

People v. Elysia Hassebroek Titone. 21PDJ028. July 8, 2021.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and suspended Elysia Hassebroek Titone (attorney registration number 40502) for 180 days. The suspension took effect July 8, 2021.

In September 2018, Titone began representing a client in a discrimination case that the client had filed with the Colorado Civil Rights Division ("CCRD"). Titone worked on the case over the next few months, but her client began having difficulty contacting her in March and April 2019. During that time, her client expected her to provide CCRD with evidence to support the client's theory of the case. Meanwhile, Titone was waiting for her client to send her evidence, and she filed nothing further with CCRD. In June 2019, CCRD found no probable cause to support the discrimination claim. Titone emailed her client the finding and offered to meet and discuss the case. The meeting did not occur, however, and her client again was unable to reach her.

Shortly after Titone began working on the discrimination case, she helped her client pursue an insurance claim for stolen camera equipment. She warned the insurer by email and an attached letter that she would take legal action if the insurer closed the claim. Titone did not follow up on the matter with her client after sending the email and letter.

After disciplinary authorities began investigating Titone, she asserted that she had not improperly abandoned the representation. In support of that assertion, she produced a termination letter that she claimed she had sent to her client. Titone later admitted to fabricating the termination letter that she had supplied to the disciplinary authorities.

Through this conduct, Titone violated Colo. RPC 1.3 (a lawyer shall act with reasonable diligence and promptness when representing a client); Colo. RPC 1.4(a)(2) (a lawyer shall reasonably consult with a client about the means by which the client's objectives are to be accomplished); Colo. RPC 1.4(a)(3) (a lawyer shall keep a client reasonably informed about the status of the matter); and Colo. RPC 8.1(a) (a lawyer shall not knowingly make a false statement of material fact in connection with a disciplinary matter).

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