

*People v. Kaufman*, No.03PDJ009. 02.19.03. Attorney Regulation. The Presiding Disciplinary Judge approved the parties' Conditional Admission of Misconduct and suspended Respondent, Shaun Kaufman, attorney registration number 14152, from the practice of law in the State of Colorado for a period of two years with conditions. This disciplinary proceeding arises from numerous matters. In one matter, respondent failed to adequately represent the client on the appeal of his criminal conviction in violation of Colo. RPC 1.3, he failed to communicate with the client for a two-year period of time in violation of Colo. RPC 1.4(a), he effectively terminated the representation and thereafter failed to protect the client's in violation of Colo. RPC 1.16(d). In a second matter, after being placed on disability inactive status, respondent failed to notify the district court or his client of his change in status, causing prejudice to the administration of justice in violation of Colo. RPC 8.4(d). The parties stipulate that by failing to advise the court of his withdrawal, respondent violated Colo. RPC 3.4(c). Respondent also failed to protect the client's interest upon termination in violation of Colo. RPC 1.16(d). The parties stipulated that respondent's failure to return the client's funds after not performing the work requested constituted a violation of Colo. RPC 1.5(a) and Colo. RPC 1.15(b). In a third matter, respondent failed to complete the work he had agreed to complete for the client but retained the client's funds. The parties stipulate that respondent's conduct constitutes a violation of Colo. RPC 1.5(a) and Colo. RPC 1.15(b). Respondent failed to protect the client's interest upon termination in violation of Colo. RPC 1.16(d). In a fourth matter, respondent failed to segregate the client's funds, failed to ensure that the funds were deposited into a trust account, failed to communicate with the client, and failed to give the client an accounting when requested. The parties stipulate that respondent's conduct violated Colo. RPC 1.5(a), Colo. RPC 1.15(a), Colo. RPC 1.15(b), Colo. RPC 5.3(c)(2) and Colo. RPC 1.4(a). In a fifth matter, respondent neglected a client's civil case resulting in its dismissal. Respondent misinformed the client of the status of the case, failed to communicate with the client, and failed to protect the client's interests upon termination. The parties stipulate that this conduct violated Colo. RPC 1.3, Colo. RPC 8.4(c), Colo. RPC 1.4(a), and Colo. RPC 1.16(d). In a fifth matter, respondent represented a client in a criminal matter and received funds for his representation. Shortly thereafter, despite the client's requests following termination, respondent failed to return the client's documents or provide an accounting. The parties stipulate that respondent's conduct violated Colo. RPC 1.15(b) and Colo. RPC 8.4(c). In a sixth matter, respondent retained an expert witness, paid a portion of his bill, then did not pay the remaining balance due and did not notify the client of the outstanding balance in violation of Colo. RPC 8.4(d). The client requested an accounting and the respondent failed to provide one in violation of Colo. RPC 1.15(b). In several other matters, respondent failed to appear for or arrived late for scheduled court appearances and

failed to meet filing deadlines in several cases, all resulting in prejudice to the administration of justice in violation of Colo. RPC 8.4(d). With regard to respondent's management of his trust account, the parties stipulate that respondent violated Colo. RPC 5.3(a) and Colo. RPC 8.4(c), by negligently withdrawing funds belonging to clients on one occasion from his trust account. In mitigation, respondent suffered from mental health problems during the relevant time frame. Respondent was ordered to pay the costs of the disciplinary proceeding.