by fact or law and was frivolous, causing sanctions to be imposed against the complainant and respondent jointly in the amount of \$13,360; and neglected the aforementioned lawsuit.

Respondent's conduct was alleged to be in violation of MCR 9.104(1)-(4); and Michigan Rules of Professional Conduct 1.1(c), 1.3, 1.4, 3.1, 3.2, 3.3(a)(1), (2) and (4), 3.4(b) and (c), and 8.4(a)-(c).

The parties stipulated that respondent be suspended from the practice of law for ninety days and make restitution to the complainant in the amount of \$11,300. Costs were assessed in the amount of \$284.18.