

NOTICE OF SUSPENSION

Case No. 94-58-GA

William J. Braaksma, P-28003, Portage, Michigan, by the Attorney Discipline Board increasing Kent County Hearing Panel #4's Order of Suspension for forty-five (45) days.

- 1) Suspension - 180 days;
- 2) Effective January 17, 1996.

Respondent represented an insurance company in a collection matter. With authorization from the insurance company, respondent entered into a \$1,500 settlement with the debtor, to be paid in installments. The debtor's mother gave respondent a check in the amount of \$500, which was to be applied towards the settlement proceeds due from the debtor. The panel found that respondent failed to deposit the check into a client trust account; placed \$475 of the proceeds into his personal account; retained \$25 in cash; and withdrew funds against the remaining \$475 for personal use. Respondent's conduct was found to be in violation of MCR 9.104(4) and Michigan Rules of Professional Conduct 1.15(a) and (b).

The Grievance Administrator filed a petition for review; respondent filed a petition for review and automatic stay of discipline. On December 26, 1995, the Attorney Discipline Board entered an order increasing discipline to a 180-day suspension commencing January 17, 1996. Respondent filed a motion for reconsideration but did not request a further stay, and the suspension is deemed to be effective January 17, 1996. On March 7, 1996, the Board entered an order denying the motion for reconsideration.

Costs were assessed in the amount of \$820.76.