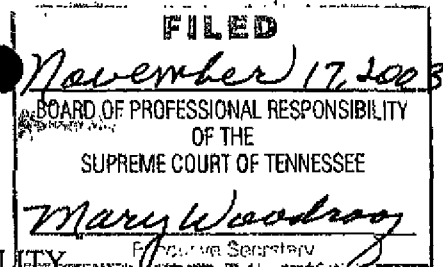


IN THE IX DISCIPLINARY DISTRICT  
OF THE  
BOARD OF PROFESSIONAL RESPONSIBILITY  
OF THE  
SUPREME COURT OF TENNESSEE



In Re:

Docket No. 2002-1331-9-JJ

Michael A. Belz, An attorney licensed and  
Admitted to the Practice of Law in Tennessee

JUDGMENT OF THE HEARING COMMITTEE

This cause came to be heard by the Hearing Committee of the Board of Professional Responsibility of the Supreme Court of Tennessee on October 29, 2003. The cause was heard pursuant to Rule 9 of the Rules of the Tennessee Supreme Court. This Hearing Committee, Cheryl W. Patterson, Chair, Danny M. Norwood and Antonio L. Matthews, makes the following findings of fact and submits its judgment in this cause as follows:

STATEMENT OF THE CASE

1. A Complaint was filed with the Board of Professional Responsibility (the "Board") against Respondent on November 2, 2001. Notices containing a summary of the complaint and request for response were sent to the Respondent on November 13, 2001, December 10, 2001 and January 7, 2002. On February 20, 2002 the Tennessee Supreme Court entered its Order temporarily suspending respondent from the practice of law under Tenn. Sup. Ct. 9, § 4.3 due to Respondent's failure to respond to the Board concerning the complaint. The Order of temporary suspension remains in effect at present.
2. A Petition for Discipline was filed on August 13, 2002, charging the Respondent with violation of the Disciplinary Rules set forth in File No. 24628-9-JJ.
3. Respondent was duly served with the Petition on November 14, 2002 by the Shelby County Sheriff. Respondent failed to timely file an answer with the Board or to serve same on Disciplinary Counsel as required under the Tenn. R. Sup. Ct. 9, §8.2.
4. On January 27, 2003, Disciplinary Counsel filed a Motion for Default Judgment as to Respondent on the allegations in the Petition for Discipline, due to the fact that the Respondent had failed to answer said Petition for Discipline within the time required.
5. This Hearing Panel entered a Default Judgment as to the allegations contained in the Petition for Discipline on July 16, 2003. After appropriate notice to the parties this matter was set for hearing solely on the question of appropriate sanctions. Respondent appeared on his own behalf at the hearing on the question of sanctions held on October 29, 2003.

6. Pursuant to Tenn. Sup. Ct. 9, §8.2, the charges as contained in the Petition for Discipline are deemed admitted.

FINDING OF AGGRAVATING AND MITIGATING CIRCUMSTANCES

1. The Hearing Committee finds the Respondent's two prior suspensions for failure to pay annual fees and to obtain mandatory continuing legal education, both of which suspensions remain in effect, to be aggravating circumstances.

2. The Hearing Committee finds Respondent's inexperience in the practice of law, his expression of remorse and personal problems to be mitigating circumstances.

3. The Hearing Committee notes that Respondent had not cashed and did present at the hearing Complainant's check in the amount of \$32.50 made payable to the General Sessions Court Clerk and Complainant's check in the amount of \$200.00 payable to Respondent, which had been forwarded to him by Complainant in September 2000 for payment of filing fees and a retainer, respectively, in connection with the countersuit that Respondent was to have filed on Complainant's behalf. The Hearing Committee finds Respondent's willingness to return said checks as neither an aggravating nor a mitigating circumstance in this matter.

JUDGMENT

IT IS THEREFORE ORDERED by the Hearing Committee as follows:

1. That Respondent, Michael Belz be suspended from the practice of law for a period of one year effective from the date of this order.

2. That pursuant to Tennessee Supreme Court Rule 9 §24.3 Respondent, Michael Belz, shall reimburse and pay to the Board of Professional Responsibility the expenses and costs of this matter for which execution shall issue, if necessary .

3. That Respondent shall immediately return to the Complainant through or under the direction of the Board, Complainant's checks which have not been negotiated and remain in his possession.

4. That reinstatement of Respondent's law license be conditioned upon both the filing of a petition for reinstatement as required under Tenn. Sup. Ct. 9, §19 and receipt by the Board of appropriate evidence of participation in or successful completion of the requirements of the Tennessee Lawyers Assistance Program, should Respondent be accepted for participation in that program following appropriate evaluation and assessment.

This 13th day of November, 2003.

