

People v. Linda Stanley. 18PDJ058. May 16, 2019.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and publicly censured Linda Stanley (attorney registration number 45298), effective May 16, 2019.

In February 2017, Stanley agreed to represent a client in a civil case. Eight days after she executed the engagement letter, Stanley accepted employment as a hearing officer for the Colorado Department of Revenue. She began working for the state ten days thereafter. But Stanley did not advise the client that she left private practice. Instead, Stanley sent the client a past-due invoice, assessing late fees. When the client learned of Stanley's new position in April 2017 from a third-party, the client asked Stanley about her new employ. Stanley merely replied that the client owed fees and stated that she would find substitute counsel. When the client had not paid the invoice by April 30, Stanley threatened to send his account to collections and told the client that she could not in good faith refer his case to another lawyer.

In June 2017, Stanley's client expressed concerns to the court about Stanley's representation. By this time, a three-day jury trial had been set in the case. The next month, Stanley attempted to withdraw from the client's case but her filing was rejected due to errors in the caption and an improper form. She tried that same month to file another motion to withdraw, but that motion too was rejected, this time because she had filed it in the wrong court. She did not successfully file a motion to withdraw until August 2017.

As of August 2017, Stanley had not given the client actual notice of her intent to withdraw. The client filed a pro se motion to terminate her representation, and the court set a hearing on the motion for October 2, 2017. Stanley failed to appear, however, so the court ordered her to personally appear at a hearing set for late October 2017. Before that hearing, Stanley filed a response to the court's order, in which she revealed numerous client confidences. Three days before the hearing, the court considered Stanley's response and granted her motion to withdraw.

Through her conduct, Stanley 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 1.6(a) (a lawyer shall not reveal information relating to the representation of a client unless the client gives informed consent); Colo. RPC 1.16(d) (a lawyer shall protect a client's interests upon termination of the representation, including by giving reasonable notice to the client).

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