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STATE OF MICHIGAN

# Attorney Discipline Board



JOHN F. VAN BOLT  
EXECUTIVE DIRECTOR &  
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## NOTICE OF REVOCATION

ADB 145-87; 117-87

Charles V. Probert, P 19111, 1945 28th Street, SW, Wyoming, MI 49509  
by Attorney Discipline Board Grand Rapids Hearing Panel #2.

- 1) Revocation;
- 2) Effective November 13, 1987.

The Respondent failed to answer the Formal Complaints consolidated for hearing and failed to appear before the Panel. By virtue of the defaults filed prior to the hearing, the misconduct alleged in the Complaints was deemed to be admitted and the Panel found that the Respondent was retained in May 1985 to institute divorce proceedings but failed to take action to prevent dismissal of the suit for non-service, failed to notify his client that the action had been dismissed, failed to refund the unused portion of the fees which had been paid notwithstanding a promise to do so, and failed to return the documents to which his client was entitled; that Respondent was paid a retainer of \$2500.00 in August 1985 to institute post-conviction proceedings in a criminal case, that he failed to file an appeal or take other action on behalf of his client, failed to communicate with his client and failed to refund the unearned portion of the fees which had been paid; that the Respondent was paid a retainer of \$1000.00 in November 1985 to defend a civil action but failed to prepare and file a counter-claim as agreed, failed to respond to his client's inquiries and failed to return the unearned portion of the fees; that the Respondent accepted a retainer of \$1000.00 in November 1985 to defend a civil action but failed to file a motion to remove that case to the circuit court as promised, failed to reply to the inquiries of his clients and failed to return the unearned portion of his fee; that Respondent failed to answer Requests for Investigation served upon him by the Grievance Administrator in December 1986 and March 1987; and that Respondent failed to answer the Formal Complaint served July 24, 1987. Respondent's conduct was found to be in violation of MCR 9.104(1-4,7); MCR 9.103(C); MCR 9.113(B)(2) and Canons 1,2,6 & 7 of the Code of Professional Responsibility, DR 1-102(A)(5-6); DR 2-110(A)(2-3); DR 6-101(A)(3); DR 7-101(A)(1-3). The Hearing Panel specifically noted the aggravating effect of the Respondent's failure to answer the Requests for Investigation or Formal Complaints, his failure to make restitution to his former clients and a record of prior misconduct reflected by admonishments issued in 1971, 1981 and 1987 and a 121 day suspension in 1981. Costs were assessed in the amount of \$185.36.

A handwritten signature in dark ink, appearing to read "John F. VanBolt".

John F. VanBolt 3 1987

Dated: NOV 13 1987