

People v. Mark A. Ohlsen. 17PDJ072. October 24, 2017.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and publicly censured Mark A. Ohlsen (attorney registration number 22480), effective October 24, 2017. The parties stipulated to the application of two aggravating factors and five mitigating factors, including no prior discipline, cooperation, character and reputation, remorse, and the imposition of other penalties. The mitigating factors were accorded significant weight.

In early 2014, Ohlsen was involved in an intimate relationship with a woman who was arrested for a third and fourth offense of driving while under the influence of alcohol ("DUI"). The woman lived with Ohlsen after her arrest. By September 2014, the two had separated. The woman was sentenced to work release in November 2014, and Ohlsen, feeling bad for her, hired her to work as a secretary in his law office.

In early 2015, the woman failed to show up for work. Ohlsen fired her and contacted her probation officer to disclose his belief that the woman was drinking and using drugs. On February 25, 2015, Ohlsen went to the woman's residence to retrieve the keys to his office, startling her and a friend on the front porch. Once inside the woman's home, a physical altercation occurred between Ohlsen and the woman. Ohlsen claimed she slapped him; he admitted to pushing her, holding her away from him, and grabbing her.

On January 12, 2017, Ohlsen pleaded guilty to a class-one misdemeanor assault charge, domestic violence-related, and received an eighteen-month deferred sentence. He is subject to a no-contact order for eighteen months. Ohlsen is in compliance with the no-contact order.

Through this misconduct, Ohlsen violated Colo. RPC 8.4(b) (a lawyer shall not commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects) and C.R.C.P. 251.5(b) (a lawyer shall not commit any criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer).