

## NOTICE OF SUSPENSION

ADB 150-88

Stephen C. Watt, P-27207, Ionia, Michigan by the Attorney Discipline Board increasing a hearing panel order of suspension of 100 days to a suspension of 120 days.

- 1) Suspension - 120 days;
- 2) Effective September 9, 1989.

The hearing panel accepted the respondent's plea of no contest to charges that he improperly took possession of funds belonging to the estate of a deceased client. The respondent withdrew the funds from a bank by representing himself to be an attorney-in-fact under authority of a power of attorney which was no longer valid and he deposited those funds in his clients' trust account by endorsing the purported signature of the decedent. The respondent's conduct was found to be in violation of Canon 1 of the Code of Professional Responsibility, DR 1-102(A)(4-6) and the hearing panel concluded that a suspension of 100 days was warranted.

The Attorney Discipline Board considered the petition for review filed by the Grievance Administrator and the respondent's cross-petition seeking an order of probation. The Board concluded that the hearing panel did not abuse its discretion by declining to impose probation. Although it was noted that there was no evidence that the estate's funds were improperly removed from the respondent's trust account or converted to his own use, the Board ordered that the suspension be increased to 120 days in light of the respondent's deceitful conduct. The respondent will be required to petition for reinstatement. Costs were assessed in the amount of \$452.60.