

NOTICE OF REVOCATION
(By Consent)

Case Nos. 92-275-GA; 92-311-FA

Linda F. Kiefer, P-36174, Onekama, Michigan, by Attorney
Discipline Board Oceana County Hearing Panel.

- 1) Revocation;
- 2) Effective January 28, 1993.

The respondent and the Grievance Administrator filed a stipulation for consent order of discipline pursuant to MCR 9.115(F)(5), which was approved by the hearing panel and the Attorney Grievance Commission. Respondent pled nolo contendere to the charges of professional misconduct contained in the formal complaints, and agreed that an order of revocation may be entered.

Respondent was retained to take legal action to vacate a road. After taking the defaults of the non-contesting defendant, respondent failed to take any further action to prosecute the case although the Department of Natural resources had filed an answer and raised affirmative defenses. Although respondent represented to an Assistant Michigan Attorney General that she would provide that office with an amended legal description and would address the issues raised by the Department of Natural Resources, she failed to do so.

Respondent was subsequently informed, by an Assistant Attorney General, that a proposed consent judgment was not satisfactory and would not be executed. The complaint alleged that respondent then: filed a document entitled "Consent Judgment" and falsely represented in the document that a hearing had been held in the case and that the plaintiffs and defendants were present; falsely stated that the Court had granted the relief in her client's lawsuit; made further false statements in that document; forged the signature of a Circuit Judge; forged the signature of the Attorney General; falsely represented that the Attorney General's signature had been affixed with permission; forged the signature of two attorneys; and, after filing the fraudulent Consent Judgment in the court, recorded it with the Register of Deeds.

The complaint further alleged that respondent: failed to advise her clients that the Department of Natural Resources had filed an answer and affirmative defenses; falsely represented to her clients that a hearing date had been set; directed her secretary to inform her clients that a hearing had taken place at which the requested relief had been granted; faxed a copy of the fraudulent Consent Judgment to her clients and their architect; and filed the "Consent Judgment" without advising her clients that it

was fraudulent.

Respondent's conduct was alleged to be in violation of MCR 9.104(1-5); MCL 750.248; MSA 28.445; MCL 750.249; MSA 28.446; and the Michigan Rules of Professional Conduct, 1.1(c); 1.2(a,c); 1.3; 1.4; 3.2; 3.3(a)(1,4); 3.4(a,b); 4.1; 8.4(a-c). Costs were assessed in the amount of \$15.12.