

**People v. Michael B. Marinovich. 17PDJ064. September 7, 2017.**

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and publicly censured Michael B. Marinovich (attorney registration number 24677), effective September 7, 2017.

In March 2015, Marinovich was stopped by a police officer for erratic driving. Marinovich failed roadside maneuvers, refused a chemical test, and was arrested and charged with driving under the influence ("DUI"), failing to obey a traffic control device, and a lane violation.

In April 2015, Marinovich returned to his house in an intoxicated state while his children were present. He began rough-housing with his son, during which he struck his son's arm with the side of his hand and accidentally poked his son's thumb with a pencil. His son was not injured, but the police were summoned; Marinovich was arrested and charged with child abuse and resisting arrest.

In March 2016, Marinovich pleaded guilty to DUI—refusal, an unclassified misdemeanor, and child abuse—negligence (no injury), a class-three misdemeanor. He received a one-year deferred sentence with probation in the child abuse matter and a one-year period of probation with conditions in the DUI matter. He timely self-reported his convictions to disciplinary authorities. Marinovich successfully completed probation in the DUI matter in April 2017. Around that time, he was also permitted to withdraw his guilty plea in the child abuse matter, which was dismissed.

Through this misconduct, Marinovich violated Colo. RPC 8.4(b) (a lawyer shall not commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects) and C.R.C.P. 251.5(b) (any criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer amounts to grounds for discipline).