

People v. Lisa Welch Stevens. 16PDJ049. April 5, 2017.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended Lisa Welch Stevens (attorney registration number 28936) from the practice of law for one year, with six months to be served and six months to be stayed upon successful completion of a two-year period of probation, with the conditions that she complete eight hours of continuing legal education and pay \$8,724.44 in restitution to her client. Her suspension is effective May 10, 2017.

In 2012, Stevens agreed on a contingency fee basis to file a county court lawsuit concerning a warranty contract her client's car. During discovery, Stevens received a portion of the warranty contract demonstrating that her client had not in fact purchased the coverage required for the warranty company to pay the client's claim. The case was tried before a jury, which found her client's case to be frivolous, and the court entered judgment against Stevens and her client jointly and severally in the amount of \$17,448.88.

Stevens agreed to represent her client pro bono on appeal to the district court. Stevens did not advise her client about the potential conflict of interest due to their joint and several liability for the underlying judgment. The warranty company then pursued collection against Stevens's client alone. Her client sought advice about how to stop the collection, but Stevens did not respond to his emails between fall 2014 and January 2015. The appeal was denied, and Stevens advised her client to appeal to the Colorado Supreme Court. She also agreed to work pro bono and pay all costs. Her client wanted to settle the case, but Stevens filed a petition for certiorari. When her client hired other counsel, Stevens withdrew from the representation. The warranty company eventually collected the entire judgment from Stevens's client.

Stevens was on disciplinary probation in case number 12PDJ056 at the time of the events described above. Her probation was terminated before this misconduct was discovered.

Stevens violated Colo. RPC 1.2(a) (a lawyer shall 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 1.4(a)(3) (a lawyer shall keep a client reasonably informed about the status of the matter); Colo. RPC 1.4(a)(4) (a lawyer shall promptly comply with reasonable requests for information); Colo. RPC 1.4(b) (a lawyer shall explain a matter so as to permit the client to make informed decisions regarding the representation); and Colo. RPC 1.7 (restricting the circumstances in which a lawyer may represent a client if the representation involves a concurrent conflict of interest).