

NOTICE OF SUSPENSION AND RESTITUTION

Case Nos. 93-202-GA; 93-238-FA;
93-241-GA; 93-271-FA;
93-265-GA

Stephen A. McBride, P-44753, Sturgis, Michigan, by Attorney
Discipline Board Kalamazoo County Hearing Panel #2.

- 1) Suspension - three (3) years;
- 2) Effective March 11, 1994.

Respondent failed to answer the formal complaints and failed to appear at the hearing held in Kalamazoo on January 13, 1994. Respondent's defaults were entered, and the panel determined that the defaults established the allegations of the formal complaints.

Respondent was retained to represent the defendant in divorce proceedings and paid \$200 toward his fees, but failed to file an answer to the complaint for divorce; failed to appear at a hearing; failed to communicate with opposing counsel or engage in negotiations on his client's behalf; failed to keep his client reasonably informed regarding the status of the matter, return his client's telephone calls and keep appointments with his client; failed to move to set aside the default judgment of divorce; failed to refund the unearned fee of \$200; and failed to respond to three letters from the Attorney Grievance Commission.

Respondent was appointed to represent the defendant in criminal proceedings, but failed to timely conduct a jail visit with his client or fully consult with him; appeared to be impaired or intoxicated when he appeared for consultation with his client; on the date set for trial, appeared on his client's behalf in an impaired or intoxicated state and was unprepared to conduct a defense; and failed to answer the request for investigation.

Respondent filed an appearance on behalf of the defendant in a divorce action and was paid \$200 toward his fees, but failed to engage in negotiations on his client's behalf; failed to conduct discovery on his client's behalf; failed to file motions for custody and/or for visitation despite his client's repeated requests; and failed to keep in communication with his client.

Respondent was retained to institute divorce proceedings and filed an action on his client's behalf, but failed to seek interim child support; failed to prepare and submit a proposed judgment of divorce after the settlement and proofs were placed on the record; failed to respond to numerous inquiries by his client regarding the status of the matter; failed to communicate with, or to respond to the inquiries of, opposing counsel subsequent to the settlement

hearing; 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); MCR 9.113(B)(2); and the Michigan Rules of Professional Conduct, 1.1(a)-(c); 1.3; 1.4; 1.15(b); 1.16(d); 3.2; 3.4(c); 8.1(b); and 8.4(a)and(c).

The panel ordered that respondent be suspended from the practice of law in Michigan for a period of three years and that he make restitution to two of his clients in the total amount of \$2259.04. Costs were assessed in the amount of \$399.38.