

NOTICE OF SUSPENSION AND RESTITUTION

Case No. 94-191-GA; 94-214-FA

Timothy J. Coleman, P-33748, Flint, Michigan, by Attorney Discipline Board Genesee County Hearing Panel #5.

- 1) Suspension - thirty-five (35) months;
- 2) Effective February 16, 1995.

Respondent failed to answer the Formal Complaints and failed to appear at the hearing held in Flint on December 13, 1994. Respondent's default was entered, and the panel determined that the default established the allegations of the Formal Complaints.

Respondent was retained to represent the plaintiff/wife in a divorce matter and received a \$500 fee. After filing the Complaint for Divorce, respondent failed to take any further action on his client's behalf; failed to advise his client of his inaction or take steps to withdraw from the representation; failed to adequately communicate with his client; failed to refund the unearned fee; and failed to answer the Request for Investigation.

Respondent was retained to represent another person in a divorce matter, and received a \$100 fee. Respondent failed to take any action on his client's behalf; failed to advise his client of his inaction or take steps to withdraw from the representation; failed to keep her adequately advised of the status of the matter; failed to refund the unearned fee; and failed to answer the Request for Investigation.

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 Michigan Rules of Professional Conduct 1.1(c); 1.3; 1.4; 1.5; 1.15(b); 1.16(d); 3.2; 8.1(b); and 8.4(a)and(c).

The panel ordered that respondent be suspended from the practice of law in Michigan for thirty-five months and that he make restitution to the complainants in the total amount of \$600.00 plus interest. Costs were assessed in the amount of \$185.08.