

NOTICE OF SUSPENSION

ADB 127-88

James H. Kennedy, P-15880, Dearborn Heights, MI by Attorney Discipline Board Oakland County Hearing Panel #30.

- 1) Suspension - nine months;
- 2) Effective October 15, 1988.

The Respondent failed to answer the Formal Complaint and failed to appear at the hearing on July 6, 1988 in Farmington Hills. Respondent's default was entered and the hearing panel determined that the default established the allegations of the Formal Complaint. Respondent instituted divorce proceedings on behalf of his client in February, 1986 but took no further action in the matter for over a year and a half and continually rendered excuses to his client for the unreasonable delay in concluding this uncontested divorce. Respondent's conduct was found to be in violation of MCR 9.104(1-4) and Canons 1, 6, and 7 of the Code of Professional Responsibility, DR 1-102(A)(1, 5, 6); DR 6-101(A)(3); and DR 7-101(A)(1-3) and the panel ordered restitution of \$210.00 to the Complainant. The Hearing Panel also took into consideration Respondent's record of prior discipline which includes a 121 day suspension effective April 7, 1981; a 90 day suspension by consent effective July 20, 1982; a 121 day suspension effective July 11, 1980; and a reprimand effective August 29, 1979. Costs were assessed in the amount of \$202.60.