

*People v. Tara Eden Latus. 23PDJ058. April 3, 2024.*

The Presiding Disciplinary Judge approved the parties' stipulation to discipline and suspended Tara Eden Latus (attorney registration number 51871) for three years. The suspension took effect April 3, 2024.

Latus's Colorado law license was administratively suspended on May 2, 2022. Latus knew her license was suspended by July 8, 2022. Despite this, Latus provided legal services to three clients between July 25 and September 27, 2022. The clients were not aware of her administrative suspension until after the representation ended.

Latus sent the clients two engagement letters, each requiring a \$3,500.00 advance retainer. In August 2022, Latus and one client agreed that the time she spent on legal services before receiving a retainer would be applied to that future retainer. In late October 2022, the clients paid Latus \$3,600.00 through a Venmo account that belonged to Latus's husband. At the time she received the payment, Latus was not entitled to treat the funds as earned, particularly because she was administratively suspended and could not charge for any legal services she performed. Nevertheless, Latus did not place her clients' retainer in trust, as she did not maintain a trust account at that time.

Latus's husband transferred the funds into his personal account on November 6, 2022. The next day, the clients terminated the representation because they were dissatisfied. They requested a full refund or an accounting. Latus told her clients she would calculate her time and return unearned funds but she did not, despite her clients' several requests that she do so. In mid-December 2022, after reinstating her law license, Latus told her clients that her former spouse had stolen their funds from her trust account. This statement was false.

In November 2023, Latus repaid the clients \$3,600.00, with additional payments to each representing seven percent accrued interest.

Through this conduct, Latus violated Colo. RPC 1.15A(a) (a lawyer must hold client property separate from the lawyer's own property); Colo. RPC 1.15(B)(a)(1) (a lawyer in private practice must maintain a trust account into which the lawyer must deposit funds entrusted to the lawyer's care and advance fees); Colo. RPC 1.16(d) (a lawyer must protect a client's interests on termination of the representation, including by giving reasonable notice to the client and returning unearned fees); Colo. RPC 3.4(c) (a lawyer must not knowingly disobey an obligation under the rules of a tribunal); Colo. RPC 5.5(a)(1) (a lawyer must not practice law without a valid law license or other specific authorization); and Colo. RPC 8.4(c) (providing that it is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit, or misrepresentation).

The case file is public per C.R.C.P. 242.41(a).