

People v. David Jerome Greene. 12PDJ089, consolidated with 13PDJ013, 13PDJ040, 11PDJ070, and 13PDJ062. October 15, 2013. The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and disbarred David Jerome Greene (Attorney Registration Number 08994) from the practice of law, effective October 15, 2013. On February 28, 2012, Greene's law license was suspended for misconduct involving lack of diligence and competence, failing to safeguard client funds, inadequately communicating with clients, and unreasonably delaying the return of a client's file upon termination of representation. Yet Greene failed to notify clients and opposing counsel of that suspension as required by C.R.C.P. 251.28(b)-(c). In the general timeframe of 2009-2012, Greene committed additional misconduct that mirrored the misconduct underlying his prior suspension. For instance, by failing to answer interrogatories and to appear for a hearing in one client's matter, he violated Colo. RPC 1.3 (diligence), 3.4(c) (knowingly failing to follow court orders), 3.4(d) (failing to comply with discovery obligations), and 8.4(d) (conduct prejudicial to the administration of justice). In several client matters, Greene engaged in extensive mishandling of funds, including failing to deposit client funds in his trust account and using trust and settlement funds to pay his personal and business expenses (Colo. RPC 1.15(a)), failing to deposit funds received for professional services into his business account (Colo. RPC 1.15(d)(2)), and making prohibited cash withdrawals from his trust account (Colo. RPC 1.15(i)(3)). Greene also neglected to pay a court reporter nearly \$2,000.00 he owed her for transcripts, again transgressing Colo. RPC 8.4(d). Finally, Greene violated Colo. RPC 1.4(a)-(b) (communication with clients), 1.5(f) (rules regarding contingent fee agreements), 1.15(j) (neglecting to maintain required accounting records), 1.16(d) (failing to protect a client's interest upon termination of representation), and 8.1(b) (failing to respond to a lawful demand for information from a disciplinary authority).