

*People v. Herring, No. 01PDJ028, 4/6/01. Attorney Regulation.*

The Presiding Disciplinary Judge accepted the parties' Conditional Admission of Misconduct and suspended Respondent Joseph C. Herring from the practice of law for a period of six months subject to conditions. Respondent violated Colo. RPC 1.3(a), Colo. RPC 1.4(a), and Colo. RPC 8.4(c) by entering into an attorney/client relationship with a client with regard to a patent application and received payment for his professional services. Respondent was notified by the patent office that the application he had prepared had not been accepted resulting in its abandonment. Respondent took no action to remedy the abandoned application, and failed to notify the client of the problem. The client did not discover that the patent application had been abandoned for a significant amount of time in part due to Respondent's failure to communicate with the client and his effort to conceal the problem from the client. Respondent failed to provide the file to the client or replacement counsel for nearly three years thereafter. Respondent has negotiated a payment plan with the client and is current in his monthly payments. Respondent was ordered to pay the costs of the proceeding.