

NOTICE OF SUSPENSION AND PROBATION  
(By Consent)

Case No. 96-14-GA

James L. Galen, Jr., P-43406, Warren, Michigan, by Attorney  
Discipline Board Tri-County Hearing Panel #102.

- 1) Suspension - thirty (30) days;
- 2) Probation - two (2) years;
- 3) Both effective April 10, 1996.

Respondent was retained to represent a defendant in pending criminal matters. A woman was served with a subpoena to appear as a prosecution witness at the defendant's preliminary examination. The witness contacted respondent and inquired as to how she could avoid testifying. Respondent invited the witness to meet him at his home, at which time she again expressed her desire not to testify. Respondent admitted that he spent the night with the prosecution witness but failed to disclose to the court or the prosecutor his relationship with the witness. Several months later, the witness contacted respondent concerning the upcoming trial date in the matter, for which she wanted to avoid being served with a subpoena. The witness did not appear for the trial. Respondent admitted that he allowed the witness to reside at his home for several days; and failed to advise the prosecutor that the witness had resided in his home for several days. Respondent's conduct was admitted to be in violation of MCR 9.104(1)-(4); and Michigan Rules of Professional Conduct 3.3(a)(2); 3.4(a)-(c)and(f); and 8.4(a)-(c).

The parties stipulated that respondent be suspended from the practice of law for thirty days and placed on probation for two years. Costs were assessed in the amount of \$112.57.