

NOTICE OF REVOCATION AND RESTITUTION

Case Nos. 95-43-GA; 95-66-GA

Joseph M. Bernert, P-28639, Southfield, Michigan, by
Attorney Discipline Board Tri-County Hearing Panel #73.

- 1) Revocation;
- 2) Effective May 4, 1996.

Respondent was retained to represent a client in a workers' compensation matter. The panel found, by default, that respondent neglected the matter; failed to keep in reasonable communication with his client; and failed to answer the Request for Investigation.

Respondent was retained and paid \$1,000 to defend a client in a personal injury matter. The panel found, by default, that respondent neglected the matter; failed to keep in reasonable communication with his client; failed to refund the \$1,000 fee or to return his client's file upon demand; and failed to answer the Request for Investigation. Respondent also failed to appear at the disciplinary hearings.

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, 1.1(a)-(c); 1.2(a); 1.3; 1.4; 1.5(a); 1.15(b); 1.16(d); 3.2; 8.1(b); and 8.4(a)and(c).

The panel ordered that respondent's license to practice law in Michigan be revoked and that he make restitution to the second complainant in the amount of \$1,000 plus interest. Costs were assessed in the amount of \$377.83.

NOTE: Respondent has been suspended from the practice of law in Michigan continuously since November 1, 1994.