

*People v. Lubowitz*, 05PDJ022. February 25, 2005. Attorney Regulation. The Presiding Disciplinary Judge approved the parties' Conditional Admission of Misconduct and suspended Respondent Robert Alan Lubowitz (Registration No. 05277) from the practice of law for a period of one year and one day, effective March 16, 2005. All but 30 days of the suspension is stayed pending successful completion of a one-year period of probation. This proceeding arises out of Respondent's mishandling of a scheduling conflict. Specifically, as a court-appointed GAL in a number of dependency and neglect cases, Respondent was obligated to appear in court in both Denver and Adams County on the same day. Rather than filing motions to continue, obtaining appropriate coverage, and ensuring that all reports were completed correctly, Respondent gave handwritten notes to court staff and acted inappropriately toward a judge. In addition, Respondent represented to the court that one of the children was doing well. In fact, Respondent had not visited with the child or conducted an independent investigation of her situation. Respondent violated Colo. RPC 8.4(d) (conduct prejudicial to the administration of justice), 8.4(h) (conduct that adversely reflects on the lawyer's fitness to practice law), and 1.3 (failure to act with reasonable diligence/neglect of a legal matter). Conditions of probation include mental health evaluation and treatment. Respondent was also ordered to pay the costs incurred in conjunction with this proceeding.