

MEMBERS
HON. MARTIN M. DOCTOROFF
CHAIRMAN
ROBERT S. HARRISON
VICE CHAIRMAN
CHARLES C. VINCENT, M.D.
SECRETARY
REMONA A. GREEN
HANLEY M. GURWIN
PATRICK J. KEATING
ODESSA KOMER

STATE OF MICHIGAN

Attorney Discipline Board



JOHN F. VAN BOLT
EXECUTIVE DIRECTOR &
GENERAL COUNSEL
--
SUITE 1200
333 W. FORT STREET
DETROIT, MICHIGAN 48226
Area Code 313 963-5553

NOTICE OF SUSPENSION

File No. DP 68/86

Harry S. Sherwin, P 20365, G-2503 S. Linden Road, Flint, MI 48504 by the Attorney Discipline Board reducing an order of suspension ordered by Lansing Hearing Panel #3.

- 1) Suspension - 119 days;
- 2) Effective August 12, 1987.

The Hearing Panel concluded that Respondent committed acts of professional misconduct by his failure to file a supplemental brief or to file other pleadings on his client's behalf in a criminal appeal despite his assurances to the client and the client's family that such actions would be taken. The Hearing Panel noted that the complaint in this matter might have been avoided had the parties entered into a written agreement describing the specific legal services to be performed but found that once Respondent had accepted a retainer to represent the client, he was obliged to exert his best efforts to advance the client's legitimate interests. Respondent was found to be in violation of MCR 9.104(2-4) and Canons 1, 2 and 6 of the Code of Professional Responsibility, DR 1-102(6); DR 2-110(3) and DR 6-101(A)(1,3). The Hearing Panel imposed a suspension 180 days, noting a history of prior discipline. On review, the Attorney Discipline Board affirmed the Panel's factual findings but reduced the discipline to a suspension of 119 days. Costs were assessed in the amount of \$755.32.

John E. VanBolt

Dated: AUG 14 1987