

NOTICE OF INCREASED SUSPENSION AND RESTITUTION

Case Nos. ADB 98-89; 105-89;
90-24-GA; 90-44-FA;
90-38-GA; 90-57-FA

Vincent W. Dent, P36828, Bloomfield Hills, Michigan, by the Attorney Discipline Board increasing three hearing panel orders of suspension.

- 1) Suspension - three (3) years;
- 2) Effective May 24, 1991.

Case Nos. ADB 98-89; 105-89

The hearing panel found that misconduct as to formal complaint ADB 98-89 was established by a preponderance of the evidence. Formal complaint ADB 105-89 was dismissed.

Respondent was retained to represent the plaintiff in a civil matter, but deposited settlement funds into an office general account, commingling client monies with his own; failed to pay his client the \$666.66 to which he was entitled; and withdrew all of the proceeds from his office general account, misappropriating the client's \$666.66. Respondent was retained to institute steps to correct allegedly erroneous information on a client's credit history, and to institute suit for damages concerning same, but failed to keep in communication with his client; and failed to refund \$290.00 in unearned fees.

Respondent's conduct was found to be in violation of MCR 9.104(1-4); Canons 1, 2, and 9 of the then-applicable Code of Professional Responsibility, DR 1-102(A)(1,5,6); DR 2-110(A)(3); DR 9-102(A); DR 9-102(B)(4). Wayne County Hearing Panel #9 ordered that respondent be suspended from the practice of law for a period of 121 days and make restitution to his clients in the total amount of \$1332.30.

Case Nos. 90-24-GA; 90-44-FA

The panel found misconduct was established by a preponderance of the evidence as to nine of the twelve counts of the formal complaint.

Respondent was paid the sum of \$380.00 to assist a client in an action to quiet title, but failed to take action on his client's behalf and failed to return the unearned fee. Respondent was retained to represent the interests of a client who was a possible beneficiary on a life insurance policy, but failed to take any action on his client's behalf and failed to return the unearned

fee. Respondent was retained to represent a client in a pending civil matter, but failed to appear at a pretrial and failed to timely answer the request for investigation. Respondent was retained to represent a client in a bankruptcy matter, but failed to institute any proceedings in bankruptcy court, failed to timely file the bankruptcy petition and failed to timely answer the request for investigation. Respondent was retained to represent a client in a divorce action, but failed to timely bring the matter to hearing. Respondent was retained to represent a client in a civil suit, but failed to institute proceedings, failed to perform services on his client's behalf, failed to turn over the client's documents and failed to answer the request for investigation.

Respondent's conduct was found to be in violation of MCR 9.104 (1-4,7); MCR 9.103(C); MCR 9.113(B)(2); Canons 1, 6 and 7 of the Code of Professional Responsibility, DR 1-102(A)(1,5,6); DR 6-101 (A)(3); DR 7-101 (A)(1-3); and the Michigan Rules of Professional Conduct, 1.1(c); 1.2(a); 1.3; 3.2; 8.4(a-c). Tri-County Hearing Panel #80 ordered that respondent be suspended from that practice of law for a period of nine months and make restitution to five of his clients in the total amount of \$1395.00.

Case Nos. 90-38-GA; 90-57-FA

The hearing panel determined that misconduct as alleged in Counts I and II of Formal Complaint 90-38-GA was established by a preponderance of the evidence. Count III of that complaint was dismissed. Formal Complaint 90-57-FA was dismissed by stipulation of the parties.

Respondent was retained to represent an individual for damages as a result of an automobile accident, but failed to institute proceedings on behalf of his client and made a false statement in his answer to the request for investigation.

Respondent's conduct was found to be in violation of MCR 9.104 (1-4,6); MCR 9.113(A); and the Michigan Rules of Professional Conduct, 1.1(c); 1.2(a); 1.3; 3.2; 3.3(a)(1,2,4); 3.4(a,b); 8.4(a-c). Tri-County Hearing Panel ordered that respondent be suspended from the practice of law for a period of sixty days.

The Grievance Administrator filed petitions for review seeking increases in the discipline imposed. In an order and opinion dated November 25, 1991, the Attorney Discipline Board consolidated the three matters and increased the discipline imposed to a three-year suspension effective May 24, 1991. Restitution ordered by the hearing panels was affirmed, and costs were assessed in the total amount of \$3255.01. Respondent filed a motion for reconsideration, which was denied by the Board in an order dated February 25, 1992.