

People v. Colin James Wilhelm. 25PDJ43. June 11, 2025.

The Presiding Disciplinary Judge approved the parties' stipulation to discipline and suspended Colin James Wilhelm (attorney registration number 48473) for six months, with two months to be served and four months to be stayed upon Wilhelm's successful completion of a two-year period of probation, with conditions. Wilhelm's suspension takes effect July 16, 2025.

In 2022, Wilhelm defended clients—a non-profit organization and its board of directors—in a lawsuit filed by the clients' former employee. The opposing party prevailed at a trial held that December. After judgment entered in the case, the clients asked Wilhelm to file a notice of appeal. Wilhelm told his clients that he did not believe an appeal was viable; even so, he agreed to file a notice of appeal but told his clients that he would not continue to represent them in the appeal thereafter. Indeed, Wilhelm had informed his clients during the trial and afterwards that he would not be taking additional cases and closing his law practice to work as a lobbyist.

In January 2023, Wilhelm closed his law practice. That month, the opposing counsel in the clients' matter moved for attorney's fees and costs in the amount of \$54,185.14 and served the pleadings on Wilhelm as counsel of record. Wilhelm did not confer with his clients about the filings, and he did not file a response. On February 15, 2023, the court granted those motions as well as a motion for entry of judgment, which the opposing party filed that day. Though Wilhelm received the orders through the electronic filing system, he did not review the orders or inform his clients about them. Nor did he review with his clients the writ of garnishment and writ of execution that the opposing party later filed in the case, even though he received both filings.

In addition, Wilhelm did not file a notice of appeal in the case by the deadline of February 17, 2023, nor did he alert his clients that he would not be filing one. Rather, on the day the notice was due, a member of the board of directors spoke with Wilhelm and understood that Wilhelm would be filing the notice of appeal. In July 2023, a board member discovered the writ of execution when checking to see if the notice of appeal had been filed. Wilhelm did not respond to his clients' attempts to communicate with him, nor did he respond to the opposing counsel's communication alerting Wilhelm that his clients were trying to speak to the opposing counsel, and requesting permission to speak with them about the judgment.

Through this misconduct, Wilhelm violated Colo. RPC 1.2(a) (a lawyer must abide by the client's decisions concerning the objectives of a case and consult with the client regarding the means to achieve the objectives); Colo. RPC 1.3 (a lawyer must act with reasonable diligence and promptness when representing a client); Colo. RPC 1.4(a)(3)-(4) (a lawyer must keep a client reasonably informed about the status of the matter and 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).

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