

People v. Chan Michael Sunoo. 16PDJo83. April 3, 2017.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended Chan Michael Sunoo (attorney registration number 38595) from the practice of law for three years, effective April 3, 2017.

Sunoo committed misconduct in several client matters. The first matter concerns his representation of plaintiffs in a breach of contract suit. In 2012, Sunoo failed to respond to a motion for attorney's fees and costs. After a hearing, the court granted the motion. Sunoo then filed a notice of appeal, but he filed it two days late. The court of appeals dismissed the appeal with prejudice in early 2013. Later that year, a bankruptcy case that Sunoo had filed for the same client was dismissed based on Sunoo's failure to file documentation.

In the second matter, Sunoo represented a client before the state Board of Assessment Appeals to challenge a county-level ruling as to the client's property value. At the 2013 hearing, Sunoo provided no documentation to support his client's claim, and the appeal was dismissed. Sunoo's appeal to the court of appeals was likewise dismissed when he failed to timely file an opening brief or to respond to a show cause order.

In the third matter, Sunoo was hired in spring 2015 to rescind a foreclosure and to defend a forcible entry and detainer action. He did not inform his client of a hearing in the case until that very morning, and the client appeared late. The court awarded the plaintiff restitution of the premises. When the client was later served with an eviction notice, Sunoo assured him the matter would be resolved in his favor. But sheriff deputies soon enforced the notice, and the client lost a number of his possessions and tools of his trade. Ultimately, Sunoo abandoned the case, including the appeal. He stopped communicating with the client, failed to file briefs, and disregarded the client's request for an accounting.

In the last matter, Sunoo failed to communicate with his clients, failed to keep unearned funds in his trust account, and failed to notify the clients when his law license was suspended in late 2015.

In these cases, Sunoo violated Colo. RPC 1.1 (a lawyer shall competently represent a client); Colo. RPC 1.3 (a lawyer shall act with reasonable diligence and promptness when representing a client); Colo. RPC 1.4 (a lawyer shall appropriately communicate with the client); Colo. RPC 1.15A (a lawyer shall hold client property separate from the lawyer's own property); Colo. RPC 1.16(a)(1) (a lawyer shall withdraw from representation if the representation will result in ethical violations); and Colo. RPC 8.4(d) (a lawyer shall not engage in conduct prejudicial to the administration of justice). The parties' conditional admission of misconduct took into account several mitigating circumstances, including Sunoo's surgeries during the relevant timeframe and his duties as sole care provider for his elderly mother, who suffered both a catastrophic brain injury and a brain tumor.