

NOTICE OF SUSPENSION

ADB 135-88

Terry McCarthy, P-28550, Brighton, MI by the Attorney Discipline Board increasing a hearing panel order of reprimand to a suspension of thirty days.

- 1) Suspension - thirty days;
- 2) Effective August 15, 1989.

The Attorney Discipline Board considered a Petition for Review filed by the Grievance Administrator seeking modification of a hearing panel Order of Reprimand. The Board ruled that the respondent's failure to answer a Request for Investigation aggravated by failure to answer a formal complaint warranted discipline greater than a reprimand, in accordance with the Board's prior rulings. The Board emphasized that an attorney's obligation to answer a Request for Investigation or a formal complaint is not dependent upon the seriousness of the charges in the Request for Investigation and that an attorney who is indifferent to that obligation may be considered professionally irresponsible and contemptuous. The respondent was deemed to be in violation of MCR 9.104(1-4,7); MCR 9.103(C); MCR 9.113(B)(2) and Canon 1 of the Code of Professional Responsibility, DR 1-102(A)(1,5,6). Costs were assessed in the amount of \$189.12.