

People v. William Providence. 15PDJ018. March 11, 2015.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended William Providence (Attorney Registration Number 38660) from the practice of law for six months, all stayed upon the completion of a two-year period of probation. The probationary terms include financial monitoring, ethics school, and a law office audit. The probation takes effect April 15, 2015.

On July 14, 2014, Providence's COLTAF account contained insufficient funds. He presented a post-dated settlement check to a client on that same day and asked his client to hold onto the check, but she did not do so. His bank paid the check even though the trust account had an insufficient balance.

Providence lent \$1,600.00 to another client in order to bail her out of jail. He paid the funds from his personal account and then reimbursed himself from this client's settlement proceeds. In another matter, he advanced a client money on her personal injury case because she was homeless, and he allowed her to stay in his parents' motel, in which he had an investment interest. Her motel bill was \$1,500.00. After he reached a settlement in this case, he advanced his client \$2,150.00 before he received the settlement proceeds.

Providence also committed additional trust account violations including failing to keep general ledgers, withdrawing cash from his trust account on numerous occasions, and writing checks that were not properly labeled as issuing from a designated trust account.

In this matter, Providence violated Colo. RPC 1.8(a) (a lawyer shall not enter into a business transaction with a client unless the client is advised to seek independent legal counsel and the client gives written informed consent to the transaction); Colo. RPC 1.8(e) (a lawyer shall not provide financial assistance to a client in connection with a pending or contemplated litigation); Colo. RPC 1.15A (a lawyer shall hold client property separate from the lawyer's own property); Colo. RPC 1.15B(c) (a lawyer shall prominently designate each trust account, as well as all deposit slips and checks drawn thereon, as a trust or COLTAF account); Colo. RPC 1.15C(a) (a lawyer shall not withdraw cash from a trust account); and Colo. RPC 1.15D (a lawyer shall maintain trust account records).