

People v. Southam, No. 00PDJ047, 9/11/2000. Attorney Regulation.

The Presiding Disciplinary Judge accepted the parties' Conditional Admission of Misconduct and suspended Respondent, Lynn W. Southam, for a period of ninety days, with the full period of suspension stayed during a one-year period of probation and subject to conditions.

Respondent entered into a contingent fee agreement with a client but failed to provide the client with the necessary written disclosures required under Chapter 23.3 of the Colorado Rules of Civil Procedure. After filing a complaint on behalf of the client, Respondent failed to move for default judgment against one of the defendants who did not file a responsive pleading to the complaint. The court dismissed the claims against that defendant, against the professional defendants based on Respondent's failure to file certificates of review and against the remaining defendants as a result of Respondent's failure to appear for the trial. The Respondent's conduct violated Colo. RPC 1.1, Colo. RPC 1.3, and Colo. RPC 1.5(c). The Respondent was ordered to pay costs of the proceeding.