

People v. Laura Ann Mathews. 20PDJ053. September 15, 2020.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended Laura Ann Mathews (attorney registration number 33679) for three years. The suspension took effect September 15, 2020.

Mathews committed misconduct in three matters. In the first, Mathews was retained by a couple who wished to create a guardianship for their special needs son. The parties did not sign a written fee agreement at that time. Despite the couple's wishes to obtain a guardianship, Mathews focused her efforts on other secondary objectives. Ten months after Mathews was retained, she finally prepared a petition to initiate the guardianship proceeding. Mathews instructed her assistant to file the petition, but the petition was not filed. For the following two months, Mathews assured the couple that a response was forthcoming from the court. The clients later discovered the petition had not been filed. Mathews managed to repair the relationship and promised to file the petition in a different county within five days. The filing was delayed, however. Again, the couple sought to terminate, and again Mathews repaired the relationship. But despite her assurances, the petition was again delayed when Mathews failed to file necessary forms. The couple later discovered the failure, terminated the relationship, and completed the process themselves.

The second matter is premised on Mathews's conviction by a jury of a class-five felony for forgery under C.R.S. § 18-5-102(1)(c), after she was found to have forged her clients' signatures on a fee agreement to enforce payment of attorney's fees that were likely to be disputed. In October 2019, Mathews was sentenced to eighteen months of probation.

In the third matter, Mathews pleaded guilty to one count of driving under the influence and, in a separate case, to one count of reckless driving, based on four hit-and-run events on November 10, 2019. Mathews was sentenced on the reckless driving charge to four months of supervised probation; she was sentenced on the driving under the influence charge to thirty days of in-home detention and twelve months of supervised probation.

The parties agree that through this conduct Respondent 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 1.3 (a lawyer shall act with reasonable diligence and promptness when representing a client); Colo. RPC 1.4(a)(3) (a lawyer shall keep a client reasonably informed about the status of the matter); Colo. RPC 1.4(a)(4) (a lawyer shall promptly comply with reasonable requests for information); Colo. RPC 1.5(b) (a lawyer shall inform a client in writing about the lawyer's fees and expenses within a reasonable time after being retained, if the lawyer has not regularly represented the client); Colo. RPC 1.16(a)(3) (a lawyer shall withdraw if the lawyer is discharged); Colo. RPC 8.4(b) (it is professional misconduct for a lawyer to commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects); 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.