**People v. James L. Leerssen.** 18PDJ076. **May 28, 2019.**

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and disbarred James L. Leerssen (attorney registration number 12847) from the practice of law, effective July 2, 2019.

Leerssen, a bankruptcy lawyer, maintained a trust account. Yet neither the deposit slips nor checks associated with this account were designated as connected to a trust account. In April 2018, Leerssen issued a check from his trust account to Jeremy Leerssen, who is not his client. During summer 2018, Leerssen deposited many checks made out to him personally into his trust account. Leerssen closed his physical office in May 2018. Around that time, Leerssen's wife (and paralegal) took actions to disconnect his internet and telephone service and to dispose of his office computer and equipment.

In one client matter, Leerssen accepted $450.00 toward the client's retainer but did not deposit the money into his trust account. He did not file a petition for bankruptcy on the client's behalf, as the client did not pay Leerssen his full fee. The client could not reach Leerssen in person or by telephone, email, or regular mail. The client has had no contact with Leerssen since before May 2018. Leerssen has not refunded the client's fees.

In another client matter, Leerssen entered into a flat fee agreement with the client, who gave him $1,100.00 in cash as an initial payment. Leerssen failed to deposit at least $600.00 of that payment into his trust account. The client could not reach Leerssen in person or by telephone, email, or regular mail. The client has had no contact with Leerssen since before May 2018. Leerssen has not refunded the client's fees.

Through this conduct, Leerssen violated Colo. RPC 1.4(a)(3) (a lawyer shall keep a client reasonably informed about the status of the matter); Colo. RPC 1.4(a)(4) (a lawyer shall promptly comply with reasonable requests for information); Colo. RPC 1.5(f) (a lawyer does not earn fees until a benefit is conferred on the client or the lawyer performs a legal service); Colo. RPC 1.15A(a) (a lawyer shall hold client property separate from the lawyer's own property); Colo. RPC 1.15A(c) (a lawyer shall keep separate any property in which two or more persons claim an interest until there is a resolution of the claims); Colo. RPC 1.15B(c) (a lawyer shall prominently designate each trust account, as well as all deposit slips and checks drawn thereon, as a trust or COLTAF account); Colo. RPC 1.16(d) (a lawyer shall protect a client's interests upon termination of the representation, including by returning unearned fees and any papers and property to which the client is entitled); Colo. RPC 1.16A (a lawyer in private practice shall retain a client's file unless the lawyer gives the file to the client, the client authorizes the destruction, or the lawyer has notified the client in writing of the intention to destroy the file); Colo. RPC 5.3 (setting forth a lawyer's responsibilities to ensure that nonlawyer assistants act in a manner consistent with the lawyer's professional obligations); and Colo. RPC 8.4(c) (a lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation).

The case file is public per C.R.C.P. 251.31.