

NOTICE OF SUSPENSION AND RESTITUTION WITH CONDITIONS

Case No. 23-103-GA

Notice Issued: October 4, 2024

Sean W. Drew, P 33851, Niles, Michigan

Suspension - 90 Days, Effective September 28, 2024

Hearings were held in this matter in accordance with MCR 9.115, and respondent stipulated to the facts and allegations of misconduct set forth in the formal complaint. Based upon the evidence presented at the hearings and respondent's stipulation, Kalamazoo County Hearing Panel #2 found that respondent committed professional misconduct during his representation of a client in a civil matter, during his representation of a client in a divorce matter, and during his representation of a client seeking visitation with her minor child. The panel also found respondent failed to answer the Grievance Administrator's requests for investigation concerning these clients.

Specifically, the hearing panel found that respondent neglected a legal matter entrusted to him, in violation of MRPC 1.1(c) [Counts One and Three]; failed to seek the lawful objectives of a client, in violation of MRPC 1.2(a) [Counts One and Three]; failed to act with reasonable diligence and promptness, in violation of MRPC 1.3 [Counts One and Three]; failed to keep a client reasonably informed about the status of a matter and/or comply promptly with a client's reasonable requests for information, in violation of MRPC 1.4(a) [Counts Two and Three]; entered into an agreement for, charged, and/or collected an illegal or clearly excessive fee, in violation of MRPC 1.5(a) [Counts Two and Three]; failed to adequately communicate the basis or rate of the fee to his client, in violation of MRPC 1.5(b) [Count Two]; failed to take reasonable steps to protect a client's interests upon termination of representation, such as failing to refund any advanced fees that had not been earned, in violation of MRPC 1.16(d) [Count Three]; entered, or attempted to enter, into a business transaction with a client or knowingly acquire an ownership, possessory, security, or other pecuniary interest adverse to a client, where (1) the transaction and terms on which the lawyer acquired the interest were not fair and reasonable to the client and were not fully disclosed and transmitted in writing to the client in a manner that could be reasonably understood by the client, (2) the client was not given a reasonable opportunity to seek the advice of independent counsel in the transaction, and/or (3) the client did not consent in writing thereto, in violation of MRPC 1.8(a) [Count Two]; filed pleadings and motions, asserting or controverting issues without a basis for doing so that is non-frivolous, in violation of MRPC 3.1 [Count One]; failed to make reasonable efforts to expedite litigation

consistent with the interests of his client, in violation of MRPC 3.2 [Count One]; knowingly made a false statement of material fact or law to a tribunal, or failed to correct a false statement of material fact or law he previously made to the tribunal, in violation of MRPC 3.3(a)(1) [Count One]; knowingly disobeyed an obligation under the rules of a tribunal, in violation of MRPC 3.4(c) [Count One]; failed to make reasonably diligent efforts to comply with a legally proper discovery request by an opposing party, in violation of MRPC 3.4(d) [Count One]; failed to respond to a lawful demand for information from a disciplinary authority, in violation of MRPC 8.1(a)(2) [Count Four]; and failed to answer a Request for Investigation, in violation of MCR 9.104(7) and MCR 9.113(B)(2) [Count Four]. The panel also found violations of MCR 9.104(1)-(3) and MRPC 8.4(c) in all Four Counts.

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 \$1,800.00; and that he be subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$3,495.15.