

People v. Harinder S. Garcha. 14PDJo70. August 25, 2014.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and disbarred Harinder S. Garcha (Attorney Registration Number 30226). The disbarment was effective August 25, 2014.

In June 2009, Garcha was retained by American Family Insurance to handle subrogation and recovery claims. American Family Insurance verbally agreed to pay Garcha one-third of the funds he collected on behalf of the company in each case, plus costs he advanced. In 2011, Garcha began neglecting the cases by failing to meet deadlines, failing to prosecute cases, and failing to respond to inquiries from the company. Further, between 2010 and 2012, Garcha used funds he collected on behalf of American Family Insurance for his own benefit. All told, between 2011 and 2012, Garcha intentionally failed to remit to American Family Insurance approximately \$20,000.00 in settlement and collection funds that belonged to the company, instead converting those funds for his own use and benefit.

Through this misconduct, Garcha violated Colo. RPC 1.3 (a lawyer shall act with reasonable diligence and promptness when representing a client); Colo. RPC 1.4(a) and (b) (a lawyer shall reasonably communicate with a client and explain the matter to the extent reasonably necessary to permit the client to make informed decisions); Colo. RPC 1.5(c) (a lawyer shall only enter into contingent fee agreements that conform to the requirements of Chapter 23.3 of the Colorado Rules of Civil Procedure); Colo. RPC 1.15(a) (requiring attorneys to hold the property of their clients separate from their own property); Colo. RPC 1.16(d) (requiring attorneys to protect their clients' interests upon termination of the representation); and Colo. RPC 8.4(c) (a lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation).