

People v. Cousins, No. 99PDJ115 8/17/00. Attorney Regulation.

The Presiding Disciplinary Judge accepted the parties' Conditional Admission of Misconduct and suspended Respondent, Kevin M. Cousins, from the practice of law for a period of one year and one day. Respondent agreed to represent a client, filed a summons and complaint on the client's behalf, and thereafter took no action in the case. Respondent informed the client that the matter was set for trial when in fact it was not. Respondent failed to communicate with the client and failed to keep the client reasonably informed of the status of the case. Respondent failed to file a motion to withdraw and, upon termination, failed to take steps to protect the client's interests. Respondent's misconduct violated Colo. RPC 1.2(a), Colo. RPC 1.3, Colo. RPC 1.4(a), Colo. RPC 1.16(d), Colo. RPC 3.2 and Colo. RPC 8.4(c). In a separate matter, respondent agreed to represent a client in a criminal matter. Respondent caused a motions hearing and a trial date to be continued based on the fact that respondent was unprepared to go forward. Respondent failed to appear on behalf of his client for the rescheduled trial. Respondent's misconduct violated Colo. RPC 1.3, Colo. RPC 1.4(a), and Colo. RPC 8.4(d). In another matter, respondent agreed to represent a client in a dissolution of marriage action. Respondent waited four months to participate in the action despite the client's repeated requests. Respondent failed to serve a motion for contempt on the client's husband; consequently, the husband failed to appear at the contempt hearing. Respondent also failed to appear and the court subsequently issued two show cause orders regarding respondent's failure to appear. Respondent did not appear as ordered. Respondent's misconduct violated Colo. RPC 1.3, Colo. RPC 1.4, Colo. RPC 1.16(d) and Colo. RPC 8.4(d). Respondent was ordered to pay costs of the proceeding.