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Attorney Discipline Board



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NOTICE OF SUSPENSION (By Consent)

File Nos. DP 28/86; DP 84/86

Robert J. White, (P22265), G-2355 Beecher Rd., Box 708, Flint, Michigan 48504, by the Attorney Discipline Board Flint Hearing Panel #1 granting a stipulation for discipline by consent.

- (1) Suspension
- (2) For a period of 3 years and 1 day
- (3) Effective August 28, 1986.


The Respondent, licensed to practice law in Michigan since 1954, entered into a stipulation with the Grievance Administrator which was approved by the Attorney Grievance Commission and the Hearing Panel, admitting the allegations contained in two Formal Complaints and stipulating to the entry of an Order suspending his license for a period of three years and 1 day.

The Respondent admitted that he accepted a retainer fee of \$2,500 in June, 1985, and agreed to represent a client in a zoning matter. The Respondent did not take action on his client's behalf following his retention and did not respond to his client's requests for information on the status of the case. On October 1, 1985, the Respondent was discharged by his client but failed to return the retainer fee as promised. The Respondent also admitted that he failed to Answer the Request for Investigation filed by the client and served by the Attorney Grievance Commission.

In the second Complaint, the Respondent admitted that his license to practice law was suspended for a period of one year effective February 1, 1986 as the result of a prior Discipline Order but that contrary to the terms of the Order, he continued as attorney of record in another civil case, failed to provide written notice of his suspension to his client and failed to provide to the Attorney Grievance Commission proofs of mailing as required by MCR 9.119. The Respondent did not answer that Request for Investigation.

The Hearing Panel determined that the Respondent's admitted conduct constituted violations of MCR 9.104(1-4) & (7) and Canons 1, 6 & 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).

In accordance with the terms of the stipulation, the Hearing Panel imposed a Suspension of three years and one day and further ordered that Respondent must make restitution to his former client in the amount of \$2,500 and must fully comply with the terms of previous Order of Discipline with regard to the payment of costs in the amount \$1,271.28. Costs were assessed in this case in the amount of \$106.68.


John F. VanBolt

Dated: SEP 8 1986