

NOTICE OF SUSPENSION

Case Nos. 62-87; 95-87

Sanford M. Keston, P-15923, Flint, MI by the Attorney Discipline Board increasing a reprimand imposed by a Hearing Panel.

- 1) Suspension - 30 days;
- 2) Effective December 28, 1988.

The Formal Complaint filed by the Grievance Administrator charged that the Respondent was appointed by the Genesee County Circuit Court to act as appellate counsel on behalf of two criminal defendants in July and October 1983 but failed to file pleadings on his clients' behalf and failed to respond to a client's written inquiries. The Complaint further cited a finding of contempt entered by the Circuit Court as the result of his neglect in one of those cases and it charged that Respondent failed to answer two Requests for Investigation. The Hearing Panel found that the allegations were established by the evidence presented and the admissions of the Respondent. Respondent's conduct was found to be in violation of MCR 9.104(1-4,7), MCR 9.103(C), MCR 9.113 and Canons 1, 6 and 7 of the Code of Professional Responsibility DR 1-102(A)(5)(6); DR 6-101(A)(3) and DR 7-101(A)(1-3). The Panel noted that Respondent had not been the subject of formal disciplinary proceedings since his admission to the Bar in 1964 and they concluded that Respondent's omissions were partially attributable to poor work habits and office procedures.

On review, the Attorney Discipline Board noted the absence of a satisfactory explanation for the Respondent's failure to communicate with his incarcerated clients for several years following his initial interviews in 1984. The Board further found that the Respondent's failure to answer two Requests for Investigation was aggravated by a failure to file a timely Answer to the Formal Complaint. In light of testimony offered by the Respondent in mitigation, the Board suspended the Respondent's license for 30 days with an additional condition regarding continued rehabilitation for an impairment. Costs were assessed in the amount \$532.20.