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NOTICE OF SUSPENSION & RESTITUTION WITH CONDITIONS (By Consent)

Case No. 16-146-GA

Notice Issued: August 18, 2017

Kenneth S. Karasick, P 26238, Flint, Michigan, by the Attorney Discipline Board Genesee County Hearing Panel #5.

Suspension - 180 Days, Effective September 1, 2017.

The respondent and the Grievance Administrator filed a stipulation for a consent order of discipline, in accordance with MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by the hearing panel. Based upon respondent's admissions and the stipulation of the parties, the panel found that respondent committed professional misconduct in his representation of three separate clients - one for an appeal of a criminal matter and the handling of business matters while the client was incarcerated; one in a custody/visitation matter and clearing a warrant from a ticket; and one in a criminal matter.

Specifically, the panel found that respondent failed to provide competent representation to a client, in violation of MRPC 1.1(a); neglected a legal matter, in violation of MRPC 1.1(c); failed to seek the lawful objectives of a client through reasonably available means, in violation of MRPC 1.2(a); failed to act with reasonable diligence and promptness, in violation of MRPC 1.3; failed to keep clients reasonably informed about the status of their matter and comply promptly with reasonable requests for information, in violation of MRPC 1.4(a); failed to explain a matter to the extent reasonably necessary to permit the clients to make informed decisions regarding the representation, in violation of MRPC 1.4(b); failed to communicate the basis or rate of his fee, in violation of MRPC 1.5(b); failed to hold property of a client separate from the lawyer's own property, in violation of MRPC 1.15(d); failed to deposit client funds into an IOLTA or non-IOLTA account, in violation of MRPC 1.15(d); failed to deposit legal fees and expenses that were paid in advance into a client trust account, in violation of MRPC 1.15(g); and upon termination of representation, failed to refund unearned fees, in violation of MRPC 1.16(d). Respondent was also found to have violated MRPC 8.4(a) and (c) and MCR 9.104(1)-(3).

The panel ordered that respondent's license to practice law be suspended for a period of 180 days. In addition, the parties stipulated, and the panel agreed, that respondent pay restitution to four complainants in the total amount of \$8,500.00 and with the conditions that he attend the seminars offered by the State Bar of Michigan entitled "Tips and Tools for a Successful Practice" and "Lawyer Trust Accounts: Management Principles & Record Keeping Resources." Costs were assessed in the amount of \$1,204.07.

alunta

Mark A. Armitage Executive Director