

*People v. Tidwell*, No. 00PDJ094. 6/25/01. Attorney Regulation.

The Presiding Disciplinary Judge and Hearing Board disbarred Respondent, Mark O. Tidwell from the practice of law. In one matter, respondent represented the client in post-decree proceedings following a dissolution of marriage. Initially respondent performed the services he agreed to undertake, but when an additional dispute arose, respondent agreed to take specific actions on the client's behalf and failed to do so. He failed to advise the client of the case for several months. Respondent represented the client in another matter but took no action on the client's behalf, failed to appear in court, allowed a default judgment to enter against the client and failed to inform the client of the judgment. After he was terminated, respondent failed to withdraw in the pending cases and failed to return the client's files upon request. Respondent's misconduct violated Colo. RPC 1.3, Colo. RPC 1.4(a) and Colo. RPC 1.16(d). In a matter involving another client, respondent accepted a retainer in an uncontested divorce matter, failed to proceed when requested to do so by the client, took no further action on the divorce in violation of Colo. RPC 1.3, and did not refund the remainder of the retainer when asked to do so by the client in violation of Colo. RPC 1.16(d) constituting negligent conversion in violation of Colo. RPC 8.4(c). Respondent represented another client in a bankruptcy proceeding, accepted a sum to pay for costs, did not take any action on the proceeding, failed to refund the client's funds upon request, and did not communicate thereafter with the client. Respondent's conduct constituted neglect in violation of Colo. RPC 1.3, failure to surrender property upon termination in violation of Colo. RPC 1.16(d) and knowing conversion of client's funds in violation of Colo. RPC 8.4(c). Respondent was ordered to pay the costs of the proceeding.