

NOTICE OF REVOCATION
(By Consent)

Case Nos. 93-24-JC; 93-232-GA; 93-259-FA

James M. Szkrybalo, P-21225, Livonia, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #14.

- 1) Revocation;
- 2) Effective February 5, 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.

Case No. 93-24-JC

Respondent pled guilty on February 5, 1993 in Recorder's Court for the City of Detroit to two counts of Larceny by Conversion over \$100, a felony, in violation of MCL 750.362-A. In accordance with MCR 9.120(B)(1), respondent's license to practice law in Michigan was automatically suspended effective February 5, 1993, the date of the felony conviction.

Case Nos. 93-232-GA and 93-259-FA

Respondent failed to answer Formal Complaint 93-232-GA and a default was entered. Respondent pled no contest to Formal Complaint 93-259-FA.

Respondent was retained to assist in a probate/guardianship matter, but failed to keep his client reasonably informed concerning the status of the guardianship matter and the \$1000 retainer fee paid by his client; failed to respond to his client's inquiries concerning the status of the guardianship matter and the retainer fee paid by his client; and failed to deliver to his client an accounting and a refund of the unused portion of the retainer fee, despite his client's numerous demands for same.

Respondent was retained to commence probate proceedings. He requested and received \$20,000 in attorney fees from funds belonging to the estate without the prior approval of the probate court; failed to return the attorney fees he had unlawfully requested and received from the estate; failed to repay the estate in accordance with the orders of the court; and failed to comply with the court's contempt order.

Respondent filed a petition for commencement of probate proceedings in another matter, but failed to maintain the estate

funds as a fiduciary; failed to act honestly and forthrightly in connection with the estate funds; failed to maintain the estate funds in an appropriate trust account; misappropriated approximately \$19,971.40 from the estate; and failed to answer the request for investigation.

Based on the default and no contest plea, respondent's conduct was found to be in violation of MCR 9.103(C); MCR 9.104(1)-(4) and (7); MCR 9.113(A) and (B)(2); MCR 8.303; and the Michigan Rules of Professional Conduct, 1.1(c); 1.3; 1.4; 1.5(a); 1.15; 1.16(d); 3.4(c); 8.1(b); and 8.4(a) and (c).

Costs were assessed in the amount of \$625.32.