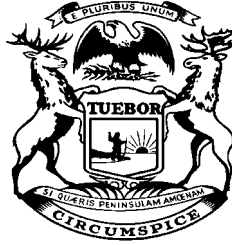


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**NOTICE OF SUSPENSION AND RESTITUTION WITH CONDITION**

Case No. 22-42-GA

**Notice Issued: January 6, 2023**

Austin M. Hirschhorn, P 15001, Huntington Woods, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #60.

Suspension - 90 Days, Effective January 5, 2023

Based on respondent's default and evidence presented to the hearing panel at hearings held in this matter in accordance with MCR 9.115, the hearing panel found that respondent committed professional misconduct as set forth in a two-count formal complaint filed by the Administrator.

Count I of the complaint alleged that respondent was hired to transfer the title of his client's late husband's home to the client's grandson. Respondent failed to have a written fee agreement with the client upon her payment of a \$500 retainer. The complaint further alleged that respondent opened a probate matter, but failed to appear for a hearing, which resulted in the dismissal of the his client's matter. It was further alleged that once the probate matter was opened, respondent stopped communicating with his client, including notifying her that the probate case was dismissed. Respondent failed to answer a Grievance Administrator's Request for Investigation (GARI), but did appear when subpoenaed for a sworn statement. At the sworn statement, respondent promised to reopen the probate matter and resolve any pending issues with the client at his own expense. However, when the formal complaint was filed, the probate matter had not been resolved nor had respondent refunded any unearned fees to his client.

Count II of the formal complaint alleged that respondent again failed to provide a written retainer agreement to his client, this time in a child custody and parenting time matter, and failed to take any action whatsoever once he was paid a \$500 fee. Upon the filing of a request for investigation by the client, respondent refunded the client her monies, requested that she advise the Attorney Grievance Commission that she received a refund, and requested that she remove a negative review she wrote online. When the client refused, respondent repeatedly called the client until she finally blocked his number. Lastly, respondent failed to answer the request for investigation.

The panel found that respondent neglected a legal matter entrusted to him, in violation of MRPC 1.1(c) (Counts I & II); failed to act with reasonable diligence and promptness in representing his clients, in violation of MRPC 1.3 (Counts I & II); failed to keep his clients reasonably informed about the status of their matters, in violation of MRPC 1.4(a) (Counts I & II); failed to refund an advance fee that had not been earned, in violation of MRPC 1.16(d) (Count I); engaged in conduct that was prejudicial to the administration of justice, in violation of MRPC 8.4(c) and MRPC 9.104(1) (Counts I & II); engaged in conduct that exposed the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2) (Counts I & II); engaged in conduct that was contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3) (Counts I & II); engaged in conduct that was in violation of the Rules of Professional Conduct, in violation of MRPC 8.4(a) and MCR 9.104(4) (Counts I & II); and, failed to answer a request for investigation, in violation of MCR 9.104(7), MCR 9.113(A), and MCR 9.113(B)(2) (Counts I & II).

The panel ordered that respondent's license to practice law be suspended for a period of 90 days; that he pay restitution in the total amount of \$500.00; and that he be subject to a condition relevant to the established misconduct. Costs were assessed in the amount of \$1,733.44.