

NOTICE OF REPRIMAND AND RESTITUTION WITH CONDITIONS
(By Consent)

Case No. 92-17-GA

John S. Misch, P40281, Detroit and Pontiac, Michigan, by
Attorney Discipline Board Tri-County Hearing Panel #22.

- 1) Reprimand;
- 2) Effective November 13, 1992.

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 admitted the allegations of professional misconduct contained in the formal complaint.

Respondent was retained by the plaintiff/wife to institute divorce proceedings; he instituted the proceedings and served the defendant/husband. The defendant/husband prepared and filed an answer through an attorney. The parties negotiated a property settlement and agreed to the terms and conditions of the divorce.

In violation of his duties and responsibilities, respondent failed to prepare a written divorce judgment in conformity with the settlement agreement which had been placed on the record; failed to forward to opposing counsel a proposed judgment in conformity with the agreement entered on the record; and permitted dismissal of the divorce action for lack of progress.

Respondent's conduct was admitted to be in violation of MCR 9.104(1-4); and the Michigan Rules of Professional Conduct, 1.1(c); 1.2(a); 1.3; 3.2; 8.4(a,c). Respondent agreed to submit a formal letter of apology to his client; make restitution to his client in the amount of \$500; and perform 100 hours of pro bono work. Costs were assessed in the amount of \$79.72.