

Attorney Discipline Board



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NOTICE OF REPRIMAND

File No. DP 134/84


Curtis G. Rundell, II, P 19761, 29777 Telegraph Road, Suite 2631, Southfield, MI 48034, by the Attorney Discipline Board Oakland County Hearing Panel #13.

- (1) Reprimand;
- (2) Effective April 1, 1986.

The Hearing Panel considered a Six Count Complaint filed by the Grievance Administrator alleging professional misconduct by the Respondent in his handling of a probate matter. The Panel sustained the charges set forth in Count III in that Complaint, to wit: that his failure to prepare and file an annual account in the decedent's estate, and the resulting suspension of his client as fiduciary of the estate, constituted neglect of a legal matter entrusted to him and was a failure to seek the lawful objectives of his client.

In concluding that Respondent's conduct violated Canon 6 DR 6-101(A)(3) and Canon 7 DR 7-101(A)(1) of the Code of Professional Responsibility, the Hearing Panel noted that, despite a tolerant and forgiving view in some probate courts, the suspension and reinstatement of a fiduciary is not a nominal or trivial occurrence.

In mitigation, the Hearing Panel noted Respondent's prior medical condition and his previously unblemished record. The Hearing Panel concluded that the allegations of certain conflicts of interest contained in the remaining Counts of the Complaint had not been proven by a preponderance of the evidence. Costs were assessed in the amount of \$1232.39.



John F. VanBolt
Executive Director &
General Counsel

Dated: APR 17 1986