

NOTICE OF SUSPENSION AND RESTITUTION

Case Nos. 91-246-GA; 91-276-FA

Michael J. Berezowsky, P22800, Ortonville, Michigan, by
Attorney Discipline Board Tri-County Hearing Panel #63.

- 1) Suspension - two (2) years;
- 2) Effective July 7, 1992.

Respondent failed to answer the formal complaints, but appeared at the hearing held in Bloomfield Hills on March 19, 1992. Respondent failed to appear at the hearing held in Bloomfield Hills on May 28, 1992. Respondent's defaults were entered and the panel determined that the defaults established the allegations of the formal complaints.

Respondent was appointed through the Michigan Appellate Assigned Counsel System to represent thirteen defendants for the appeal of their criminal convictions, but in all of those cases failed to file any motions in the trial court; failed to file claims of appeal; and failed to communicate with his clients, and further failed to communicate with the Michigan Appellate Assigned Counsel System.

In five of the above cases, the Michigan Court of Appeals issued orders assessing costs for respondent's failure to timely file claims of appeal, in the total amount of \$600-00. Respondent failed to timely pay those costs. Respondent also failed to answer the request for investigation.

Respondent's conduct was found to be in violation of MCR 9.104(1-4, 7); MCR 9.113(A); MCR 9.113(B)(2); and the Michigan Rules of Professional Conduct, 1.1(c); 1.2(a); 1.3; 1.4; 3.2; 8.1(b); 8.4(a,c).

The panel ordered respondent to make restitution to the Michigan Court of Appeals in the amount of \$600.00. Costs were assessed in the amount of \$210.71.