

People v. Mark Joseph Berumen. 20PDJ070. December 16, 2020.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended Mark Joseph Berumen (attorney registration number 29628) for sixty days, all to be stayed upon the successful completion of a one-year period of probation, with conditions. The probation took effect December 16, 2020.

In April 2018, Berumen agreed to represent a married couple in their bankruptcy matter. Berumen filed the bankruptcy petition without including the required financial management certificates the couple had sent to his office. As a result, the bankruptcy court closed the case without discharge. The couple hired new counsel in April 2019, and their lawyer notified Berumen of the change in representation. In June 2019, without authorization and without notifying the couple, Berumen filed a motion to reopen on their behalf; he also filed the financial management certificates. That same day, the wife signed a new bankruptcy petition with her counsel. Two days later, she received an email from Berumen attaching a copy of the discharge in the original bankruptcy case. As a result, the couple's lawyer had to move to reopen the case so that their new debt could be included.

Through this conduct, Berumen violated Colo. RPC 1.2(a) (a lawyer must abide by the client's decisions concerning the objectives of a case and consult with the client regarding the means to achieve the objectives).

The case file is public per C.R.C.P. 251.31.