

Attorney Discipline Board



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GENERAL COUNSEL

SUITE 1260
333 W. FORT STREET
DETROIT, MICHIGAN 48226
TELEPHONE: (313) 963-5553

NOTICE OF SUSPENSION AND REPRIMAND

File Nos. DP-203/80
DP-166/80
DP- 13/81
(Consolidated)

JAMES M. HARRIS, (P24939), 3201 Sage Road, Apartment 36, Houston, Texas 77056, by the Attorney Discipline Board Saginaw Circuit Hearing Panel.

- (1) Three suspensions for each of three counts; to run concurrently for a period of sixty (60) days.
- (2) Effective October 5, 1981.
- (3) Reprimand for separate count, also effective October 5, 1981.

The Hearing Panel found that Respondent was retained in several cases including two divorces and an adoption matter and that prior to accomplishing the object of his employment, Respondent left practice in the State of Michigan and moved to the State of Texas delegating to his secretary the responsibility of obtaining substitute counsel and informing said clients, that Respondent did not employ adequate procedures in his office to insure proper communication with his clients or to determine that court procedures were being followed to prevent prejudice to or dismissal of client matters, that a Client's Divorce Complaint was dismissed for lack of progress and that no formal motion for reinstatement was made thereby requiring refiling of a Complaint. The Hearing Panel also found that Respondent did not fully respond to the Request for Investigation from the Grievance Administrator and failed to answer the Formal Complaints until after entry of defaults. The Panel also found that Respondent had failed to refund a portion of retainer fees.

The Panel did not find violations of all disciplinary rules as alleged in the complaint, but did find a violation of GCR 953 (1-4) for misconduct, including failure to answer the Request for Investigation. The Panel found a violation of Canon 6, DR 6-101, (A) (3), for the several instances of neglect. Respondent was assessed costs in the amount of \$385.84.

David Baker Lewis
DAVID BAKER LEWIS, Secretary
ATTORNEY DISCIPLINE BOARD

430-166

October 6, 1981