

NOTICE OF REPRIMAND

Case Nos. 91-130-GA; 92-173-GA; 92-209-FA

Judith A. Oswell, P31849, Allen Park, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #28.

- 1) Reprimand;
- 2) Effective July 7, 1993.

Respondent was appointed special fiduciary of a decedent's estate in Wayne County Probate Court. Respondent admitted that she failed to promptly administer and account for estate assets, causing her to be suspended as special fiduciary; failed to respond to the inquiries of an interested party concerning the status of the estate; and, without notice to the heirs or the Court, abandoned her representation of the estate.

Respondent also admitted that she failed to answer a request for investigation and Formal Complaint 92-173-GA.

Respondent's conduct was found to be in violation of MCR 9.104 (1-4,7); MCR 9.113(A); MCR 9.113(B)(2); Canons 1, 6 and 7 of the then-applicable Code of Professional Responsibility, DR 1-102(A) (1,5,6); DR 6-101(A)(3); DR 7-101(A)(1-3); and the Michigan Rules of Professional Conduct, 1.1(c); 1.3; 1.3(a); 8.1(b); 8.4(a,c).

In reaching its conclusion on the level of discipline to be imposed, the panel considered significant mitigating factors, including the difficulty of the decedent's estate and the absence of a prior disciplinary record. Costs were assessed in the amount of \$703.21.