

GRIEVANCE ADMINISTRATOR

v

CHARLES B. EVANS, P-13240

Respondent.

File Nos. DP 73/85; DP 113/85

Decided January 24, 1986

Opinion issued: February 20, 1986

OPINION OF THE BOARD

Respondent has ignored the disciplinary process and admitted the allegations against him by default. He was charged with paying mediators' fees with a check for \$110.00 that was dishonored upon presentment. Respondent then failed to comply with requests from the court to replace the check. He failed to answer the request for investigation and the formal complaint. A second formal complaint alleging failure to answer the first was also not answered. Respondent did not attend the panel hearing after receiving proper notice of the charges and of the hearing.

Respondent has a pattern of failure to answer requests for investigation and formal complaints. Including those in the present case, he has ignored five of each. The hearing panel imposed a suspension of forty-five days; we increase this to 120 days to provide for reinstatement investigation and hearing. MCR 9.123(B).

We note that Respondent has failed to pay his 1986 Bar dues and his license is suspended that reason. That fact, together with what appears to be conscious disregard for the disciplinary rules, and his pattern of neglect lead us to question his desire to practice as well as his attitude toward his duties. These factors "compel us to require some showing of fitness to re-enter practice before being considered for reinstatement." Grievance Administrator v Ruebelman, No. 36527-A (1980).

We have repeatedly emphasized the importance of timely response to the investigative inquiries of the Grievance Administrator; failure to appear before the hearing panel is another seriously aggravating factor. Grievance Administrator v Ruebelman, DP 5/81 (1981). See also Grievance Administrator v Charbonneau, File Nos. DP 103/83; DP 126/83 (1984) (total failure to answer or cooperate with the Grievance commission). "Perhaps, since the future of his legal career rests on his appearance at the reinstatement hearing, the import of these proceedings will be brought home to the Respondent, and he will participate cooperatively before the panel." Grievance Administrator v Fazio, File No. DP 36/82 (1983).

The Respondent is suspended for 120 days.

All concur.