

People v. Jean A. Abrahamson Pirzadeh. 20PDJ044. November 17, 2020.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended Jean A. Abrahamson Pirzadeh (attorney registration number 50522) for nine months, all stayed upon Pirzadeh's successful completion of a two-year probation with conditions. The probation took effect November 17, 2020.

In January 2019, Pirzadeh began sharing office space with three lawyers and a paralegal, who had been enjoined from the unauthorized practice of law. The paralegal, in effect, ran the office. Some of the clients believed he was a lawyer; at first, so did Pirzadeh. The paralegal—the only Spanish speaker in the office—met with clients during initial consultations, conferred with them about their legal issues, and assigned them to one of the lawyers. He often controlled the representations and used Pirzadeh's status as a lawyer to gain access to clients in jail and at court. Pirzadeh was thus not always informed about her client matters. No formal conflicts check system existed in the office, and Pirzadeh did not check for conflicts herself until May 2019. The paralegal managed the fees in the cases he assigned to Pirzadeh, and he gave her weekly cash payments with no explanation for the amounts paid. Pirzadeh did not handle fee agreements, create accountings of client funds, maintain client ledgers, or manage trust account funds for her clients. She stopped taking cases from the paralegal after realizing that client funds were not being placed in trust.

In March 2019, Pirzadeh substituted as plaintiff's counsel in a quiet title case that had been litigated by two other lawyers from the office. A third lawyer from the office represented the defendant in an earlier divorce. The paralegal had worked on both matters, despite the conflict. Pirzadeh tried the case in May 2019. The case put at issue attorney's fees from the defendant's divorce, and which included the paralegal's time. The plaintiff allegedly had paid some of the fees, and some of the rest remained outstanding. The court disqualified all the lawyers from the shared office due to a conflict of interest and awarded attorney's fees to the defendant. The court later held Pirzadeh and the other two lawyers who represented the plaintiff jointly and severally liable for the fee award, which to date has not been paid. Pirzadeh left the office in August 2019, around the time the paralegal took the office's client files and disappeared. She reported the matter to disciplinary authorities.

Through this conduct, Pirzadeh violated Colo. RPC 1.15A(a) (a lawyer shall hold client property separate from the lawyer's own property); Colo. RPC 1.15D (a lawyer shall maintain trust account records); Colo. RPC 1.16A (a lawyer shall retain a client's file unless the lawyer gives the file to the client, the client authorizes the destruction, or the lawyer has notified the client in writing of the intention to destroy the file); Colo. RPC 5.3(b) (a lawyer with direct supervisory authority over a nonlawyer employee shall make reasonable efforts to ensure that the employee's conduct is compatible with the lawyer's professional obligations); Colo. RPC 5.4(a) (a lawyer shall not share legal fees with a nonlawyer); Colo. RPC 5.4(c) (a lawyer shall not permit a person who employs the lawyer to render legal services for another to direct or regulate the lawyer's professional judgment in rendering such legal services); and Colo. RPC 5.5(a)(3) (a lawyer shall not assist a person in the performance of the unauthorized practice of law). The case file is public per C.R.C.P. 251.31.