

People v. Ronald Scott Nelson. 14PDJ054. July 11, 2014.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended Ronald Scott Nelson (Attorney Registration Number 15177) for one year and one day, thirty days served and the remainder stayed upon a two-year period of probation, with conditions. The probation takes effect August 15, 2014. The parties stipulate that the sanction takes into account Nelson's lengthy history of discipline.

In June 2012, Nelson was retained to represent a client in divorce and custody proceedings. From June through December 2012, Nelson performed work for his client and communicated with her adequately. After a permanent orders hearing on December 7, 2012, the court ordered Nelson to prepare and submit final orders by December 28, 2012, yet he did not do so by that deadline. Nelson's client also asked him on several occasions to provide her with a copy of the final orders, but he failed to respond to her requests. In early February 2013, Nelson sent a draft of the permanent orders to his client and requested additional information from her. She instructed him to file the permanent orders expeditiously, as the lack of permanent orders had delayed a re-finance of her home and prevented her from collecting child support. Having heard nothing from Nelson, the client visited his office, where she learned he no longer practiced there. In early March, Nelson informed his client that permanent orders were in the process of being filed but conceded that opposing counsel had filed them.

Nelson states that he did not comply with the court's direction to file permanent orders in contravention of Colo. RPC 3.4(c) (a lawyer shall not knowingly disobey an obligation under the rules of a tribunal). He also acknowledges that, because he was overwhelmed by his workload, coupled with personal and psychological issues, he failed to adequately communicate with his client in December 2012 and January 2013. He thereby violated Colo. RPC 1.3 (a lawyer shall act with reasonable diligence and promptness when representing a client) and Colo. RPC 1.4 (a lawyer shall reasonably communicate with the client).