

People v. Robert Allen Lees. 25PDJ53. September 5, 2025.

The Presiding Disciplinary Judge approved the parties' amended stipulation to discipline and suspended Robert Allen Lees (attorney registration number 08369) for six months, all to be stayed upon Lees's successful completion of a two-year period of probation, with conditions. The probation takes effect September 5, 2025.

Lees owns and operates a law firm. In August 2023, Lees hired an experienced lawyer to serve as the firm's senior managing associate. On October 3, 2023, the associate agreed to take on certain managerial roles within the firm and some oversight of the firm's financials.

In early October 2023, a client retained Lees on an hourly fee basis for representation in litigation before a New York state court. The client paid \$5,000.00 as a retainer. On October 2, 2023, the full retainer was deposited into the law firm's business account. Although Lees did not deposit the check himself, he acknowledges he bears ultimate responsibility for the deposit.

On March 1, 2024, the firm issued the client an invoice showing that the firm had earned \$1,785.00 in legal fees, leaving a credit balance of \$3,215.00. Lees had entrusted the senior managing associate and the law firm's bookkeeper to reconcile the firm's trust account, and he did not timely reconcile his firm's trust account. As a result of his failure to supervise and failure to reconcile the accounts, Lees did not notice that the client's retainer was deposited into the firm's business account rather than the firm's trust account.

In February 2024, Lees and the client contemplated hiring local New York counsel, and Lees gave the client several local counsel referrals. The client heard nothing further from the firm until June 2024, when a paralegal asked the client whether he had found New York counsel. But the client had not, as the client understood that retaining local counsel was Lees's obligation. The paralegal agreed to arrange a telephone call between the client and Lees, but no call occurred.

Lees's accounting reflects that the client has a trust balance of \$557.50 on deposit with the firm. Lees replenished the client's missing funds to trust and refunded the client the balance of the trust funds on August 26, 2025.

The parties agree that through this conduct, Lees violated Colo. RPC 1.4(a)(3) (a lawyer must keep the client reasonably informed about a matter); Colo. RPC 1.15A(a) (a lawyer must segregate and safeguard client property); Colo. RPC 1.15C(c) (a lawyer must reconcile trust account records no less than quarterly); Colo. RPC 5.1(a) (a partner in a law firm must make reasonable efforts to ensure that the firm implements measures giving reasonable assurance that all lawyers in the firm comply with the Colorado Rules of Professional Conduct); and Colo. RPC 5.3(b) (a lawyer must ensure that nonlawyer staff's conduct is compatible with the lawyer's professional obligations).

The case file is public per C.R.C.P. 242.41(a).