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NOTICE OF SUSPENSION

File No. DP 179/84

David M. Jutkowitz, P 25885, 1812 Penobscot Building, Detroit, MI 48226 by the Michigan Supreme Court denying Respondent's Application for Leave to Appeal.

- 1) Suspension - 90 days;
- 2) Effective July 25, 1988.

The Respondent was found to have neglected legal matters entrusted to him by four clients. The hearing panel found that the Respondent failed to seek the reinstatement of a police brutality suit which was dismissed for Respondent's failure to appear at a pre-trial hearing; he failed to appear on his clients' behalf at a hearing before the Liquor Control Commission; he failed to make timely distribution of estate proceeds to the heirs of a decedent's estate; and he failed to file an answer on his client's behalf in a civil action. Respondent's conduct was alleged to be in violation of MCR 9.104(1-4), Canons 1, 6 and 7 of the Code of Professional Responsibility, DR 1-102(A)(5,6); DR 6-101(A)(1-3) and DR 7-101(A)(1-3).

The hearing panel ruled that Respondent had failed to establish his eligibility for probation in accordance with MCR 9.121(C) but considered the mitigating effect of Respondent's emotional stress. The panel also considered a prior suspension of forty-five days in 1981. The suspension imposed by the hearing panel was affirmed by the Attorney Discipline Board and became effective upon the entry of an order in the Supreme Court denying Respondent's application for leave to appeal. Costs were assessed in the amount of \$1327.63.



 John F. VanBolt

 Dated: AUG 9 1988