

NOTICE OF SUSPENSION AND RESTITUTION

Case No. 93-17-GA

Jill M. Kopec, P-27552, East Lansing, Michigan, by the Attorney Discipline Board affirming a hearing panel order of suspension.

- 1) Suspension - five years;
- 2) Effective July 20, 1993.

Respondent failed to answer the formal complaint, but appeared at the hearing held in Lansing on April 5, 1993. Respondent's default was entered, and the panel determined that the default established the allegations of the formal complaint.

Respondent was retained to represent the defendant in the appeal of a criminal conviction and received a \$5000 fee, but failed to file an appellate brief on her client's behalf or to otherwise prosecute the appeal; failed to keep her client reasonably informed concerning the status of the matter; gave her client's mother a \$5000 check (for refund of the unearned fee) which was dishonored twice for nonsufficient funds; failed to refund the unearned \$5000 fee; knowingly made false statements to her client and her client's mother; and, knowingly made false statements in her answer to the request for investigation.

Respondent's conduct was found to be in violation of MCR 9.104 (1)-(4),(6)and(7); MCR 9.113(A); MCR 9.113(B)(2); and the Michigan Rules of Professional Conduct, 1.1(c); 1.3; 1.4; 1.16(d); 3.2; 4.1; 8.1(a); 8.4(a)-(c). The panel considered the aggravating effect of respondent's prior disciplinary history consisting of a 45-day suspension and a 90-day suspension. The panel ordered respondent to make restitution to her client's mother in the amount of \$5000.

Respondent filed a petition for review seeking a reduction in the discipline imposed. In an order issued September 29, 1993, the Attorney Discipline Board affirmed the hearing panel order of suspension. Costs were assessed in the total amount of \$798.58.