

*People v. Mascarenas*, No. 03PDJ011. September 10, 2004. Attorney Regulation. The Presiding Disciplinary Judge approved the parties' Conditional Admission of Misconduct and suspended Respondent Steven J. Mascarenas, attorney registration number 15612, from the practice of law in the State of Colorado, effective October 11, 2004, for a period of 90 days, all stayed upon successful completion of a one-year period of probation. Respondent's fee for representing a client in two separate matters was partially secured by a deed of trust on the client's home. In one case, a divorce matter, the deed of trust encumbered the marital residence involved in the divorce. Respondent did not advise the client regarding this conflict of interest nor the advisability of the client to check with independent counsel. By entering into a business transaction with a client for his own or his firm's benefit and knowingly acquiring an interest in property adverse to his client that was involved in the matter for which he was hired, Respondent violated Colo. RPC 1.8(a) and (j). Respondent also failed to keep his client reasonably informed about the status of the divorce case and to advise the client properly about fees, costs, and disbursements. This conduct violated RPC 1.4(a) and (b). Respondent was ordered to pay costs in this proceeding and comply with other conditions.