

NOTICE OF REPRIMAND WITH CONDITIONS

Case No. 96-144-GA

Dennis P. O'Neill, P-42299, Detroit, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #2.

- 1) Reprimand;
- 2) Effective November 20, 1996.

Respondent was retained to seek modification of a child visitation order, and requested and received a \$500 fee. He was discharged from the representation shortly thereafter. The complainant demanded that respondent refund the fee, and thereafter filed a small claims action against him for the return of the fee. A \$520 default judgment was entered against respondent in the small claims case. The panel found that respondent failed to comply with the complainant's requests for return of the funds or to repay the money until after she brought a court action against him and filed a Request for Investigation; and failed to promptly pay the small claims judgment.

Respondent's conduct was found to be in violation of MCR 9.104(1)-(4); and Michigan Rules of Professional Conduct 1.5(a); 1.15(b); 3.4(c); and 8.4(a)and(c).

The panel ordered that respondent be reprimanded and successfully complete one year in the State Bar of Michigan Mentoring Program. Costs were assessed in the amount of \$189.21.