

*People v. Jonathan D. Healy*, 23PDJ008. May 1, 2023.

The Presiding Disciplinary Judge approved the parties' stipulation to discipline and publicly censured Jonathan D. Healy (attorney registration number 51677), effective May 1, 2023.

Healy joined the Denver District Attorney's Office in December 2021 as a deputy district attorney. Shortly thereafter, Healy took over a case in which a defendant was charged for striking the victim with her car while the victim was riding a bicycle. By the time Healy took over the case, the deputy district attorney formerly assigned to the matter and the defendant's lawyer had negotiated a plea agreement. The court accepted the plea agreement on January 7, 2022, which included a stipulation to the defendant's liability for restitution and a term stating that restitution in an amount to be determined was to be paid within ninety-one days. The ninety-one-day deadline was around April 8, 2022. But Healy did not file a motion seeking an order and determination of restitution by that date.

Once the court accepted the plea, the victim's counsel began regularly communicating with Healy by email and telephone to provide him the information he needed to make the restitution request. Healy twice informed the victim's counsel in early March 2022 that he would ask for additional time to file for restitution. Healy never requested an enlargement of time, however. On April 8, 2022, counsel for the victim emailed Healy, reminding him about the restitution claim. Healy did not reply. Counsel for the victim sought email updates from Healy regarding restitution after the deadline passed. Healy initially did not respond. Counsel for the victim then contacted Healy's supervisor. On May 11, 2022, Healy emailed counsel for the victim, informing counsel that it was too late under the statute to collect restitution and this was due to his own oversight. Healy apologized. On June 17, 2022, the Denver District Attorney's Office terminated Healy's employment, in part due to his conduct in the case.

Through this conduct, Healy violated Colo. RPC 1.3 (a lawyer must act with reasonable diligence and promptness when representing a client) and Colo. RPC 8.4(d) (it is professional misconduct for a lawyer to engage in conduct that prejudices the administration of justice).

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