

People v. Jason Douglas Harrison. 15PDJ020. February 8, 2016.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended Jason Douglas Harrison (Attorney Registration Number 39206) for six months, with two months to be served and four months to be stayed upon the successful completion of a two-year period of probation. Harrison's suspension will take effect on March 14, 2016. His probation is subject to several conditions, including that he satisfy all outstanding judgments in the litigation underlying his misconduct and abide by any financial agreements that he may enter into for repayment of those judgments.

In 2012, Harrison committed misconduct in civil litigation he filed in Larimer County District Court. Harrison did not independently review the factual representations made by his client. Based on those representations, Harrison filed a complaint in Larimer County District Court against several defendants and former counsel for a defendant, alleging civil theft. Harrison then received notice that the claims were potentially groundless and frivolous because they had been previously dismissed with prejudice in Weld County District Court, and his client had disavowed any claims against the defendants. Harrison also learned that his client's former attorney had told a court that his client was untruthful.

Yet Harrison did nothing to investigate the preexisting civil actions or the factual basis for his lawsuit. The case was ultimately dismissed when the Larimer County District Court ruled that the lawsuit lacked substantial justification and that the claims were identical to those dismissed in Weld County. The court issued several awards of attorney's fees and costs against Harrison and his client, all jointly and severally and totaling more than \$20,000.00. Harrison filed a motion to withdraw from representation in which he revealed information relating to the attorney-client relationship, including an alleged conflict of interest between him and his client.

Harrison's conduct violated Colo. RPC 1.1 (a lawyer shall competently represent a client); Colo. RPC 1.6(a) (a lawyer shall not reveal information relating to the representation of a client unless the client gives informed consent); Colo. RPC 1.8(b) (a lawyer shall not use information relating to a representation to the client's disadvantage unless the client gives informed consent); Colo. RPC 1.16(b)(1) (a lawyer may only withdraw from a representation if doing so will not materially adversely affect the interest of the client); Colo. RPC 3.1 (a lawyer shall not file a frivolous claim); and Colo. RPC 8.4(d) (a lawyer shall not engage in conduct prejudicial to the administration of justice).