

People v. Billie D. Burchfield. 16PDJ075. February 23, 2017.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended Billie D. Burchfield (attorney registration number 19325) from the practice of law for ninety days, all stayed upon the successful completion of a one-year period of probation with conditions. The probation took effect February 23, 2017.

Burchfield, a sole practitioner in Parachute, Colorado, represented a certain client in various legal matters beginning in 1990, including matters pending in 2012. Burchfield made a series of loans to the client between December 2011 and July 2012. There were no promissory notes or other loan documents for any of these loans. Three of the loans were made during the course of Burchfield's attorney-client relationship with the client. Burchfield did not give the client any written conflict disclosures for the 2011-2012 loans. Nor did she obtain informed, written consent from the client concerning the loans.

Also in 2012, Burchfield drafted or prepared a deed granting a life estate in four acres of property she owned in Parachute to the same client in exchange for payment of \$16,000.00. This deed was never recorded. Burchfield neither gave her client written conflict disclosures with respect to this sale nor obtained his informed, written consent to the sale.

Through this conduct, Burchfield violated Colo. RPC 1.8(a) (a lawyer shall not enter into a business transaction with a client unless the transaction and terms are both fair and fully disclosed to the client in writing, the client is advised in writing to seek independent legal counsel about the transaction, and the client gives written informed consent to the transaction).