STATE OF MICHIGAN

Attorney Discipline Board

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NOTICE OF SUSPENSION

DP-11/82, DP-56/82,
DP-55/82, DP-166/81
(Consolidated)

HUBERT J. MORTON, JR. (P 25940), 1717 City National Bank Bldg., Detroit, MI 48226, by the Attorney Discipline Board increasing the discipline imposed by the hearing panel.

(1) Suspension;
(2) For a period of sixty (60) days;
(3) Effective January 6, 1983.

The hearing panel found that Respondent had violated GCR 1963, 953(7) and 962.2(b) for his failure to answer separate requests for investigation and formal complaints filed by the Grievance Administrator. The Board, noting a prior record of failure to answer disciplinary complaints and requests for investigation in connection with neglect charges, increased the reprimand to a suspension of sixth days. The Board in its opinion stated: "In assessing the appropriate level of discipline, the Board must deal with the exacerbating factor of respondent's previous history of discipline including a Board order of reprimand (which was a modification of a panel sixty day suspension and reprimand) and a hearing panel suspension of sixty days. The record of these prior proceedings is replete with examples of respondent's attitude regarding these proceedings and includes failure to answer or timely file answers, failure to appear and failure to make timely payment of costs. Regarding the four complaints presently pending before us, Respondent has again failed to answer resulting in entry of defaults and additional formal complaints for the failures to answer. These additional complaints ...also went unanswered resulting again in default." The Board also noted that Respondent's appeal in this case was also filed late. The Board further stated in its opinion: "The effectiveness of the disciplinary process depends upon timely answers to pleadings and requests for investigation. Our decision today will serve notice to respondent and the Bar at large that a full, fair and timely response to requests for investigation and formal complaints is critically important." Costs were assessed in the amount of $473.21.

John F. X. Dwaihy

JOHN F. X. DWAIHY, Executive Director
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David Baker Lewis

DAVID BAKER LEWIS, Secretary of the

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