

NOTICE OF SUSPENSION WITH MODIFIED CONDITIONS

Case No. 96-137-GA; 96-155-FA

Paul G. Viele, P-28119, Bay City and Vassar, Michigan, by the Attorney Discipline Board affirming Saginaw County Hearing Panel #1's Order of Suspension and Modifying Conditions.

- 1) Suspension - Ninety (90) Days;
- 2) Effective January 28, 1997.

Respondent was retained to represent the complainant in a divorce action. The panel found, by default, that respondent failed take any action on the complainant's behalf; failed to respond to the complainant's requests for information; abandoned the representation; failed to refund the unearned \$490 attorney fee; knowingly made false statements in his answer to the Request for Investigation; 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), (6) and (7); MCR 9.113(A); MCR 9.113(B)(2); and Michigan Rules of Professional Conduct 1.1(c); 1.3; 1.4(a); 1.5(a); 1.15(b); 1.16(d); 3.2; 8.1(a) and (b); and 8.4(a)-(c). The panel ordered that respondent be suspended from the practice of law for ninety days; complete a course in legal ethics; and make restitution to the complainant in the amount of \$490.

The respondent and the Grievance Administrator each filed a petition for review. Respondent's petition for review was dismissed, and the automatic stay of discipline was vacated, due to his failure to file the required brief in support of his petition for review. In an order entered March 28, 1997, the Attorney Discipline Board affirmed the hearing panel order of suspension and modified the conditions imposed by the panel.

Costs were assessed in the total amount of \$387.45.

NOTE: Respondent was also suspended for failure to pay his annual dues to the State Bar of Michigan effective January 28, 1997.