

In the Matter of Kevin M. Bumstead, Bar No. 024337, PDJ-2011-9077, filed January 27, 2012. Attorney Suspended and probation and costs imposed.

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 Kevin M. Bumstead for four years. Upon reinstatement, Respondent will also be placed on probation for two years with the State Bar's Law Office Management Assistance Program and Member Assistance Program. He must also complete the State Bar's Trust Account Enhancement Program and view the publication entitled "Ten Deadly Sins of Conflict." Respondent was further assessed the costs and expenses of the disciplinary proceedings.

During the course of representing clients in a personal injury matter, Respondent intentionally converted the settlement funds and misled his clients regarding the status of their lawsuit. Although the receipt of settlement funds was delayed, the clients ultimately received their settlement funds.

Aggravating factor: 9.32(b) dishonest or selfish motive

Mitigating factors: 9.32(c) personal or emotional problems, 9.32(d) timely good faith effort to make restitution or to rectify consequences of misconduct, 9.32(e) full and free disclosure to disciplinary board or cooperative attitude toward proceedings, and 9.32(l) remorse.

Respondent violated Rule 42, Ariz. R. Sup. Ct., specifically ERs 1.2(a), 1.4, 1.15(a), 1.15(d), 8.4(b), 8.4(c), 8.4(d) and Rule 43(a).

The agreement is accepted and costs awarded in the amount of \$1,200.00. The proposed final judgment and order is reviewed, approved and signed.