

People v. Cimino. 06PDJ101. January 16, 2007. Attorney Regulation. The Presiding Disciplinary Judge approved a Conditional Admission of Misconduct submitted by the parties and publicly censured John A. Cimino (Attorney Registration No. 14032), effective January 16, 2007. Respondent is also subject to conditions as a part of his public censure, including ethics school, financial monitoring, and law office auditing. In one client matter, Respondent negligently failed to file a response to a dissolution petition and his client lost the ability to present evidence in the case. Respondent refunded his client's entire retainer fee. In a second client matter, unbeknownst to Respondent, someone in his office accepted a \$300.00 retainer for representation in an ongoing bankruptcy case on November 9, 2005. Respondent personally met with the prospective client and gave her advice about bankruptcy on December 12, 2005. However, Respondent inappropriately handled the \$300.00 retainer fee, because he should have known in November 2005 that he had been paid the fee and he should have supervised his staff or trained them to the point where they knew he should have been informed about the payment. Respondent's misconduct constituted grounds for the imposition of discipline pursuant to C.R.C.P. 251.5 and violated Colo. RPC 1.3, 5.3(a) and 5.3(b).