

NOTICE OF REVOCATION AND RESTITUTION

ADB 94-89; 106-89

Joan D. Jarson, P-15459, St. Clair Shores, Michigan, by
Attorney Discipline Board Macomb County Hearing Panel #3.

- 1) Revocation;
- 2) Effective November 27, 1989.

The respondent failed to answer the formal complaints and failed to appear at the hearing held in Mt. Clemens on August 22, 1989. Respondent's default was entered and the hearing panel determined that the default established the allegations of the formal complaints. Respondent was appointed temporary personal representative of an estate and filed an account with the court which identified cash on deposit, after disbursements, in the amount of \$64,564.75. The court directed the respondent to file a receipt for the residue of the estate; the respondent was suspended as personal representative of the estate for her failure to file the receipt. The respondent misappropriated the residuary assets of the estate and failed to distribute them as ordered by the court. Respondent was surcharged the sum of \$73,366.67 representing the undistributed residuary estate plus interest plus \$817.50 attorney fees. Respondent failed to answer two requests for investigation. The hearing panel ordered the respondent to make restitution in the amount of \$76,000.00 to the bonding company and ordered that her license be revoked. 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); and Canons 1 and 9 of the Code of Professional Responsibility, DR 1-102(A)(1,4-6); DR 9-102(A); and DR 9-102(B) (1-4). Costs were assessed in the amount of \$262.00.