

NOTICE OF SUSPENSION

ADB 75-89; 85-89

David M. Jutkowitz, P-25885, Oak Park, Michigan, by Attorney Discipline Board Oakland County Hearing Panel #29.

- 1) Suspension - six months;
- 2) Effective May 2, 1990.

The hearing panel found that misconduct was established by a preponderance of the evidence as to Counts I, II and IV of Formal Complaint ADB 75-89. Respondent was retained in March, 1988 to act as defense counsel in an OUIL matter and accepted \$270 as partial payment for legal services to be performed, but failed to return telephone calls or answer letters from his client, moved without notifying his client of his change of address, failed to return his client's advanced fee of \$270, and failed to answer two requests for investigation.

Respondent's conduct was found to be in violation of MCR 9.104(1-4); MCR 9.103(C); MCR 9.113(B)(2); Rules 1.16(d) and 8.4(a,c) of the Michigan Rules of Professional Conduct and Canons 1 and 2 of the Code of Professional Responsibility, DR 1-102(A) (1,5,6); DR 2-110(A)(3). Costs were assessed in the amount of \$577.90.