

People v. Robert Bryan Pavelko. 15PDJ049. December 30, 2015.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended Robert Bryan Pavelko (Attorney Registration Number 31747) from the practice of law for one year and one day, with six months to be served and the remainder stayed pending completion of a two-year period of probation. Pavelko's suspension takes effect on February 3, 2016.

Pavelko committed misconduct in two client representations. In the first matter, he disregarded multiple calls and emails from a client. The client fired him, asking for an accounting and a refund. Pavelko did not return the unearned portion of the client's retainer until seven months later, after the client contacted the Office of Attorney Regulation Counsel.

In the second matter, Pavelko decided to stop representing a client on post-divorce issues. He did not inform the client that he had abandoned the representation or respond to her calls and emails. The client was forced to hire another attorney and to pay that attorney additional fees to work on the issues that Pavelko was supposed to handle. Most egregiously, after the client complained to the Office of Attorney Regulation Counsel, Pavelko fabricated three client bills and misrepresented to the client and disciplinary investigators that he had mailed the bills to the client. He also misrepresented that the client still had an unpaid balance and that he had returned her phone calls.

Through this conduct, Pavelko violated Colo. RPC 1.4(a) (a lawyer shall reasonably communicate with the client); Colo. RPC 1.16(d) (a lawyer shall protect a client's interests upon termination of the representation, including by giving reasonable notice to the client); Colo. RPC 8.1(a) (a lawyer shall not knowingly make a false statement of material fact in connection with a disciplinary matter); and Colo. RPC 8.4(c) (a lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation).