

People v. Dennis W. Hartley. 18PDJo80 (consolidated with 19PDJo12 and 19PDJo40). July 18, 2019.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and disbarred Dennis W. Hartley (attorney registration number 00788) from the practice of law. The disbarment takes effect August 22, 2019.

Over the course of several client representations, Hartley failed to diligently pursue clients' interests, neglected to safeguard their retainers, shared legal fees with a nonlawyer, disobeyed a disciplinary suspension order, misrepresented to a client that he was authorized to practice law during his suspension, and knowingly converted client funds.

In addition, Hartley was convicted twice of driving under the influence. He did not report either conviction to disciplinary authorities, as he was required to do. He was also convicted of a third alcohol-related driving offense.

Through this conduct, Hartley violated Colo. RPC 1.2(a) (a lawyer must abide by the client's decisions concerning the objectives of a case and consult with the client regarding the means to achieve the objectives); Colo. RPC 1.3 (a lawyer shall act with reasonable diligence and promptness when representing a client); Colo. RPC 1.4(a)(4) (a lawyer shall promptly comply with reasonable requests for information); Colo. RPC 1.4(b) (a lawyer shall explain a matter so as to permit the client to make informed decisions regarding the representation); Colo. RPC 1.5(b) (a lawyer shall inform a client in writing about the lawyer's fees and expenses within a reasonable time after being retained, if the lawyer has not regularly represented the client); Colo. RPC 1.15A(a) (a lawyer shall hold client property separate from the lawyer's own property); Colo. RPC 1.16(d) (a lawyer shall protect a client's interests upon termination of the representation); Colo. RPC 5.4(a) (a lawyer shall not share legal fees with a nonlawyer); Colo. RPC 5.4(d) (restricting a lawyer's practice with or in the form of a professional company that is authorized to practice law for profit if a nonlawyer owns interest therein or a nonlawyer has the right to direct or control the professional judgment of a lawyer); Colo. RPC 5.5(a)(1) (a lawyer shall not practice law without a law license or other specific authorization); Colo. RPC 8.4(b) (it is professional misconduct for a lawyer to commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects); Colo. RPC 8.4(c) (it is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit, or misrepresentation); and C.R.C.P. 251.20(b) (generally requiring lawyers to report their convictions to disciplinary authorities).

The case file is public per C.R.C.P. 251.31.