

People v. Anne Marissa Parker. 22PDJ069. September 1, 2023.

The Presiding Disciplinary Judge approved the parties' stipulation to discipline and suspended Anne Marissa Parker (attorney registration number 45121) for thirty days, all to be stayed upon an eighteen-month period of probation with conditions. The sanction takes into account substantial mitigating factors. The probation takes effect on September 1, 2023.

In September 2019, Parker filed a petition on her client's behalf for postconviction relief under Colo. R. Crim. P. 35(c). In February 2020, the presiding court granted a hearing on the petition and ordered Parker to set a hearing. But Parker never set the hearing. Beginning in March 2020, Parker experienced considerable personal and emotional challenges that persisted for almost two years. Parker's final communication with her client occurred during that time, in March 2020. From then until August 2020, Parker failed to respond to her client's emails seeking an update on his case. That September, Parker's client sent the court a letter describing his unsuccessful attempts to contact Parker through emails, letters, and phone calls. In the letter, the client informed the court that he wanted a hearing on his petition but that he needed to contact Parker or find another lawyer to represent him. Parker's client sent Parker a certified copy of the letter, and he sent her a certified copy of a similar letter in January 2021. Parker did not respond to either missive.

In August 2021, Parker and her client failed to appear at a status conference in the case. Following the status conference, the court's clerk emailed Parker, asking if there would be a hearing. Though Parker received the clerk's email, she did not respond, and she did not notify her client about the email. In October 2021, Parker and her client failed to appear at a hearing in the matter. As reflected in the minute order from the hearing, the court found that Parker's client had abandoned his motion.

Parker never withdrew from her representation in her client's case.

Through this conduct, Parker violated Colo. RPC 1.3 (a lawyer must act with reasonable diligence and promptness when representing a client); Colo. RPC 1.4(a)(2) (a lawyer must reasonably consult with a client about the means by which the client's objectives are to be accomplished); Colo. RPC 1.4(a)(3) (a lawyer must keep a client reasonably informed about the status of the matter); Colo. RPC 1.4(a)(4) (a lawyer must promptly comply with reasonable requests for information); Colo. RPC 1.16(d) (a lawyer must protect a client's interests upon termination of the representation, including by giving reasonable notice to the client); and Colo. RPC 3.4(c) (a lawyer must not knowingly disobey an obligation under the rules of a tribunal).

The case file is public per C.R.C.P. 242.41(a).