

NOTICE OF SUSPENSION AND RESTITUTION

Case Nos. 93-278-GA; 94-7-FA

Jeanne M. Heshelman, P-35535, Marshall, Michigan, by Attorney Discipline Board Ingham County Hearing Panel #4.

- 1) Suspension - 181 days;
- 2) Effective February 7, 1994.

Respondent failed to answer the Formal Complaint and failed to appear at the hearings held in Lansing on February 7, 1994 and April 26, 1994. Respondent's default was entered, and the panel determined that the default established the allegations of the Formal Complaint.

Respondent was retained by the defendant/husband in a divorce proceeding, and was paid \$400 to seek modification of the divorce judgment relative to custody, child support and visitation. Respondent filed a Petition for Modification of Divorce Judgment on her client's behalf. A hearing was scheduled on the motion, but was adjourned on the basis of the opposing party's unavailability. Respondent failed to secure another hearing date on the motion subsequent to the adjournment or to take any other action to prosecute the motion; failed to respond to numerous inquiries from her client regarding the status of the matter; failed to protect her client's interests relative to the motion; 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(b); 3.2; 8.1(b); and 8.4(a)-(c).

An Interim Order of Suspension, effective February 7, 1994, was entered on February 15, 1994. The order further directed that respondent seek relief from the order within twenty-one days. Respondent failed to respond to that order. A final Order of Suspension and Restitution was entered on June 3, 1994, directing that respondent's license be suspended for 181 days effective February 7, 1994, and that she make restitution to the complainant in the amount of \$400. Costs were assessed in the amount of \$313.93.