

People v. Paul E. DeWitt. 13PDJ077 (consolidated with 14PDJ022). August 6, 2014.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and disbarred Paul E. DeWitt (Attorney Registration Number 43398). The disbarment took effect August 6, 2014.

In case number 13PDJ077, DeWitt was hired to file a work permit authorization form for an asylum applicant. DeWitt collected an unnecessary fee from his client yet never offered him a refund. DeWitt said he would file a petition for alien relative for his client. DeWitt filed this petition with incomplete information and then failed to inform his client of a required court hearing. DeWitt appeared alone for this hearing and told the judge that his client was working. The court issued an order of removal against the client.

This misconduct violated Colo. RPC 1.1 (a lawyer shall provide competent representation to a client); 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 1.15(b) (a lawyer shall promptly deliver client funds or property and render a full accounting); Colo. RPC 1.16(d) (a lawyer shall protect a client's interests upon termination of the representation); and Colo. RPC 8.4(c) (a lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation).

In case number 14PDJ022, DeWitt committed misconduct with respect to the immigration matters of four clients. In one case, DeWitt agreed to file a deferred action and an application for employment authorization on behalf of his client and her sister. DeWitt did not respond to his clients' communications, and when he did eventually speak with them, he told them that he had submitted their applications, when he had not. He mailed their applications months after he told his clients he had done so. He then refused to cooperate with an investigation into his misconduct.

In a second client matter, DeWitt failed to properly change the venue of his client's case, failed to submit additional information to federal authorities, and refused to cooperate with the investigation into his misconduct. While representing a third client, DeWitt neglected to file two applications for his client, yet he told his client that he had done so. He then failed to respond to his client's communications. He eventually informed her that he would refund her attorney's fees, but he never did so. DeWitt again failed to cooperate with the disciplinary investigation. While representing a fourth client, DeWitt failed to renew a green card on behalf of his ailing client, which precluded his client from gaining health insurance coverage. DeWitt never refunded the attorney's fees he was paid for his services.

In case number 14PDJ022, DeWitt violated Colo. RPC 1.3; Colo. RPC 1.4(a)(3); Colo. RPC 1.4(a)(4) (a lawyer shall promptly comply with reasonable requests for information); Colo. RPC 1.16(d); Colo. RPC 8.1(b) (a lawyer has a duty to cooperate with disciplinary investigations); and Colo. RPC 8.4(c).