

# 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. DP-32/80

MOWITT S. DREW, (P12953), Sycamore & 3rd Streets, Niles, MI 49120, by Order of the Attorney Discipline Board modifying the Hearing Panel Suspension of 18 months.

- (1) Suspension;
- (2) For a period of 180 days;
- (3) Effective April 7, 1981.

Respondent drafted a will in which he was named as a beneficiary and was nominated as executor. He was a joint tenant with the testatrix of a safe deposit box rented by the client/testatrix, and after his client's death, Respondent entered said safe deposit box prior to inventory by the County Treasurer, and removed a certain promissory note payable to the deceased client, and tore apart the note, which evidenced a debt of \$20,000 owed by Respondent. Respondent admitted the indebtedness to the Probate Court, but claimed that the debt had been orally forgiven by decedent, and so testified at a Probate Court hearing. Respondent's sworn inventory filed with the Court omitted estate assets known by Respondent to exist. The Court removed Respondent as fiduciary because of improprieties in the handling of the estate.

The Panel found violations of DR 1-102, DR 5-101(A) (acceptance of employment where the exercise of professional judgment may reasonably be affected by the lawyers' financial, business, property or personal interests), and DR 7-102(A)(3) (which provides that a lawyer shall not conceal or knowingly fail to disclose that which he is required by law to reveal in the representation of a client). On review, the Board, in an opinion, noted the seriousness of the misconduct, but reduced the suspension in consideration of a long, unblemished record of law practice and public service and other evidence in mitigation. Respondent was assessed costs of \$519.33.

*David Baker Lewis*  
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 David Baker Lewis, Secretary  
 ATTORNEY DISCIPLINE BOARD

Date of Issuance: MAY 14 1981

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