

People v. Jolein Harro. 23PDJ033 (consolidated with 23PDJ071). March 8, 2024.

The Presiding Disciplinary Judge approved the parties' stipulation to discipline and suspended Jolein Harro (attorney registration number 17182) for six months, with three months to be served and three months to be stayed upon Harro's successful completion of a one-year period of probation, with conditions. The suspension takes effect April 12, 2024.

In late 2018 Harro successfully moved to appoint a special master in her client's domestic relations case to obtain information regarding the client's former spouse's income, alleging in part that the opposing party had not fully responded to discovery requests. Harro then failed to reply to opposing counsel's draft nondisclosure agreement for almost two months. Later, she did not include any information in a status report detailing the specific documents that she believed were missing from the discovery requests. In late October 2019, counsel filed opposing requests for attorney's fees and costs from the discovery disputes, but Harro failed to provide any legal or factual basis for her request, and she responded to the opposing party's motion thirteen days after the deadline to do so. The special master denied Harro's motion, recommending that Harro's client pay \$1,732.50 in attorney's fees and costs to the opposing party and that the client bear the cost for one of the special master's reports. In 2020, the parties agreed to appoint the special master as arbitrator in the matter. Opposing counsel sent Harro a draft of the arbitration agreement in August 2020, but Harro did not communicate with him about the agreement until that November. Though Harro told opposing counsel at that time that she would provide a revised agreement in a few days, she did not do so until July 2021.

In a separate matter, Harro failed to respond in writing to emails from a client requesting information and legal advice. Harro later withdrew from the client's matter. Despite the client's requests in May, July, and August 2021 for an accounting, Harro did not send him a final bill until October 2021.

In a third matter, a client hired Harro's law firm in February 2021 to appeal a permanent protection order. Harro and a legal associate filed a joint entry of appearance. The associate filed a notice of appeal and a notice to set an appeal bond. The presiding court set the appeal bond on March 17, 2021. Though a staff member at Harro's firm sent the order via email to the client that day, neither Harro nor anyone else advised the client about the order, requested funds to pay the appeal bond, or indicated that the bond needed to be paid to proceed with the appeal. Because the bond was not paid, the appeal was not perfected; the court dismissed the appeal for failure to prosecute on April 6, 2021. About three days later, Harro sent the client a copy of the order dismissing the appeal, but she did not provide any information about the dismissal until April 21, 2021, after the deadline to pay the appeal bond had lapsed. Meanwhile, on March 19, 2021, Harro told the client that the associate working on his case had left the law firm. But the associate continued to perform work for the client for six days more.

In a fourth matter, Harro represented a client in a domestic relations case. Per the final orders in the case, the opposing party was to receive thirty percent of \$33,566.11 that Harro had deposited in her trust account from the sale of the parties' marital residence. In January 2022, the presiding court ordered that the funds be paid directly to the party. But Harro did not

disburse any of the funds, and the party moved for contempt on March 8, 2022, seeking payment of his portion of the proceeds. Approximately three days later, Harro made a partial payment of \$7,069.83 to the party. Around that same time, she filed an affidavit of attorney's fees and costs in the case even though the court had not entered an order entitling her to those fees. Harro then moved to hold back \$3,000.00 from the funds owed to the party to cover her fees and costs for a contempt motion she had filed against the party the previous December. But the court denied the motion after finding that Harro did not cite any legal authority to support her request.

Through this conduct, Harro violated Colo. RPC 1.3 (a lawyer must act with reasonable diligence and promptness when representing a client); Colo. RPC 1.4(a)(3) (a lawyer must keep a client reasonably informed about the status of the matter); Colo. RPC 1.4(a)(4) (a lawyer must promptly comply with reasonable requests for information); Colo. RPC 1.15A(b) (on receiving funds or other property of a client or third person, a lawyer must promptly deliver to the client or third person any funds or property that person is entitled to receive); Colo. RPC 3.1 (a lawyer must not assert frivolous claims); and Colo. RPC 3.4(c) (a lawyer must not knowingly disobey an obligation under the rules of a tribunal).

The case file is public per C.R.C.P. 242.41(a).