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333 WEST FORT STREET, SUITE 1700
DETROIT, MICHIGAN 48226-3147
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NOTICE OF SUSPENSION AND RESTITUTION

Case No. 22-16-GA

Notice Issued: October 5, 2022

Samuel P. Henkel, P 70586, Grand Rapids, Michigan, by the Attorney Discipline Board Kent County Hearing Panel #1

Suspension - 270 Days, Effective October 1, 2022

After proceedings conducted pursuant to MCR 9.115, the panel found that respondent committed professional misconduct in his representation of a client in a custody and parenting time matter. The panel found that once respondent received the advance retainer fee, he ceased communication with his client despite his client's multiple attempts to communicate with him regarding the status of his matter. It was additionally found that respondent made false representations in his answer to the request for investigation and follow-up communications with the Attorney Grievance Commission; and failed to refund unearned fees.

Based on the testimony and evidence presented at the hearing, the hearing panel found that respondent neglected a legal matter entrusted to the lawyer, in violation of MRPC 1.1(c); failed to act with reasonable diligence and promptness, in violation of MRPC 1.3; failed to keep a client reasonably informed about the status of a matter and to comply promptly with reasonable requests for information, in violation of MRPC 1.4(a); upon termination of representation, failed to refund any advanced payment of fee that had not been earned, in violation of MRPC 1.16(d); knowingly made a false statement of material fact in connection with a disciplinary matter, in violation of MRPC 8.1(a)(1); failed to disclose a fact necessary to correct a misapprehension known by the person to have arisen in a disciplinary matter, in violation of MRPC 8.1(a)(2); knowingly failed to respond to a lawful demand for information from a disciplinary authority, in violation of MRPC 8.1(a)(2); engaged in conduct that involved dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law, where such conduct reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b); engaged in conduct that was prejudicial to the administration of justice, in violation of MCR 9.104(1) and MRPC 8.4(c); engaged in conduct that exposed the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2); and engaged in conduct that was contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3).

The panel ordered that respondent's license to practice law be suspended for a period of 270 days and that he pay restitution in the total amount of \$3,000.00. Costs were assessed in the amount of \$2,403.09.