

In the Matter of Daniel P. Jensen, Bar No. 020509, File Nos. 10-0414 et. al., effective 06/18/2011. Attorney Suspended, Restitution, Fee Arbitration and Costs Ordered.

Pursuant to Rule 57(a)(4)(A), Ariz.R.Sup.Ct., the PDJ approved the Agreement for Discipline by Consent submitted by the parties and suspended Daniel P. Jensen for six months and one day retroactive to May 20, 2011, the date Respondent was summarily suspended for his failure to comply with MCLE requirements. In addition, restitution, participation in fee arbitration, and the payment of costs were ordered.

In multiple counts, Respondent failed to adequately communicate with his clients and failed to diligently represent clients. He failed to keep his clients informed of the status of their matters, failed to capture in writing the scope of the representation and or the rate or basis of the legal fees, failed to timely respond to discovery requests and thereby prolonging litigation, failed to obey court orders, and engaged in a conflict of interest when he entered into a business transaction with a client without informing the client to seek independent counsel regarding the transaction. Respondent further failed to respond to the State Bar's investigation of these matters.

Respondent's knowing misconduct cause actual and potential injury to clients, the legal system and as a professional and constituted grounds for the imposition of discipline pursuant to the Rules of the Supreme Court of Arizona and violated Rule 42, ERs 1.2, 1.3, 1.4(a)(1), 1.4(a)(2), 1.4(a)(3), 1.4(a)(4), 1.4(b), 1.5(a), 1.5(b), 1.5(d)(3), 1.8(a), 1.15(d), 1.16(d), 3.2, 3.4(c), 3.4(d), 8.1(b), 8.4(d) and Rules 53(c), 53(d) and 53(f), Ariz.R.Sup.Ct. (2010 rules) and 53(d), Ariz.R.Sup.Ct. (2011 rules)

In evaluating aggravating and mitigating factors, the following factors were found:

In aggravation: 9.22(a) (prior disciplinary offenses), 9.22(c) (pattern of misconduct), 9.22(d) (multiple offenses), 9.22(e) (bad faith obstruction of the disciplinary proceeding), 9.22(h) vulnerability of victims, and 9.22(i) (substantial experience in the practice of law);

In mitigation: 9.32(c) (personal and emotional problems) and 9.32(g) (character or reputation).

The agreement is accepted and costs awarded in the amount of \$1,565.83. The proposed final judgment and order is reviewed, approved and signed.