

People v. Mascarenas, 04PDJ009. November 30, 2004. Attorney Regulation. The Presiding Disciplinary Judge approved the parties' Conditional Admission of Misconduct and suspended Respondent Steven Jude Mascarenas (Registration #15612) from the practice of law for a period of ninety (90) days, effective November 13, 2004. The suspension is concurrent with the ninety-day suspension in *People v. Mascarenas*, No. 02PDJ044, as the misconduct was concurrent. This proceeding arises out of the manner in which Respondent charged two clients for his legal services. In both cases, Respondent required the clients to sign a promissory note and deed of trust in his favor, without adequately informing them of the terms (which were unfair), the conflicts involved, or their right to seek independent legal advice. Also, in each case, the property involved was the partial subject matter of litigation being handled by Respondent. In addition, Respondent failed to inform these clients of his fees as the representation occurred, and failed to provide an accounting upon request. Respondent violated Colo. RPC 1.4 (failure to keep client reasonably informed, comply with reasonable requests for information, and explain matters so client may make informed decisions), 1.5(a) (unreasonable fees), 1.8(a) (entering into a business transaction with a client without compliance with the requirements), 1.8(j) (acquiring a proprietary interest in the subject matter of litigation), and 1.15(b) (failure to render a full accounting upon request). Respondent was also ordered to return \$7,500 to one client, attend an ethics course, and pay the costs of this proceeding.