

People v. Bradley Allen Stephenson. 14PDJ097. December 18, 2014.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended Bradley Allen Stephenson (Attorney Registration Number 20472) for sixty days. The suspension takes effect January 22, 2015.

Stephenson represented a long-time friend pro bono in a criminal case between December 2012 and September 2013. In October 2013, the friend's wife was charged with DUI and consulted with Stephenson for a second legal opinion regarding advice she received from her attorney. Around that same time, Stephenson and the wife began a sexual relationship. Stephenson then substituted as her counsel in the DUI case, which was resolved through a plea agreement in March 2014.

The husband discovered the sexual relationship between his wife and Stephenson in January 2014. At that time, the husband was subject to a probation revocation complaint in his criminal case. Stephenson agreed to represent the husband in the probation revocation matter while still engaged in a sexual relationship with the wife. Stephenson twice appeared for the husband in court before moving to withdraw in March 2014.

As a result of the wife's DUI arrest, a complaint was filed to revoke her probation in a criminal case. Stephenson entered his appearance in this matter in January 2014. That matter was still pending when the wife ended her relationship with Stephenson in April 2014. The wife states that she delayed ending the relationship because she was concerned Stephenson would discontinue the representation. Shortly after she ended the relationship and told Stephenson to stop contacting her, Stephenson moved to withdraw from her case. He did not consult with her before filing the motion, but she did not object to his withdrawal.

Through this misconduct, Stephenson violated Colo. RPC 1.7(a)(2) (restricting the circumstances in which a lawyer may represent a client if the representation involves a concurrent conflict of interest) and Colo. RPC 1.8(j) (prohibiting a lawyer from engaging in sexual relations with a client unless a consensual sexual relationship already existed when the client-lawyer relationship began).