STATE OF MINNESOTA

IN SUPREME COURT

A10-1028

OFFICE OF
APPELLATE COURTS
MAR 08 2011
FILED

In re Petition for Disciplinary Action against
Kristian Lee Oyen, a Minnesota Attorney,
Registration No. 386383.

ORDER

By order filed on December 3, 2010, we suspended respondent Kristian Lee Oyen from the practice of law for a period of 60 days for having sexual relations with a client, in violation of Minn. R. Prof. Conduct 1.8(j) and 1.7(a)(2); failing to diligently handle three client matters, in violation of Minn. R. Prof. Conduct 1.3; failing to communicate with two clients, in violation of Minn. R. Prof. Conduct 1.4(a)(3) and (4); and delaying the return of a client's files upon termination of representation, in violation of Minn. R. Prof. Conduct 1.16(d). Respondent has filed an affidavit with the court stating that he has fully complied with the terms of the suspension order, except for successful completion of the professional responsibility portion of the state bar examination, and requesting reinstatement. The Director of the Office of Lawyers Professional Responsibility does not oppose the request.

Based upon all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that respondent Kristian Lee Oyen is conditionally reinstated to the practice of law in the State of Minnesota, subject to his successful

completion of the professional responsibility portion of the state bar examination. By December 3, 2011, respondent shall file with the Clerk of Appellate Courts and serve upon the Director of the Office of Lawyers Professional Responsibility proof of successful completion of the professional responsibility portion of the state bar examination. Failure to do so shall result in automatic re-suspension pending successful completion of the examination, pursuant to Rule 18(e)(3), Rules on Lawyers Professional Responsibility.

IT IS FURTHER ORDERED that respondent is placed on probation for a period of two years, subject to the following terms and conditions:

a. Respondent shall cooperate fully with the Director's Office in its efforts to monitor compliance with probation. Respondent shall provide the Director with a current mailing address and shall immediately notify the Director of any change of address. Respondent shall promptly respond to the Director's correspondence by the due date. Respondent shall cooperate with the Director's investigation of any allegations of unprofessional conduct that may come to the Director's attention. Upon the Director's request, respondent shall authorize the release of information and documentation to verify compliance with the terms of this probation.

b. Respondent shall be supervised by a licensed Minnesota attorney appointed by the Director to monitor compliance with the terms of this probation. Because respondent has indicated that he is unable to locate a supervisor, the Director shall seek to appoint a supervisor. Until a supervisor has signed a consent to supervise, respondent shall on the first day of each month provide the Director with an inventory of active client files, as described in paragraph c below. Respondent shall make active client files available to the Director upon request.

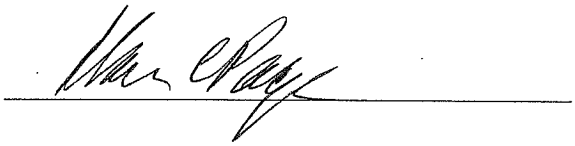
c. Respondent shall cooperate fully with the supervisor's efforts to monitor compliance with probation. Respondent shall contact the supervisor and schedule a minimum of one in-person meeting per calendar quarter. By the first day of each month during probation, respondent shall provide the supervisor with an inventory of all active client files. With respect to each active file, the inventory shall disclose the client name, type

of representation, date opened, most recent activity, next anticipated action, and anticipated closing date. Respondent's supervisor shall file written reports with the Director at least quarterly, or at such more frequent intervals as the Director may reasonably request.

d. Respondent shall initiate and maintain office procedures that ensure that there are prompt responses to correspondence, telephone calls, and other important communications from clients, courts, and other persons with an interest in matters that respondent is handling, and that will ensure that respondent regularly reviews each and every file and completes legal matters on a timely basis.

Dated: March 8, 2011

BY THE COURT:



Alan C. Page
Associate Justice