

NOTICE OF REDUCED DISCIPLINE

Case No. 92-307-GA

Thomas L E Stanley, P 26060, by the Attorney Discipline Board reducing a hearing panel order suspending the respondent's for twenty-one months.

- 1) Suspension - 179 days;
- 2) Effective April 5, 1994.

The hearing panel found that the respondent's failure to appear at a settlement conference resulted in the dismissal of his client's case and entry of a judgment on a counter-claim against his client; that the respondent failed to comply with the provisions of MCR 9.119 requiring written notice to all clients of his thirty-day suspension in a prior matter; and that respondent filed an affidavit of compliance with the Michigan Supreme Court in accordance with MCR 9.123(A) which was not a full and fair disclosure of his compliance with the prior discipline order. Respondent's conduct was found to be in violation of MCR 9.104(1-4); MCR 9.119(A-C,E); MCR 9.123(A) and the Michigan Rules of Professional Conduct 1.1(a-c); 1.3; 3.3(a)(1); 5.5(a); 8.1(a,b); and 8.4(a,c) and Canons 1, 6 and 7 of the then applicable Code of Professional Responsibility, DR 1-102(A)(5,6); DR 6-101(A)(1-3) and DR 7-101(A)(1-3). (See Notice of Suspension Pending Appeal dated April 19, 1994).

Upon consideration of the respondent's petition for review, the Board affirmed the hearing panel's evidentiary findings and conclusions and denied the respondent's claims of procedural defects during the panel proceedings. However, the Board concluded that an adjustment of discipline was warranted upon consideration of a number of factors including the lack of evidence that he engaged in a deliberate or willful violation of the order of suspension and the relatively short period of time between the conclusion of the thirty-day suspension on April 18, 1990 and the filing of an affidavit of compliance on April 30, 1990. Costs were assessed in the amount of \$1601.98.