

*People v. Phillip D. Amos III*, 21PDJ075, October 25, 2021.

The Presiding Disciplinary Judge approved the parties' stipulation to discipline and suspended Phillip D. Amos III (attorney registration number 47131) for six months, all to be stayed upon the successful completion of a two-year period of probation, with conditions, including therapy, abstinence from alcohol and mind-altering drugs, and alcohol testing. The probation took effect October 25, 2021.

Amos worked as a lawyer at a law firm from May 2018 until October 2020. In September 2020, an assistant was assigned specifically to work for Amos, who was experiencing personal issues and work-related stress at the time and who would sometimes drink in the office. On October 9, 2020, Amos and two other lawyers went to lunch; Amos consumed at least three or four beers, although his recollection thereafter is "hazy." After returning to the office, Amos consumed more alcohol. That afternoon, Amos called his assistant into his office and began to ask her personal questions, including making queries about her girlfriend. He also commented on her body, inquired about her girlfriend's body, speculated about her sexual history, and used derogatory language about her sexual orientation.

Although Amos has no memory of much of what he said or did during that afternoon, he does recall driving home early that evening. He acknowledges that he was intoxicated and should not have been driving. Although Amos was neither stopped nor charged with a criminal offense, he acknowledges that his ability to drive was impaired, meeting the elements of the offense of driving while ability impaired under C.R.S. § 42-4-1301(1)(g). The law firm terminated Amos's employment later that evening. The assistant eventually found working at the firm unbearable, as she kept recalling the incident. She has also reported other negative effects stemming from Amos's harassment.

Through this conduct, Amos violated Colo. RPC 8.4(b) (providing that 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(i) (providing that it is professional misconduct for a lawyer to engage in conduct the lawyer knows or reasonably should know constitutes sexual harassment where the conduct occurs in connection with the lawyer's professional activities).

The case file is public per C.R.C.P. 242.41(a)(2).