

## NOTICE OF SUSPENSION AND RESTITUTION WITH CONDITIONS

Case Nos. 96-27-GA; 96-50-FA; 96-83-GA

Thomas L. VanMeter, P-31457, Grand Rapids, Michigan, by  
Attorney Discipline Board Kent County Hearing Panel #3.

- 1) Suspension - thirty (30) months;
- 2) Effective January 29, 1996.

Respondent was retained to institute Chapter 7 bankruptcy proceedings, and was paid \$660 for his services. The panel found, by default, that respondent neglected the matter; failed to refund the unearned fee upon demand; failed to answer the Request for Investigation; and failed to answer the Formal Complaints.

Respondent was retained by another client to institute bankruptcy proceedings. The panel found that respondent neglected matter. The client's divorce attorney forwarded \$6,000 to respondent, which represented her proceeds from a divorce settlement and were to be held in trust. The panel found that respondent deposited the money into an account which was not a client trust account; commingled personal funds with client funds; misappropriated the \$6,000; failed to answer the Request for Investigation; and failed to answer the Formal Complaint.

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(a)-(c); 1.16(d); 3.2; 8.1(b); and 8.4(a)-(c).

The panel ordered that respondent be suspended from the practice of law for thirty months commencing January 29, 1996, the date he was suspended for non-payment of his annual dues to the State Bar of Michigan; that he make restitution to the complainants in the total amount of \$6,925.04 plus interest; and that he be subject to certain other conditions relevant to the established misconduct. Costs were assessed in the amount of \$567.50.