

NOTICE OF REVOCATION AND RESTITUTION

Case Nos. 93-82-GA; 93-105-GA; 93-148-FA

Hubert J. Morton, Jr., P-25940, Detroit, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #30.

- 1) Revocation;
- 2) Effective June 9, 1993.

The panel found that respondent solicited professional employment for his own pecuniary gain; knowingly made false statements to clients, tribunals and the Attorney Grievance Commission; created fraudulent documents and procured false notary and witness signatures to them; failed to refund unearned fees; neglected client matters; affixed opposing counsel's signature to a proposed order without counsel's knowledge and consent; and failed to timely answer a Formal Complaint.

Respondent's conduct was found to be in violation of MCR 9.103(C); MCR 9.104(1)-(4),(6)and(7); MCR 9.113(A); and Michigan Rules of Professional Conduct 1.1(c); 1.3; 1.4; 1.5(c); 1.15(b); 1.16(d); 3.1; 3.2; 3.3(a)(1),(2)and(4); 3.4(a)and(b); 3.5(c); 4.1; 7.3; 8.1(a)and(b); and 8.4(a)-(c).

Prior to the filing of the panel's report, respondent's license was revoked effective June 9, 1993, in an unrelated case (Matter of Hubert J. Morton, Jr., 91-127-GA, et al) On March 23, 1994, the Attorney Discipline Board entered a notice of discontinuance without prejudice on the grounds that the prior order of revocation terminated the respondent's status as an "attorney" within the meaning of MCR 9.101(5). On October 31, 1994, the Michigan Supreme Court issued its memorandum opinion in Grievance Administrator v Attorney Discipline Board, #99015, vacating the Board's notice of discontinuance and directing the Board to determine whether discontinuance without prejudice is the appropriate resolution in the particular circumstances of each case.

On November 22, 1994, the Board entered an order remanding the matter to the hearing panel for a hearing on discipline. Following that hearing, the panel entered an order directing that respondent's license to practice law in Michigan be revoked effective June 9, 1993, the effective date of the prior revocation, and that he make restitution to three complainants in the total amount of \$3,370. Costs were assessed in the amount of \$1,141.85.