

People v. Bimal Naishadh Saraiya. 20PDJ043. July 7, 2020.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and publicly censured Bimal Naishadh Saraiya (attorney registration number 42769), effective August 11, 2020.

While practicing law in Texas, Saraiya received a referral for a potential client in a Colorado case from a legal referral agency. Based on information provided from the referral agency, Saraiya believed that he would never have to appear at a Colorado hearing. He answered the complaint on his client's behalf and undertook an investigation of the case. Saraiya did not appear at a pretrial conference in June 2019, due in part to the death of a family member and associated travel for the funeral. Instead, he delegated the case to another lawyer in his firm, R.H., but he did not take meaningful steps to monitor the status of the case, assuming that R.H. had handled the matter. Neither Saraiya, nor his client, nor anyone else from his firm appeared at the trial in July 2019, and judgment was ultimately entered against the client.

Saraiya stopped accepting cases from the legal referral agency in February 2019, has improved his system for calendaring events, terminated R.H., refocused his practice on transactional law, and is no longer taking Colorado cases.

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

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