

People v. Marc A. Monroe. 17PDJ053. January 11, 2018.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended Marc A. Monroe (attorney registration number 31248) for six months, all stayed subject to the successful completion of a two-year period of probation, with conditions, including regular therapy and practice mentoring should he enter into private practice. The probation took effect January 11, 2018.

Monroe was hired in 2014 to represent a client in a personal injury matter on a contingency fee basis. The same client also hired him on an hourly basis to file a motion to modify child support. Monroe received a \$1,000.00 retainer from his client for the child support matter. Monroe filed the motion to modify and was ordered to set a hearing, which he failed to do. The motion was denied and the client's case deemed abandoned. Monroe did not notify his client of this development. The client hired new counsel and successfully modified her child support. At the time, Monroe did not refund the unearned fees of \$382.40, but he is currently making efforts to repay his client. Monroe also took no action on the personal injury case, and the statute of limitations expired on his client's claims. Monroe states that he sent his client several letters about her cases but that she did not respond to them. His client, on the other hand, says she regularly tried to communicate with Monroe but was unsuccessful.

From 2015 to 2017, Monroe continually failed to pay money that he owed to a court reporter in another matter, despite being sent five invoices. Monroe has since repaid the court reporter.

Through this conduct, Monroe violated Colo. RPC 1.3 (a lawyer shall act with reasonable diligence and promptness when representing a client); Colo. RPC 1.4(a)(3) (a lawyer shall keep a client reasonably informed about the status of the matter); Colo. RPC 1.16(d) (a lawyer shall protect a client's interests upon termination of the representation, including by returning unearned fees and any papers and property to which the client is entitled); Colo. RPC 3.4(c) (a lawyer shall not knowingly disobey an obligation under the rules of a tribunal); and Colo. RPC 8.4(d) (a lawyer shall not engage in conduct prejudicial to the administration of justice).