

## NOTICE OF SUSPENSION AND RESTITUTION

ADB 88-88

Bernard Adams, Jr., P-10033, Detroit, Michigan, by the Attorney Discipline Board affirming a hearing panel order of suspension and restitution.

- 1) Suspension - 30 days;
- 2) Effective July 22, 1989.

The respondent failed to answer the formal complaint, but appeared at the hearing held in Detroit on June 23, 1988. Respondent's default was entered, and the hearing panel determined that the default established the allegations of count I in its entirety, and count II, paragraph G, sub-paragraph I of the formal complaint. Respondent was retained to prepare an annual report at the Wayne County Probate Court and was paid a fee in the amount of \$150, but failed to perform any services on behalf of his client, failed to respond to his client's inquiries, failed to return his client's file upon demand, failed to refund the unused portion of the retainer, and failed to timely answer the request for investigation. Respondent's conduct was found to be in violation of MCR 9.104(1-4,6) and 1, 6, 7 and 9 of the Code of Professional Responsibility, DR 1-102(A)(1,4-6); DR 6-101(A)(3); DR 7-101(A)(1-3) and DR 9-102(B)(4). The hearing panel ordered the respondent to make restitution to his client in the amount of \$150.

Petitions for review were filed by both the Grievance Administrator and the respondent. The Board dismissed the respondent's petition for review for his failure to file a supporting brief as directed. The Board considered the Grievance Administrator's cross-petition for review and concluded that the hearing panel order should be affirmed.

The respondent filed a motion for reconsideration which was denied by the Board in an order dated August 15, 1989. Costs were assessed in the amount of \$253.64.