

SUPREME COURT, STATE OF COLORADO ORIGINAL PROCEEDING IN DISCIPLINE BEFORE THE OFFICE OF THE PRESIDING DISCIPLINARY JUDGE 1300 BROADWAY, SUITE 250 DENVER, CO 80203	
Complainant: THE PEOPLE OF THE STATE OF COLORADO	Case Number: 25PDJ58
Respondent: DALE JOHN ROBINSON, #56849	
AMENDED OPINION IMPOSING SANCTIONS UNDER C.R.C.P. 242.31(b)¹	

SUMMARY

Following a sanctions hearing, the Presiding Disciplinary Judge suspended Dale John Robinson from the practice of law for one year and one day. Robinson’s registered business address is in Denver, Colorado and his attorney registration number is 56849. To be reinstated to the practice of law, Robinson must prove by clear and convincing evidence that he has been rehabilitated, has complied with all disciplinary orders and rules, and is fit to practice law. The suspension is scheduled to take effect March 2, 2026.

A client hired Robinson and gave him a retainer, which Robinson held in his trust account. But Robinson failed to do any of the work for which the client paid him, failed to respond to the client’s communications, failed for several years to refund the client’s fees, and never responded to the regulatory authorities’ inquiries about the matter. Through this misconduct, Robinson violated Colo. RPC 1.3 (a lawyer must act with reasonable diligence and promptness when representing a client); Colo. RPC 1.4(a)(4) (a lawyer must promptly comply with reasonable requests for information); Colo. RPC 1.16(d) (a lawyer must protect a client’s interests upon termination of the representation, including by giving reasonable notice to the client and returning unearned fees and any papers and property to which the client is entitled); and Colo. RPC 8.1(b) (a lawyer must not knowingly fail to respond to a lawful demand for information from a disciplinary authority).

I. PROCEDURAL HISTORY

On September 17, 2025, Michele L. Melnick of the Office of Attorney Regulation Counsel (“the People”) filed a complaint with Presiding Disciplinary Judge Bryon M. Large (“the Court”),

¹ The Court amends its opinion to clarify ¶ 1 in its order.

alleging that Dale John Robinson (“Respondent”) violated four Colorado Rules of Professional Conduct. When Respondent did not answer within twenty-eight days, the People moved for entry of default. On November 12, 2025, the Court ordered Respondent to answer the People’s complaint and to respond to the motion for default. But Respondent did not respond to the Court’s order. Nor did he file an answer or other responsive pleading.

The Court granted the People’s motion for default on December 4, 2025, deeming all of the complaint’s allegations and claims admitted. The next day, the Court issued a “Notice of Sanctions Hearing Under C.R.C.P. 242.27(c),” advising Respondent of his right to attend the sanctions hearing, to be represented by counsel at his own expense, to cross-examine witnesses, and to present argument and evidence about the appropriate sanction.

On January 12, 2026, the Court held a sanctions hearing under C.R.C.P. 242.27 and C.R.C.P. 242.30. Melnick appeared on the People’s behalf. Respondent did not appear. During the sanctions hearing, the Court heard testimony via videoconference from Trevor Nestor and admitted the People’s exhibits 1-5 and 7-8.

II. FACTS AND RULE VIOLATIONS ESTABLISHED ON DEFAULT

The Court adopts and incorporates by reference the facts of this case, as fully detailed in the People’s complaint. Respondent was admitted to practice law in Colorado on November 4, 2021, under attorney registration number 56849. He is thus subject to the Court’s jurisdiction in this proceeding.

Trevor Nestor, a community member, lived close to the University of Colorado. Nestor wished to participate in social organizations and audit classes at the University of Colorado, but he was banned from the campus due to his online statements about the school. Nestor sought legal representation to assist him in lifting the campus ban.

In April 2022, Nestor discussed his legal matter with Respondent, who agreed to represent Nestor on an hourly-fee basis. Respondent requested a \$5,000.00 advance retainer. On April 26, 2022, Respondent emailed Nestor, “Here is the retainer link. I made it for \$2,000, per your last email.”² Nestor replied, “Thank you, I believe in you, this is one case that you can really make a difference.”³ Nestor vowed to pay \$2,000.00 more on his next payday unless he received his tax return first. Later that day, Respondent replied, “Thanks. I’ll let you know if/when I receive any responses from the university before filing in court. I’m convinced due process claims will have the best chance of success, and I’m seeing a lot of good recent caselaw that supports our position.”⁴ Nestor replied that Respondent’s plan sounded good.

² Compl. ¶ 6.

³ Compl. ¶ 7.

⁴ Compl. ¶ 9.

On April 28, 2022, Nestor informed Respondent by email that he paid another \$2,000.00 and would pay an additional \$1,000.00 from his next paycheck. Later that day, Nestor sent another email to Respondent confirming payment of the last \$1,000.00 to cover the retainer. Respondent confirmed receipt of the funds, bringing the total amount he received from Mr. Nestor to \$5,000.00. Nestor also provided Respondent additional documents to assist in the representation.

The next evening, Respondent emailed Nestor:

That's good to hear. They have my demand letter. I will give them until around Wednesday to respond. I expect to be able to work something out that will result in you being able to attend classes and university functions. And that would be the most realistic and favorable outcome for both sides here.⁵

A few minutes later, Nestor emailed Respondent to advise him that the campus university police department commander would be glad to speak with Respondent about the campus ban and potentially come to a resolution. Nestor sent three more emails to Respondent that evening discussing his legal matter. Nestor indicated that he did not believe the campus university police department commander had received Respondent's demand letter.

Nestor did not receive any further communication from Respondent after April 29, 2022. Nestor called Respondent approximately twenty times thereafter but was unable to connect with Respondent. Respondent did not provide Nestor with a copy of the alleged demand letter during the representation, and no demand letter was ever sent. Nor did Respondent issue any invoices to Nestor during the representation.

Shortly after paying Respondent's retainer, Nestor had a short conversation with someone who identified herself as Respondent's assistant. Respondent's assistant informed Nestor that Respondent had experienced a medical issue and would issue a refund. Nestor needed that refund to hire new counsel.

On March 2, 2023, Nestor's new lawyer emailed Respondent, stating that he represented Nestor and requesting information on the retainer refund. Respondent did not respond to communications from Nestor or Nestor's new lawyer. Nestor spent \$2,000.00 to hire the new lawyer to represent him after Respondent abandoned the representation.

On two occasions, Nestor visited the co-working space where Respondent operated his law office; Nestor learned that Respondent had not been in the office recently. Respondent stopped appearing at the co-working space and did not provide any forwarding information to the owner of the space or to Nestor.

Nestor's campus ban, or exclusion order, is still in effect.

⁵ Compl. ¶ 15.

After receiving Nestor's request for investigation, the People sent several communications to Respondent's registered office address and email address seeking information regarding Nestor's allegations. Respondent did not respond. The People also sent communications to Respondent through a member of his family who had been in touch with the People. Respondent did not respond to those communications.

On January 23, 2025, the Colorado Supreme Court suspended Respondent's license to practice law on an interim basis for his failure to cooperate with the People's disciplinary investigation in this matter.

As of February 28, 2025, Respondent's COLTAF account at Vectra Bank contained \$5,051.00. On June 10, 2025, the Chief Judge of the Denver District Court appointed Inventory Counsel under C.R.C.P. 244.4 to take control of Respondent's COLTAF account, determine to whom funds in that account belonged, and return funds to the rightful parties. In August 2025, Nestor received a full refund of his unearned retainer from Respondent's COLTAF account through the efforts of Inventory Counsel.

As established on default, Respondent's conduct concerning Nestor's matter violated four Colorado Rules of Professional Conduct:

- Colo. RPC 1.3, which provides that a lawyer must act with reasonable diligence and promptness in representing a client. Respondent violated this rule by failing to do any of the work Nestor paid him to complete and by abandoning his law practice.
- Colo. RPC 1.4(a)(4), which provides that a lawyer must promptly comply with reasonable requests for information. Respondent violated this rule by failing to communicate with Nestor after April 29, 2022, and by failing to respond to any emails from subsequent counsel.
- Colo. RPC 1.16(d), which provides that upon termination of representation, a lawyer must take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled, and refunding any advance payment of fee or expense that has not been earned or incurred. Respondent violated this rule by abandoning his law practice and thus effectively terminating his representation of Nestor and by failing to protect Nestor's interests when he did not refund Nestor's money.
- Colo. RPC 8.1(b), which provides that a lawyer in connection with a disciplinary matter must not knowingly fail to respond to a lawful demand for information from a disciplinary authority. Respondent violated this rule by failing to cooperate with the People's disciplinary investigation and failing to respond to the People's lawful requests for information.

III. SANCTIONS

The American Bar Association *Standards for Imposing Lawyer Sanctions* ("ABA Standards")⁶ is the "guiding authority for selecting the appropriate sanction to impose for lawyer misconduct."⁷ When imposing sanctions after a finding of misconduct, the Court must consider the duty the lawyer violated, the lawyer's mental state, and the actual or potential injury the lawyer's misconduct caused. These three variables yield a presumptive sanction that the Court may then adjust based on aggravating and mitigating factors.

ABA Standard 3.0 – Duty, Mental State, and Injury

Duty: Respondent violated his client-centered obligations to diligently carry out the representation, to respond to his client's communications, and to protect his client's interests. Respondent also flouted his professional duties to cooperate with lawyer regulatory authorities in the performance of their duties.

Mental State: Respondent knowingly engaged in misconduct.

Injury: Respondent's misconduct economically harmed Nestor, who lost the use of five thousand dollars for more than three years. Nestor was also inconvenienced; he spent time repeatedly attempting to contact Respondent, and he was ultimately forced to find and retain new counsel to pursue his interests.

ABA Standards 4.0-7.0 – Presumptive Sanction

Under the ABA *Standards*, the Court must assess the duties Respondent violated, his mental state, and the resulting injury to arrive at a presumptive sanction. Here, suspension is the presumptive sanction under ABA *Standard 4.42(a)*, which applies when a lawyer knowingly fails to perform services for client and thereby injures the client.

ABA Standard 9.0 – Aggravating and Mitigating Factors

Aggravating factors justify an increase in the degree of the sanction to be imposed, while mitigating factors warrant a reduction in the severity of the sanction.⁸ As explained below, the Court applies one aggravating factor and four mitigating factors.

⁶ Found in ABA *Annotated Standards for Imposing Lawyer Sanctions* (2d ed. 2019) ("Annotated Standards").

⁷ See *In re Roose*, 69 P.3d 43, 46-47 (Colo. 2003).

⁸ See ABA *Standards* 9.21 and 9.31.

Aggravating Factors

Multiple offenses – 9.22(d): Respondent violated four Colorado Rules of Professional Conduct, including failure to exercise diligence, failure to communicate, and failure to respond to regulatory authorities' inquiries.

Bad faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules and orders of the disciplinary agency – 9.22(e): The People request that the Court apply this aggravating factor. But at the hearing they presented no evidence to show that Respondent acted in bad faith or intentionally failed to comply with their requests. Instead, they suggested that the Court infer from Respondent's failure to respond to multiple communications over the course of more than two years that he acted intentionally with a bad faith motive to obstruct this proceeding. The Court declines to draw that inference, particularly given that the People also ask the Court to assign mitigating weight to Respondent's related medical issues, as described below.

Mitigating Factors

Absence of prior disciplinary record – 9.32(a): Because Respondent has no prior disciplinary record, the Court applies this factor.

Absence of dishonest or selfish motive – 9.32(b): The People argue that Respondent is entitled to mitigating credit because he kept Nestor's full retainer in his trust account and because his mother attempted to return the funds to Nestor. The Court concludes that these facts significantly mitigate Respondent's misconduct.

Personal or emotional problems – 9.32(c): At the sanctions hearing, the People argued that as established on the entry of default, Respondent experienced medical issues shortly after Nestor retained him. The Court finds that Respondent's medical issues warrants great mitigating weight.

Inexperience in the practice of law – 9.32(d): The People acknowledge that Respondent was admitted as a Colorado lawyer in 2021 and had practiced law as a solo practitioner for only five months. The Court applies this mitigating factor.

Analysis Under ABA *Standards* and Case Law

The Colorado Supreme Court directs this Court to exercise discretion in imposing a sanction because "individual circumstances make extremely problematic any meaningful comparison of discipline ultimately imposed in different cases."⁹ As such, the Court determines the appropriate sanction for a lawyer's misconduct on a case-by-case basis, looking to the ABA *Standards* for guidance in the exercise of that discretion. The ABA *Standards* set forth a

⁹ *In re Attorney F.*, 2012 CO 57, ¶ 20 (quoting *In re Rosen*, 198 P.3d 116, 121 (Colo. 2008)).

theoretical framework that provides for “the flexibility to select the appropriate sanction in [a] particular case” after carefully considering the applicable aggravating and mitigating factors.¹⁰

Under the theoretical framework outlined in the *ABA Standards*, suspension is the presumptive sanction in this case. Respondent’s abandonment of his client and his failure to participate in his disciplinary proceeding convince the Court that to regain his law license, Respondent must demonstrate his rehabilitation from this misconduct and his fitness to practice law by petitioning for reinstatement under C.R.C.P. 242.39, which usually entails a suspension longer than a period of one year. Because the four mitigators here—including an absence of a selfish or dishonest motive and personal problems involving a medical issue, both of which the Court weigh heavily—preponderate over the one factor in aggravation, the Court concludes that a suspension at the lower end of the applicable range is appropriate. Accordingly, the Court hews to the People’s recommendation and suspends Respondent for one year and one day.¹¹

IV. CONCLUSION

When a lawyer fails to perform work for a client, abandons the representation, and knowingly fails to respond to regulatory inquiries about the representation, the public cannot trust the lawyer to comply with essential professional obligations. Because Respondent has abandoned a client representation and signaled that he is disinterested in defending his law license, the Court suspends him one year and one day. To be reinstated to the practice of law, Respondent must prove by clear and convincing evidence that he has been rehabilitated, has complied with all disciplinary orders and rules, and is fit to practice law.

V. ORDER

The Court **ORDERS**:

1. **DALE JOHN ROBINSON**, attorney registration number **56849**, is **SUSPENDED** from the practice of law in Colorado for **ONE YEAR AND ONE DAY**. The suspension will take effect upon issuance of an “Order and Notice of Suspension.”¹²

¹⁰ *Id.* at ¶ 3.

¹¹ *Accord People v. Efe*, 477P.3d 807, 823-24 (Colo. O.P.D.J. 2020) (a hearing board suspended a lawyer for one year and one day for failing to competently or diligently represent his client; ignoring disclosure and discovery requirements; failing to advise the client about legal obligations; failing to protect the client’s interest; and knowingly declining to respond to demands for information during the disciplinary investigation).

¹² In general, an order and notice of sanction will issue thirty-five days after a decision is entered under C.R.C.P. 242.31(a)(6). In some instances, the order and notice may issue later than the thirty-five days by operation of C.R.C.P. 242.35, C.R.C.P. 59, or other applicable rules.

2. Respondent **MUST** promptly comply with C.R.C.P. 242.32(b)-(e), concerning winding up of affairs, notice to current clients, duties owed in litigation matters, and notice to other jurisdictions where he is licensed or otherwise authorized to practice law, including New Mexico.
3. Within fourteen days of issuance of the "Order and Notice of Suspension," Respondent **MUST** file an affidavit with the Court under C.R.C.P. 242.32(f), attesting to his compliance with C.R.C.P. 242.32. As provided in C.R.C.P. 242.41(b)(5), lists of pending matters, lists of clients, and copies of client notices under C.R.C.P. 242.32(f) must be marked as confidential attachments and filed as separate documents from the affidavit.
4. The parties **MUST** file any posthearing motions **no later than Monday, February 9, 2026**. Any response thereto **MUST** be filed within seven days.
5. The parties **MUST** file any application for stay pending appeal **no later than the date on which the notice of appeal is due**. Any response thereto **MUST** be filed within seven days.
6. Respondent **MUST** pay the costs of this proceeding. The People **MUST** submit a statement of costs **no later than Monday, February 9, 2026**. Any response challenging the reasonableness of those costs **MUST** be filed within seven days thereafter.



DATED THIS 26th DAY OF JANUARY, 2026.



BBRYON M. LARGE
PRESIDING DISCIPLINARY JUDGE