

People v. Joseph Andreson Hambright. 13PDJ044 (consolidated with 13PDJ059). January 3, 2014.

The Presiding Disciplinary Judge approved the parties' amended conditional admission of misconduct and disbarred Joseph Andreson Hambright (Attorney Registration Number 05155). The disbarment took effect January 3, 2014.

From 2008 to 2011, Hambright was retained by nine separate clients to represent them in filing for bankruptcy. In each case, Hambright accepted fees and drafted bankruptcy petitions but neglected to file the petitions with the bankruptcy court. In five of these matters, he deposited his clients' fees directly into his operating account. He then failed to respond to one client's attempts to communicate with him about her case. Also during this period, he was hired to represent three other clients in bankruptcy proceedings. He again collected fees from the clients yet failed to file bankruptcy petitions on their behalf. He has since reimbursed all of the funds he converted from his clients.

On October 1, 2011, Hambright placed his law license on inactive status. From this date through August 16, 2012, he continued to receive funds from multiple clients and continued to practice law by filing bankruptcy petitions on the clients' behalf. In total, Hambright appeared or otherwise represented over twenty clients in bankruptcy cases while his license was inactive. The bankruptcy court ordered Hambright to show cause why he should not be held in contempt for practicing without an active license. The court then ordered him to disgorge fees to fourteen of his clients and enjoined him from practicing law in the bankruptcy court. Hambright did not notify his clients of the injunction.

Through his misconduct, Hambright violated Colo. RPC 1.3 (a lawyer shall act with reasonable diligence and promptness); Colo. RPC 1.4(a)(3) (a lawyer shall keep a client reasonably informed about the status of a matter); Colo. RPC 1.4(a)(4) (a lawyer shall promptly comply with reasonable requests for information); Colo. RPC 1.5(f) (fees are not earned until a lawyer confers a benefit on the client or performs a legal service); Colo. RPC 1.15(a) (a lawyer shall safeguard client property); Colo. RPC 1.16(d) (a lawyer shall surrender papers and property of a client upon termination); Colo. RPC 5.5(a) (unauthorized practice of law); 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).