

***People v. James Frazier*. 19PDJ053. December 30, 2019.**

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended James Frazier (attorney registration number 48979) for one year, four months to be served and eight months to be stayed upon successful completion of a two-year period of probation. The suspension takes effect February 3, 2020. The probationary requirements include completing an ethics course, trust account school, continuing legal education on unbundled legal services, and adhering to practice monitoring conditions.

In one client matter, Frazier failed to appear in person at a hearing and did not communicate with his client that her contempt citation had therefore been dismissed with prejudice. In a second client matter, Frazier was compensated for his services by the mother and step-father of his client without obtaining informed consent from his client. Frazier also disclosed confidential information to his client's parents. Further, Frazier called his client's mother a "c**t" in a text message. Finally, Frazier did not maintain a business or operating account until May 2019, took cash withdrawals out of his trust account, and deposited into his trust account monetary gifts from his father.

Through this conduct, Frazier violated Colo. RPC 1.3 (a lawyer shall act with reasonable diligence and promptness when representing a client); Colo. RPC 1.4(a)(3) (a lawyer shall keep a client reasonably informed about the status of the matter); Colo. RPC 1.6(a) (a lawyer shall not reveal information relating to the representation of a client unless the client gives informed consent); Colo. RPC 1.8(f) (a lawyer shall not accept compensation for representation from someone other than the client unless the client gives informed consent); Colo. RPC 1.15A(a) (a lawyer shall hold client property separate from the lawyer's own property); Colo. RPC 1.15(B)(a)(2) (a lawyer in private practice shall maintain a business account into which the lawyer shall deposit funds received for legal services); Colo. RPC 1.15C(a) (a lawyer shall not withdraw cash from a trust account); and Colo. RPC 8.4(g) (in representing a client, a lawyer shall not engage in conduct that exhibits or is intended to appeal to or engender bias against a person based on the person's race, gender, religion, national origin, disability, age, sexual orientation, or socioeconomic status, when such conduct is directed to anyone involved in the legal process).

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