

## NOTICE OF REVOCATION AND RESTITUTION

Case Nos. 97-23-GA; 97-41-FA; 97-47-GA;  
97-72-JC; 97-74-FA; 97-145-GA; 97-166-FA

Robert E. Caron, P-25020, Troy, Michigan, by Attorney  
Discipline Board Tri-County Hearing Panel #82.

- 1) Revocation;
- 2) Effective November 1, 1997.

In 1993, respondent sent the first complainant a notice and questionnaire reflecting that he was a member of a class concerning whom a class action lawsuit had been filed. Respondent sent the complainant an acknowledgement that he had received the completed questionnaire from him and advised him of the status of the litigation. Thereafter, respondent failed to communicate with the complainant. On April 6, 1996, respondent was suspended from the practice of law in Michigan for three years. That suspension remains in effect. The panel found, by default, that respondent neglected the matter; failed to file an affidavit of compliance; failed to provide the complainant with written notice of his disqualification from the practice of law; and failed to answer the Formal Complaints.

In September 1995, the second complainant retained respondent to represent him in civil litigation. The panel found that respondent failed to release the client file to the complainant upon demand; failed to answer the Request for Investigation; and failed to answer the Formal Complaints.

In October 1993, respondent was retained to represent the third complainant in a Social Security matter. During the course of the representation, the complainant paid respondent approximately \$2,400 towards his legal fees. In 1994, the complainant entrusted respondent with Social Security checks totalling approximately \$17,104.95, the proceeds of which were to be maintained in respondent's trust account pending the conclusion of negotiations with an insurance company concerning repayment of disability benefits. In April 1994, the Social Security Administration authorized respondent to be paid a \$1,000 fee for his representation of the complainant on the disability benefits claim. After deductions for payments of \$6,145.86 to the insurance company, \$4,629.13 to the complainant, and fees to respondent, an approximate \$3500 should have remained in respondent's client trust account. The panel found that respondent misappropriated approximately \$3,500 which was due to be paid to the complainant; commingled funds belonging to the complainant with his personal funds; failed to answer the Request for Investigation; and failed to answer the Formal Complaints.

In October 1995, the fourth complainant paid respondent \$750 towards legal fees for representation in legal matters involving driver's license restoration, unemployment benefits, and separation from employment. The panel found that respondent neglected the matters; failed to release the client file to the complainant; failed to refund the unearned fees; failed to cooperate in the investigation of the Request for Investigation; and failed to answer the Formal Complaints.

On February 6, 1997, respondent plead guilty, in Oakland County Circuit Court, to one count of Larceny by Conversion Over

\$100.00, in violation of MCL 750.362-A. In accordance with MCR 9.120(B)(1), respondent was automatically suspended from the practice of law in Michigan effective February 6, 1997, the date of the felony conviction. Respondent also failed to appear at the disciplinary hearings.

Respondent's conduct was found to be in violation of MCR 9.103(C); MCR 9.104(1)-(4), (7) and (9); MCR 9.113(A) and (B)(2); MCR 9.119(A) and (C); and Michigan Rules of Professional Conduct 1.1(c); 1.2; 1.3; 1.4; 1.15(a)-(c); 1.16(d); 3.2; 3.4(c); 8.1(b); and 8.4(a)-(c).

The panel ordered that respondent's license to practice law be revoked; that he make restitution in the total amount of \$6373.51; that he satisfy the restitution ordered in People v Caron, Oakland County Circuit Court Case No. 97-150169-FH; and that he return all client files belonging to the complainants. Costs were assessed in the amount of \$776.35.

