

**CRAIG R. JORGENSEN**

(Suspension)

On June 5, 2014, the Idaho Supreme Court issued a Disciplinary Order imposing a previously withheld suspension from a prior disciplinary case on Pocatello attorney Craig R. Jorgensen, finding that he violated Idaho Rules of Professional Conduct (“I.R.P.C.”) 5.5 [Unauthorized practice of law] and 1.15(d) [Failure to promptly deliver to client or third party funds that client or third party is entitled to receive]. On October 31, 2012, Mr. Jorgensen received a two-year suspension with all but four months withheld, which he began serving on November 14, 2012, and a three-year period of probation (see January 2013 issue of *The Advocate*). In the June 5, 2014 Disciplinary Order, in addition to imposing the withheld suspension from the prior case, the Idaho Supreme Court imposed an additional three-month suspension, thereby making Mr. Jorgensen ineligible for reinstatement until February 14, 2015. If reinstated to the practice of law, he will then serve the three-year probationary period under the terms and conditions imposed in the October 31, 2012 Disciplinary Order.

The current case involved Mr. Jorgensen’s conduct during his four-month actual suspension. Two days after his suspension began on November 14, 2012, the Idaho Supreme Court issued an Opinion in a personal injury case in which Mr. Jorgensen had represented the plaintiff, K.A., since 2000. K.A. sustained permanent injuries as a result of a vehicular accident. The Supreme Court’s Opinion affirmed the District Court’s Judgment in favor of K.A. in the amount of \$1,126,843.01.

With respect to I.R.P.C. 5.5, Mr. Jorgensen admitted that he continued to practice law after his suspension began. Although Mr. Jorgensen informed K.A. of his suspension and K.A.’s need to find substitute counsel, and although new counsel substituted into the

case, Mr. Jorgensen continued to communicate about the case with K.A., a litigation funding company, US Claims, to which K.A. owed funds after completion of the case which were advanced to him for his personal use, and Medicare. Mr. Jorgensen also admitted that when the defendant paid the \$1.2 million judgment in December 2012, those funds were deposited into his trust account rather than substitute counsel's trust account and that he periodically disbursed case proceeds totaling \$50,000 to K.A. between December 2012 and June 2013. Mr. Jorgensen admitted that after his suspension and his receipt of the funds, he contacted Medicare and Medicaid to determine whether they had any liens on K.A.'s case proceeds. Mr. Jorgensen further admitted that he contacted US Claims in January 2013 to inquire whether it would be willing to negotiate a compromise of the funds K.A. owed to it.

With respect to I.R.P.C. 1.15(d), Mr. Jorgensen acknowledged that although he received payment of the \$1.2 million judgment in K.A.'s case in December 2012, he did not disburse the bulk of the funds due and owing to K.A., \$548,106.62, until September 2013, eight months after receiving the check from the defendant. Mr. Jorgensen admitted that although he entered into an agreement with US Claims that he would not disburse any case proceeds to K.A. until US Claims' interests in those proceeds had been paid in full, he made small disbursements to K.A. prior to paying US Claims and did not pay US Claims its monies due from the case proceeds for approximately five months after he received those funds.

The Idaho Supreme Court's Disciplinary Order further ordered that Mr. Jorgensen shall reimburse the Idaho State Bar for its costs of the hearing, court reporter and hearing transcript.

Inquiries about this matter may be directed to: Bar Counsel, Idaho State Bar,  
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