STATE OF MICHIGAN

Attorney Discipline Board

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This is to inform the Courts of the State of Michigan of the following Order of Discipline:

NOTICE OF SUSPENSION

File No. 36417-A

J. MICHAEL KOPP, (P16150), 1616 Airport Road, Traverse City, MI 49684, by Attorney Discipline Board Saginaw Circuit Hearing Panel.

(1) Suspension;

(2) For a period of 150 days, and until further Order;

(3) Effective March 4, 1981.

The Formal Complaint charged that Respondent had neglected and/or refused to take proper proceedings in the Michigan Court of Appeals in accordance with his professional obligations and his contract of employment, and further, that Respondent engaged in fraud, deceit, and misrepresentation in his failure to truthfully advise his clients of the status of the appeal, to the detriment of the clients. The Complaint further alleged that Respondent's failure to take action within the time prescribed by General Court Rule 803.1 resulted in the clients' loss of their right to appeal, in violation of General Court Rule 953 (1-4) and Canons 1 and 6 of the Code of Professional Responsibility, to-wit: DR 1-102 (A) (1) (4) (5) (6) and DR 6-101 (A) (3). The Complaint, in a second Count, further alleged that Respondent failed to answer two Requests for Investigation made by the Grievance Administrator, in violation of GCR 953 (7) and DR 7-101 (A) (1) (2).

The Hearing Panel found no evidence to support the allegation that Respondent engaged in conduct involving dishonesty, fraud or deceit; however, the Panel found that Respondent misrepresented to the clients certain matters, to-wit: The ongoing posture of the appeal, in that Respondent advised his clients that the appeal had been perfected in all respects, and was currently pending within the Michigan Court of Appeals, when, in fact, the appeal had not been properly perfected, and was not pending, having been dismissed. The Panel also found that Respondent engaged in conduct adversely reflecting on his fitness to practice law, and that Respondent neglected the legal matter entrusted to him, in violation of the disciplinary rules in the Formal Complaint. The Panel further found that Respondent failed to file a timely answer to the Grievance Administrator's Request for Investigation, in violation of GCR 953 (7) and 962. Neither party has filed an appeal with the Attorney Discipline Board.

David Baker Lewis

David Baker Lewis, Secretary
ATTORNEY DISCIPLINE BOARD

Date of Issuance: MAR 13 1981