

In the Matter of Carl R. Retter; Bar No. 010425; Nos. 10-0684 and 10-0859

02/22/2011. *Attorney Reprimanded and placed on two years of probation by consent agreement.*

The PDJ approved a Conditional Agreement for Discipline by Consent submitted by the parties, reprimanding and placing Carl R. Retter Bar No. 010425, on probation for two years including the State Bar Law Office Management Assistance Program (LOMAP) and a half-day Trust Account Ethics Enhancement Program (TAEEP).

In early 2010, Respondent responded to an advertisement on Craigslist regarding a business opportunity in mediation. He entered into an agreement where he would monthly pay a non-lawyer for start up, marketing and practice management. The non-lawyer prepared a advertisement letter, which was approved by Respondent, to be sent to people who had been served with a complaint according to court records. The letter contained multiple material misrepresentations. The letter was provided to the State Bar for review but prior to the review that letter was sent to prospective clients by Respondent. As a result of the letter several individuals entered into agreements with him.

On or around November 2009 Respondent did legal work for at the request of an individual for his Homeowner's Association. Thereafter, the same individual requested that respondent hold money in his escrow account regarding the sale of sewer credits. He was not requested to nor did he perform any legal services nor provide legal advisement regarding the purchase or sale of the sewer credits. It is a violation of the ERs to deposit funds into a client trust account that are unrelated to the representation of a client.

Respondent's misconduct constituted grounds for the imposition of discipline pursuant to the Rules of the Supreme Court of Arizona, and violated Rule 42, ER 1.15(a), 7.1 and 8.4(c), Ariz.R.Sup.Ct.