

People v. Stephen David Dawson. 20PDJo61. September 17, 2020.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended for sixty days Stephen David Dawson (attorney registration number 05136). The suspension takes effect October 22, 2020.

In February 2018, Dawson agreed to represent a client in a marriage dissolution and child custody case. Dawson did not promptly communicate with his client, as he took anywhere between three days and one month to respond to the client's questions. During the representation, Dawson submitted a settlement proposal to opposing counsel without obtaining his client's agreement. His client disagreed with aspects of the proposal and later counterproposals, which ultimately were rejected by the other party. Dawson later attempted to obtain his client's signature on answers to interrogatories after opposing counsel filed a motion to compel discovery responses. His client disagreed with some of the responses and refused to sign the verification page. Nevertheless, Dawson served the responses to opposing counsel with a verification page containing his client's signature. Neither Dawson nor his paralegal admitted to attaching the verification page. At a status conference held the day after Dawson served the interrogatory responses, he informed the court that his client had signed the responses. Dawson also explained at the conference that he failed to file his client's trial management certificate due to his own personal circumstances. Shortly after, Dawson filed amended answers to the interrogatories, again without obtaining his client's signature, because he felt that his client was not being cooperative with review and approval. Dawson believed the answers were correct but later learned that his client disagreed with certain statements in the amended answers. Communications between Dawson and his client broke down, and his client asked to end the representation. Dawson then moved to withdraw but failed to inform the court that his client had objected to the filed interrogatory responses.

Through this conduct, Dawson violated Colo. RPC 1.2(a) (a lawyer must 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) (a lawyer shall reasonably communicate with the client); Colo. RPC 1.4(b) (a lawyer shall explain a matter so as to permit the client to make informed decisions regarding the representation); Colo. RPC 3.3(a)(1) (a lawyer shall not knowingly make a false statement of material fact or law to a tribunal); and Colo. RPC 8.4(c) (it is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit, or misrepresentation).

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