

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. 36527-A

Related: 36604, 36733

CARL R. RUEBELMAN (P19752), 36 E. Burdick Street, Oxford, MI 48051, by the Attorney Discipline Board increasing the Panel suspension of one hundred twenty (120) days to a suspension of one hundred twenty-one (121) days pursuant to the Petition for Review filed by the Grievance Administrator.

- (1) Suspension;
- (2) For a period of 121 days;
- (3) Effective June 17, 1980.

Respondent was charged in a six-count Formal Complaint with: issuance of a check dishonored on four occasions due to insufficient funds, that Respondent knew the account contained insufficient funds, that Respondent issued said check as Trustee for a certain business enterprise, in violation of Canon 1 of the Code of Professional Responsibility, DR 1-102 (A) (4) and (6) and GCR 953 (2-5); that Respondent failed to answer the Request for Investigation in regard to the issuance of said checks; that Respondent failed to file an appeal pursuant to an appointment by the Oakland County Circuit Court in violation of Canon 6, DR 6-101 (A) (3) and GCR 953 (1-4); that Respondent failed to answer the Grievance Administrator's Request for Investigation in regard to the alleged neglect of said criminal appeal; that Respondent retained the services of another attorney for a tax opinion and has failed, neglected and refused to honor the billing of said tax attorney in violation of Canon 1, DR 1-102 (A) (4) and (6) and GCR 953 (2-5), (7) that Respondent failed to answer the Grievance Administrator's Request for Investigation regarding his failure to honor the billing of said attorney.

Count I of the Complaint regarding the dishonored check was dismissed. The Hearing Panel determined that the allegations in the balance of the Complaint were proven. The Panel considered as an

Notice of Suspension re CARL R. RUEBELMAN (Continued)

aggravating factor the fact that the Respondent failed to answer three separate Requests for Investigation while noting that such failure, though not an admission to the facts contained in the Complaint, constitute the breach of an attorney's duty to account to the profession and to society at large regarding the high standards of professional conduct required of the members of the legal profession. The Panel also considered a record of previous misconduct including a 60-day suspension in 1978 and assessed costs in the amount of \$149.78. The record reflects that the Panel Order was entered pursuant to Respondent's default and the Grievance Administrator's presentation of evidence. The Grievance Administrator appealed the Panel's suspension of 120 days; the Board increased the suspension by one day with an Opinion, thereby requiring that Respondent undergo formal Reinstatement proceedings and assessed Respondent costs of the Review Hearing. The suspension was effective June 16, 1980, in the absence of a Stay of Discipline Pending Appeal.



David Baker Lewis, Secretary
ATTORNEY DISCIPLINE BOARD

December 1, 1980.