

Attorney Discipline Board



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NOTICE OF INCREASED SUSPENSION

DP-~~5~~¹⁵/81

CARL M. WEIDEMAN, JR., (P 22096), 50623 Jefferson, Apartment 315, New Baltimore, MI, 48047, by the Attorney Discipline Board pursuant to an order of the Michigan Supreme Court including instructions for increased suspension.

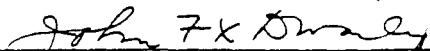
- (1) Increase of suspension from 119 days to 180 days;
- (2) Balance of suspension to be served - 61 days;
- (3) Effective February 1, 1984. (The originally imposed 119 day suspension was effective July 21, 1982 as indicated in a prior notice of the Board.)

The Board affirmed a hearing panel decision imposing a suspension of 119 days; the Grievance Administrator's application for leave to appeal resulted in the Court remanding the case to the Discipline Board for entry of an order increasing Respondent's 119 day suspension to a 180 day suspension with credit for 119 days served.

The hearing panel made the following findings: Respondent was retained to probate an estate consisting of real estate valued at approximately \$10,000 and was appointed administrator; Respondent sold the real estate but failed to distribute the assets to the heirs-at-law. Respondent failed to file an accounting and failed to otherwise close the estate, deposited the proceeds of said sale in the trust account of his law firm but failed to provide the Probate Court with an accounting for a period of two years after which his law firm was dissolved and Respondent removed the trust funds of said estate depositing them in an unidentified trust account where they were levied upon by the Internal Revenue Service for taxes due and owing by the Respondent. Respondent failed to petition the IRS for the return of trust funds belonging to said estate as well as other clients and failed to advise the client regarding the status of the funds. Respondent's commingling of the funds resulted in a conversion of the funds by operation of the IRS lien. The hearing panel also found, in regard to two separate additional counts charging misconduct, that Respondent was retained to probate the estate of the wife and sister of the deceased subject of

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the aforementioned estate, that Respondent similarly neglected these two additional probate matters, failing to file an accounting and pay claims despite court order. The panel found violations of GCR 1963, 953 (2-4) and Canons 1, 6, and 9 of the Code of Professional Responsibility, to-wit: DR1-102 (A) (4), and (6), DR6-101 (A) (3) and DR9-102 (A) (2) and (B) (3) and (4).


JOHN F. O'MALLEY, Executive Director
& General Counsel

Dated: February 1, 1984