

*People v. Tompkins.* 07PDJ077. December 10, 2007. Attorney Regulation.

The Presiding Disciplinary Judge approved a Conditional Admission of Misconduct submitted by the parties and suspended Jeffrey Ira Tompkins (Attorney Registration No. 01133) from the practice of law for a period of six months, all stayed upon the successful completion of a two-year period of probation with conditions, effective December 10, 2007. Respondent violated the rules of professional conduct when he obtained a promissory note secured by a deed of trust from his client without first obtaining his client's consent to the conflict in writing and referring him to independent counsel prior to the transaction. Respondent subsequently initiated foreclosure proceedings and claimed a principal amount owed in excess of the amount actually owed by his client. Respondent's misconduct constituted grounds for the imposition of discipline pursuant to C.R.C.P. 251.5 and violated Colo. RPC 1.8(a) and 1.5(a) and C.R.C.P. 251.5(b). As a condition of his probation, Respondent has been ordered to reimburse his client the full amount of the overpayment.