

People v. Calvert, No. 99PDJ091 3/09/2000. Attorney Regulation.

The Presiding Disciplinary Judge accepted the parties' Conditional Admission of Misconduct and disbarred Respondent, Randall M. Calvert, from the practice of law. Respondent received a settlement payment for his client's claim from an insurance company, deposited the payment into his trust account, and tendered the amount due to the client shortly thereafter. The client attempted to cash the check several months later but was unable to because Respondent's trust account did not have sufficient funds to cover the check. Respondent promised that he would tender another check after a one-month period in addition to daily interest on the amount due. Respondent failed to tender the amount for a five-month period despite the client's requests, and when he did pay the client, failed to pay interest on the amount as promised. Respondent's conduct violated Colo. 8.4(c), Colo. RPC 1.15(a) and Colo. RPC 1.15(b). Respondent was ordered to pay the costs of the disciplinary proceeding.