

*People v. Charles F. Cliggett*. 24PDJ027. April 23, 2024.

The Presiding Disciplinary Judge approved the parties' stipulation to discipline and publicly censured Charles F. Cliggett (attorney registration number 14036), with conditions. The public censure took effect April 23, 2024.

In November 2022, Cliggett was driving on Highway 135 in Gunnison County when his car collided with and killed a bicyclist. Investigating officers determined that Cliggett was responsible for the accident because he did not provide the required three feet of space between his car and the bicycle when passing, though Cliggett asserts that the bicyclist veered into the traffic lane. Cliggett remained at the accident scene with the victim until authorities arrived.

Following a trial in Gunnison in autumn 2023, a jury convicted Cliggett of careless driving resulting in death, a class-one traffic misdemeanor; passing on the left improperly, a class-A traffic infraction; and criminally negligent homicide, a class-five felony. In Colorado, a person acts with criminal negligence when, through a gross deviation from the standard of care that a reasonable person would exercise, that person fails to perceive a substantial and unjustifiable risk that a result will occur or that a circumstance exists.

On January 8, 2024, the judge presiding over the case sentenced Cliggett to three years of probation, with a suspended thirty-day jail sentence, 200 hours of community service, restitution, and required completion of a course on vehicle-bicyclist safety. She noted that speed, alcohol, and drugs were not contributing factors to the accident and that Cliggett, 74, has contributed to his community throughout his life.

As a condition of his public censure, Cliggett's law license must remain on inactive status during his felony probation, and Cliggett must not practice law in Colorado during that period.

Through this conduct, Cliggett violated 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).

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