

People v. Robert Phillip Odle. 18PDJo66. November 7, 2018.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended Robert Phillip Odle (attorney registration number 18091) for six months, effective March 1, 2019.

Odle, a sole practitioner in Colorado Springs, represented a number of clients through a nonprofit organization that assists victims of domestic violence.

M. filed for a protective order against her ex-boyfriend in 2017 after he physically and sexually abused her. After obtaining a temporary restraining order, she sought the nonprofit's assistance with a permanent protection order. The nonprofit hired Odle to represent her in that matter. Odle secured a permanent protection order for M. in October 2017. M. then separately hired Odle to file a replevin action against her ex-boyfriend, which Odle did in November 2017. He treated the \$1,700.00 fee for that case as earned upon receipt, thus violating Colo. RPC 1.15A(a) (a lawyer shall hold client property separate from the lawyer's own property).

Odle and M. often communicated by text message. In September 2017, Odle asked M. to see a movie with him, saying that he was "offering friendship." M. declined, saying she was "not able to even see any male friends." Several days later, he invited her to an event, but she rejected the offer. Odle texted M. again within three days, calling her "darling girl" and saying she was beautiful. He also referred to the messages as "very intimate" and sent her a kiss emoji, despite M. noting in her own messages the "boundary" of the attorney-client relationship. Toward the end of September, Odle again invited M. to go to a movie with him, but she said no.

In early October 2017, Odle suggested, to no avail, that he could bring M. wine and massage her until she fell asleep. A few days later, Odle falsely told her that he was no longer her attorney and thus suggested that she go to a movie with him. Odle also invited her to dinner on two occasions in mid-October. M. declined all of these invitations.

Through this conduct, Odle violated Colo. RPC 8.4(a) (proscribing attempts to violate the Rules of Professional Conduct) and Colo. RPC 1.8(j) (a lawyer shall not have sexual relations with a client unless a consensual sexual relationship existed between them when the client-lawyer relationship began), as well as Colo. RPC 1.7 (restricting the circumstances in which a lawyer may represent a client if the representation involves a concurrent conflict of interest).

After the replevin case had been resolved, M. reported Odle's conduct to the nonprofit organization, which removed him from its approved provider list.