

**People v. Todd D. Hildebrandt 19PDJ031. May 8, 2019.**

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and disbarred Todd D. Hildebrandt (attorney registration number 38701). The disbarment takes effect June 12, 2019.

In January 2018, Hildebrandt was hired to represent a client in two criminal matters. Hildebrandt charged the client a \$2,000.00 flat fee but provided no written fee agreement. Hildebrandt deposited the flat fee in his operating account before the fee was earned. Hildebrandt then failed to send his client a copy of his discovery. After April 13, 2018, Hildebrandt failed to perform work on his client's case and to communicate with the client. In May 2018, Hildebrandt's client left him multiple phone messages and sent him a letter, but Hildebrandt failed to respond. His client was forced to hire a new attorney, and Hildebrandt never refunded the flat fee.

In February 2018, Hildebrandt agreed to represent another client in a criminal matter. He did not perform any work on the case after August 2018, and he failed to appear for court dates in October and November 2018 because he forgot about the case. He then failed to appear at a show cause hearing concerning his failures to appear for the earlier court dates. Court staff tried unsuccessfully to reach Hildebrandt by phone and through the electronic filing system. Hildebrandt closed his practice in October 2018 but did not withdraw from the case.

In April 2018, Hildebrandt agreed to assist another client with a traffic ticket for a flat fee of \$500.00. Hildebrandt did not provide a written fee agreement. He deposited the flat fee in his operating account before it was earned. Hildebrandt and the client then failed to appear for the court date, and the client was found guilty. Hildebrandt failed to communicate with his client and did very little work on the case. He did not refund any of the client's funds.

Hildebrandt states that in 2018 he suffered from depression. He has agreed to pay restitution in full to his clients.

Through his conduct, Hildebrandt violated Colo. RPC 1.3 (a lawyer shall act with reasonable diligence and promptness when representing a client); Colo. RPC 1.4 (setting forth a lawyer's duties to communicate with the client); Colo. RPC 1.5(b) (a lawyer shall inform a client in writing about the lawyer's fees and expenses within a reasonable time after being retained, if the lawyer has not regularly represented the client); Colo. RPC 1.15A(a) (a lawyer shall hold client property separate from the lawyer's own property); 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); Colo. RPC 8.4(c) (a lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation); and Colo. RPC 8.4(d) (a lawyer shall not engage in conduct prejudicial to the administration of justice).

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