

NOTICE OF DISBARMENT AND RESTITUTION

Case No. 23-10-GA

Notice Issued: November 16, 2023

James J. Kiebel, P 75914, Wyoming, Michigan, by the Attorney Discipline Board Kent County Hearing Panel #3

Disbarment, Effective November 3, 2023

After proceedings conducted pursuant to MCR 9.115, the panel found, by default, that respondent committed professional misconduct in his representation of three separate clients in a divorce action, a driver's license restoration matter, and a custody and parenting time dispute, as charged in the three-count formal complaint filed by the Grievance Administrator.

Based on Respondent's default and the evidence presented at the hearing, the hearing panel found that respondent neglected a legal matter entrusted to the lawyer, in violation of MRPC 1.1(c) [Counts One-Three]; failed to act with reasonable diligence and promptness, in violation of MRPC 1.3 [Counts One-Three]; failed to keep a client reasonably informed about the status of a matter and to comply promptly with reasonable requests for information, in violation of MRPC 1.4(a) [Counts One-Three]; failed to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation, in violation of MRPC 1.4(b) [Counts One-Three]; failed to seek permission from the tribunal to withdraw from representation, in violation of MRPC 1.16(b) [Count Two]; upon termination of representation, failed to refund any advanced payment of fee that had not been earned, in violation of MRPC 1.16(d) [Counts One and Three]; in the course of representing a client, knowingly made a false statement of material fact or law to a third person, in violation of MRPC 4.1 [Counts Two and Three]; knowingly made a false statement of material fact in connection with a disciplinary matter, in violation of MRPC 8.1(a)(1) and MCR 9.104(6) [Count One]; and knowingly failed to respond to a lawful demand for information from a disciplinary authority, in violation of MRPC 8.1(a)(2) [Count Three]. Respondent was also found to have violated MRPC 8.4(b) and (c) [Counts One-Three]; and MCR 9.104(1)-(3) [Counts One-Three].

The panel ordered that respondent be disbarred, and that he pay restitution in the total amount of \$6,050.00. Costs were assessed in the amount of \$2,653.20.