

People v. Christopher C. Stevens. 21PDJ014. March 22, 2021.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended Christopher C. Stevens (attorney registration number 48342) for sixty days, effective March 22, 2021.

A client hired Stevens in April 2019. Stevens took over the case from another lawyer, who referred the client to Stevens due to a conflict. Stevens adopted the original retainer agreement, which described the scope of the engagement as a motion to modify parenting time. The client believes that another fee agreement referenced both the motion to modify parenting time and a separate Department of Human Services ("DHS") appeal before the Office of Administrative Courts.

Stevens entered his appearance and filed a motion to modify parenting time. The court directed the parties to attend mediation and then to file either a stipulation or a notice to set by November 18, 2019. The parties attended mediation on November 7, 2019, but it was unsuccessful. Stevens did not file a notice to set by the court-ordered deadline, waiting until January 16, 2020, to file the notice. The notice did not contain a statement of conferral or explain why it was filed untimely. Opposing counsel moved to strike the notice and sought sanctions. Stevens failed to file a response, and the court granted the motion to strike.

Although Stevens denies that he agreed to represent the client in the DHS appeal, he emailed the client in July 2019 about the case, pledging to contact the court, file a motion, and update the client. A few days later, Stevens again emailed the client; he told her that the motion had been filed and asked her for relevant documents. The client continued to email Stevens inquiring about the case. In October 2019, DHS moved to dismiss the appeal. In that motion, DHS counsel stated that she had conferred with Stevens, who did not oppose the dismissal. Stevens admits that he agreed to dismiss the appeal because he was upset about his client's alleged dishonesty to him. DHS sent a copy of the motion to the client, who then forwarded the motion to Stevens, asking for advice. Stevens did not respond. In February 2020, the client terminated the representation by email. In response, Stevens emailed that that he had "dropped" the case because it would "disgust" him to represent a person he believed to be making up false claims.

Through this conduct, Stevens 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)(1) (a lawyer shall promptly inform the client of any decision or circumstance as to which the client's informed consent is required); and Colo. RPC 1.4(a)(2) (an attorney shall reasonably consult with a client about the means by which the client's objectives are to be accomplished).

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