

People v. Catherine Snider Roberts. 23PDJ053. October 25, 2023.

The Presiding Disciplinary Judge approved the parties' amended stipulation to discipline and suspended Catherine Snider Roberts (attorney registration number 13683) for one year and one day, all to be stayed upon her successful completion of a two-year period of probation with conditions. The probation took effect on October 25, 2023. The sanction takes into account significant mitigating factors.

Roberts, a solo practitioner who employs a small support staff, hired a new employee to work as her paralegal and her bookkeeper in April 2022, after her longtime bookkeeper left her firm. Roberts relied on the new paralegal to distribute bills and collect payments, but two months went by without any invoices going out or any money coming in. In July 2022, Roberts terminated the new paralegal's employment. According to the paralegal, Roberts expressed concern that she would not be able to make payroll and said she may need to dip into her trust account. Roberts admits that she took funds from her trust account to fund the paralegal's last paycheck without knowing whether she had earned that money.

Since then, Roberts took affirmative action to reconcile her accounts and compare her July 2022 trust account transfers with the amounts she earned over the course of that month. According to the reconciliation, Roberts recklessly converted \$1,187.64 for approximately two weeks in mid-July 2022. Thereafter, Roberts voluntarily started working with a billing service, which identified a trust account shortfall of \$4,480.75 in mid-November 2022. Roberts incurred this shortfall negligently, as it accrued during a period when Roberts engaged in poor recordkeeping. Roberts made up for this shortfall and rectified her mistakes by mid-December 2022, and she has accurately reconciled her trust account since then. None of her trust account checks cut between July 2022 and October 2023 has been rejected for insufficient funds.

Through this conduct, Roberts violated Colo. RPC 1.15A(a) (a lawyer must hold client property separate from the lawyer's own property); Colo. RPC 1.15C(c) (a lawyer must reconcile trust account records quarterly); and Colo. RPC 1.15D (a lawyer must maintain trust account records).

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