

People v. Eric Victor Field. 20PDJ047. July 27, 2020.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended Eric Victor Field (attorney registration number 14075) for one year and one day, effective July 27, 2020. To be reinstated, Field must prove by clear and convincing evidence that he has been rehabilitated, has complied with disciplinary orders and rules, and is fit to practice law.

Field, a solo family law practitioner, shared office space with a paralegal and another lawyer who practiced immigration law. The paralegal would often refer cases to the lawyers in the office, but Field declined to take immigration cases on his own. Field would occasionally cover immigration court appearances, however, and was paid between \$50.00 and \$75.00 for each hearing. Field did not believe these clients were his own; he thought he was simply filling in for the other lawyer. Later, Field learned that he was the only attorney of record for some cases. He asked the paralegal to withdraw him from the cases, but the paralegal refused, arguing that Field would need a strong reason to withdraw. Field largely cut ties with the paralegal (who was enjoined from the unauthorized practice of law in 2018), though Field made occasional appearances until the spring of 2019.

One immigration client, who first met with Field and the paralegal in 2016, believed that Field was representing him, as Field had entered an appearance on the client's behalf. The paralegal managed the client's immigration case, using Field's name to add legitimacy to the paralegal's unauthorized practice of law, and paying Field on a piecemeal basis for in-person court appearances. Field did not handle any of the client's payments. Field eventually withdrew as the client's counsel, alleging that the client failed to adequately communicate with him; the client denies failing to communicate.

In another matter, Field ordered a hearing transcript from a court reporter. Field's client never paid him for the transcript nor entered into any agreement with the court reporter, and Field never paid for the transcript.

Through this conduct, Field violated Colo. RPC 1.1 (a lawyer shall competently represent a client); Colo. RPC 1.3 (a lawyer shall act with reasonable diligence and promptness when representing a client); Colo. RPC 1.4(b) (a lawyer shall explain a matter so as to permit the client to make informed decisions regarding the representation); Colo. RPC 1.16(d) (a lawyer shall protect a client's interests upon termination of the representation, including by giving reasonable notice to the client); Colo. RPC 5.3(a) (a partner or lawyer with comparable managerial authority shall make reasonable efforts to ensure that nonlawyer employees' conduct is compatible with the lawyer's professional obligations); Colo. RPC 5.5(a)(3) (a lawyer shall not assist a person in the performance of the unauthorized practice of law); and Colo. RPC 8.4(d) (providing that it is professional misconduct for a lawyer to engage in conduct prejudicial to the administration of justice).

The case file is public per C.R.C.P. 251.31.