

NOTICE OF SUSPENSION

ADB 131-87

Jacob R. Heffner, P-14820, Roseville, Michigan, by the Attorney Discipline Board affirming a Hearing Panel Order of Suspension.

- 1) Suspension - 120 days;
- 2) Effective January 4, 1989.

The Respondent was retained to represent a client in a divorce action. In connection with that divorce settlement, Respondent received \$31,431.91 which was deposited to his escrow account; out of that sum, \$6,676.63 was to be held for distribution to his client. Respondent commingled the funds, failed to maintain complete and accurate records of the funds, failed to properly identify the funds, failed to promptly pay and deliver the funds to the client as required, and failed to fully reimburse the client until after suit for collection was instituted. Respondent's conduct was found to be in violation of MCR 9.104(1, 4) and Canons 1 and 9 of the Code of Professional Responsibility, DR 1-102(A) (3-6); and DR 9-102(B)(3, 4). Costs were assessed in the amount of \$519.26.