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Attorney Discipline Board



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NOTICE OF REPRIMAND AND RESTITUTION

ADB 172-87

Mark L. Pope, P 35590, 1026 Mohawk, Royal Oak, MI 48067 by
Attorney Discipline Board Oakland County Hearing Panel #17.

- 1) Reprimand;
- 2) Effective February 12, 1988.

Respondent appeared before the hearing panel and admitted the material allegations contained in the Formal Complaint, that he failed to initiate a personal action after accepting a \$150 retainer, that he did not return the unearned portion of that fee to his client, that he failed to answer the Request for Investigation and that he failed to notify his client of his temporary suspension from the practice of law for failure to pay his annual dues to the State Bar of Michigan. Based upon Respondent's admissions and the documents submitted by the Grievance Administrator, the panel concluded that Respondent had engaged in professional misconduct in violation of MCR 9.104(1-4,7), MCR 9.103(C), MCR 9.113(B)(2) and Canons 1, 2, 3, 6 and 7 of the Code of Professional Responsibility, DR 1-102(A)(1,3-6), DR 2-110(A)(3), DR 3-101(B), DR 6-101(A)(3), and DR 7-101(A)(1-3).

By a majority, the hearing panel concluded that a reprimand was warranted in light of the mitigating circumstances presented by the Respondent including the difficulties which resulted from his attempts to maintain a sole practice from his home with minimal resources. A dissenting member of the panel recommended a suspension for thirty days. Costs were assessed in the amount of \$152.89.


John F. VanBolt

Dated: FEB 19 1988