

Colorado Supreme Court 2 East 14th Avenue Denver, CO 80203	DATE FILED: November 30, 2015 CASE NUMBER: 2015SA267
Original Proceeding in Unauthorized Practice of Law 15UPL022	
Petitioner: The People of the State of Colorado, v. Respondent: Donna Cole, d/b/a Park Paralegal.	Supreme Court Case No: 2015SA267
ORDER OF INJUNCTION	

Upon consideration of the Stipulation, Agreement and Affidavit Consenting to an Order of Injunction filed in the above cause, and now being sufficiently advised in the premises,

IT IS ORDERED that DONNA COLE, d/b/a PARK PARALEGAL shall be, and the same hereby is, ENJOINED from engaging in the unauthorized practice of law.

IT IS FURTHER ORDERED that DONNA COLE pay restitution plus interest as outlined in Exhibit B to Stipulation in 15SA267.

IT IS FURTHER ORDERED that the Respondent is assessed costs in the amount of \$91.00. Said costs to be paid to the Office of Attorney Regulation Counsel, within (30) days from the date of this order.

BY THE COURT, NOVEMBER 30, 2015.

SUPREME COURT, STATE OF COLORADO
2 E. 14th Ave.
Denver, Colorado 80203

ORIGINAL PROCEEDING IN UNAUTHORIZED
PRACTICE OF LAW, 15UPL022

Petitioner:
THE PEOPLE OF THE STATE OF COLORADO

Respondent:
DONNA COLE, d/b/a PARK PARALEGAL

Kim E. Ikeler, #15590
Assistant Regulation Counsel
Attorney for Petitioner
1300 Broadway, Suite 500
Denver, Colorado 80203
Telephone: (303) 457-5800x7863
Fax No.: (303) 501-1141
E-mail: K.Ikeler@csc.state.co.us

Brian B. Boal, #38698
Boal Law Firm, P.C.
Attorney for Respondent
405 S. Cascade Ave., Ste. 301
Colorado Springs, CO 80903
Telephone: (719) 203-6339
E-mail: brian@boallawfirm.com

DATE FILED: November 23, 2015 9:35 AM
FILING ID: 66C77E0DA2590
CASE NUMBER: 2015SA267

▲ COURT USE ONLY ▲

Case Number: 2015SA267

**STIPULATION, AGREEMENT AND AFFIDAVIT CONSENTING TO AN
ORDER OF INJUNCTION**

On this 23rd day of November 2015, Kim E. Ikeler, Assistant Regulation
Counsel, and Donna Cole, who does business as Park Paralegal, the Respondent,

who is represented in this matter by Brian B. Boal, Esq., enter into the following stipulation, agreement, and affidavit consenting to an order of injunction (“stipulation”) and submit the same to the Colorado Supreme Court for a finding and order of injunction pursuant to C.R.C.P. 229-237.

1. Respondent Cole’s business addresses are 1745 B St., Colorado Springs, Colorado 80906 and 608 S. Nevada Ave., Colorado Springs, Colorado 80903. Respondent Cole is not licensed to practice law in the State of Colorado or any state.

2. Respondent enters into this stipulation freely and voluntarily. No promises have been made concerning future consideration, punishment, or lenience in the above-referenced matter. It is Respondent’s personal decision, and Respondent affirms there has been no coercion or other intimidating acts by any person or agency concerning this matter.

3. Respondent is familiar with the rules of the Colorado Supreme Court regarding the unauthorized practice of law. Respondent acknowledges the right to a full and complete evidentiary hearing on the above-referenced petition for injunction. At any such hearing, Respondent would have the right to be represented by counsel, present evidence, call witnesses, and cross-examine the witnesses presented by the Petitioner. At any such formal hearing, the Petitioner would have the burden of proof and would be required to prove the charges

contained in the petition for injunction by a preponderance of the evidence. Nonetheless having full knowledge of the right to such a formal hearing, the Respondent waives that right.

4. Respondent understands that the practice of law in Colorado includes, but is not limited to, the following:

- a. providing advice to any other individual on the legal effect of any proposed action in a legal matter; or assisting that individual in making decisions that require legal judgment and a knowledge of the law that is greater than the average citizen;
- b. providing advice to any other individual as to various legal remedies available to that individual and the possible legal courses of action for that individual;
- c. acting in a representative capacity on behalf of any other individual in matters that affect that individual's legal rights and duties;
- d. selecting or preparing any legal document for any other individual, other than solely as a typist; and, without limiting the above, explaining to that individual or any other individual the legal significance of such document;
- e. holding oneself out as an attorney, lawyer, "esquire", immigration consultant, or legal consultant, either directly or impliedly;
- f. holding oneself out to others in a manner that another individual would place some reliance on the Respondent to handle that individual's legal matters;
- g. advertising oneself as an immigration consultant, or being able to select and prepare immigration paperwork on behalf of others (without U.S.B.I.A. accreditation);

- h. making an appearance or speaking on behalf of another individual in negotiations, settlement conferences, mediations, hearings, trials, oral arguments or other legal proceedings unless specifically allowed by the rules that apply to such appearance in such legal proceeding;
- i. serving as a conduit or intermediary on behalf of any other individual for the obtaining or relaying of any legal counsel;
- j. conducting the business of management of a law practice to the extent that the exercise of legal judgment on behalf of another occurs; and
- k. soliciting or accepting any fees for legal services.

5. Respondent and the Petitioner stipulate to the following facts and conclusions:

- a. Respondent engaged in the unauthorized practice of law by advertising on Craigslist, offering assistance with a variety of domestic relations matters. The advertisement gave the reader the impression that Respondent was authorized to select and prepare the forms for these matters.
- b. Respondent also engaged in the unauthorized practice of law by providing a link on her website to a questionnaire, which the customer could complete. Respondent or her employees would then select and prepare domestic relations forms using it.
- c. Respondent further engaged in the unauthorized practice of law, as follows.

- d. Respondent's employee "Lucy" advised Hillary and Bret Foster to seek a change of venue of the California divorce case to the El Paso County Court, as a means of pursuing a reunification with Bret Foster's children.
- e. Respondent selected and prepared the Petition to Register for Bret Foster's signature, which Respondent then filed to commence the Colorado parental responsibilities case.
- f. Respondent supplied Hillary Foster with a questionnaire, for the purpose of generating pleadings for allocation of parental responsibilities.
- g. Respondent advised Trinity Parker that her debt to Colorado Christian University was not valid.
- h. Respondent selected and prepared forms for Ms. Parker's divorce.
- i. Respondent's employee, "Lucy", advised Gloria Ferguson regarding child support and the division of marital property.
- j. Respondent and her employee selected and prepared pleadings to be filed in Ms. Ferguson's divorce case.
- k. Respondent or her employees selected and prepared divorce pleadings for Kristin Baker, Nathan Halpern, Jennifer Silvas, Kelly Matthews, Bernadette Failla, Andrew Schaefer, and Demetrius Gaines.

6. Respondent has read and studied the Petition for Injunction and is familiar with the allegations therein, and a true and correct copy of the Petition for Injunction is attached to this stipulation as Exhibit A.

7. Pursuant to C.R.C.P. 237(a), Respondent agrees to pay the administrative costs in the sum of \$91 incurred in conjunction with this matter within 30 days after the acceptance of the stipulation by the Colorado Supreme Court.

8. Respondent further agrees to refund the amounts paid to her, listed on the attached Exhibit B, plus interest at 8% per annum, compounded annually, to each of the listed customers upon approval of this Stipulation by the Court. Interest will be computed at 8% per annum from the date paid and continuing on the unpaid balance through the date each refund is paid in full.

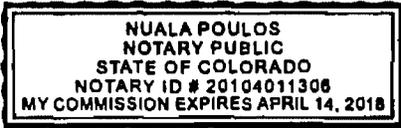
9. Respondent further agrees to remove from the Park Paralegal website, www.parkparalegal.org, any content that would give the public the impression that she or Park Paralegal are authorized to practice law, including the law of domestic relations. Respondent further agrees to remove from the Park Paralegal website any link to a workbook or questionnaire, from which domestic relations legal forms can be selected and prepared.

10. Based on Respondents' cooperation in entering into this Stipulation, the parties ask that the Court exempt Respondent from a fine.

RECOMMENDATION FOR AND CONSENT TO ORDER OF
INJUNCTION

Based on the foregoing, the parties hereto recommend that an order be entered enjoining Respondent from the unauthorized practice of law, and requiring that Respondent pay restitution to each of Respondent's customers listed in Exhibit B, in the amounts listed on Exhibit B, plus interest as described above, and pay costs in the amount of \$91.

Donna Cole, the Respondent; Brian B. Boal, Esq., her counsel, and Kim E. Ikeler, attorney for Petitioner, acknowledge by signing this document that they have read and reviewed the above.

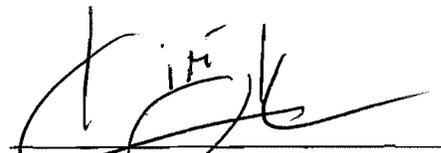


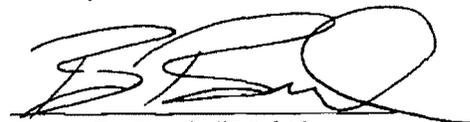

Donna Cole, Respondent
1745 B Street
Colorado Springs, CO 80906

STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

Subscribed and sworn to before me this 20th day of November 2015, by Donna Cole, known to me. Witness my hand and official seal. My commission expires: 4/14/2018.


Notary Public


Kim E. Ikeler, #15590
Assistant Regulation Counsel
Attorney for Petitioner


Brian B. Boal, #38698
Boal Law Firm, P.C.
Attorney for Respondent

Statement of Costs

Donna Cole

15UPL022/15SA267

15-830

11/3/2015	Administrative Fee	<u>91.00</u>
------------------	---------------------------	---------------------

	AMOUNT DUE	91.00
--	-------------------	--------------

SUPREME COURT, STATE OF COLORADO
2 E. 14th Ave.
Denver, Colorado 80203

ORIGINAL PROCEEDING IN UNAUTHORIZED
PRACTICE OF LAW, 15UPL022

Petitioner:
THE PEOPLE OF THE STATE OF COLORADO

Respondent:
DONNA COLE, d/b/a PARK PARALEGAL

Kim E. Ikeler, #15590
Assistant Regulation Counsel
Attorney for Petitioner
1300 Broadway, Suite 500
Denver, Colorado 80203
Telephone: (303) 457-5800x7863
Fax No.: (303) 501-1141
Email: K.Ikeler@csc.state.co.us

DATE FILED: October 8, 2015 3:10 PM
FILING ID: 9099041DF294D
CASE NUMBER: 2015SA267

▲ COURT USE ONLY ▲

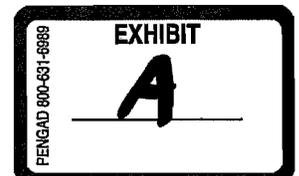
Case Number:

PETITION FOR INJUNCTION

Petitioner, through the undersigned Assistant Regulation Counsel, and upon authorization pursuant to C.R.C.P. 234(a),¹ respectfully requests that the Colorado Supreme Court issue an order pursuant to C.R.C.P. 234 directing Respondent to show cause why she should not be enjoined from the unauthorized practice of law.

As grounds, counsel states as follows:

¹ The Unauthorized Practice of Law (“UPL”) Committee authorized the filing of this petition on September 11, 2015.



JURISDICTION

1. Respondent Donna Cole is a Colorado resident, with a last known business address of 1743 B Street, Colorado Springs, CO 80906.
2. Respondent Cole is not licensed to practice law in Colorado or any other state.
3. Respondent engaged in the unauthorized practice of law, as described below.

GENERAL ALLEGATIONS

A. Background.

4. Respondent is a notary public.
5. Respondent does business in Colorado Springs under the trade name Park Paralegal.
6. Respondent advertised online at www.parkparalegal.org.
7. Respondent also advertised on Craigslist.

B. Website.

8. Respondent's website offered to assist customers with "divorce, custody, child support, etc."
9. The home page contained a disclaimer, to the effect that Park Paralegal is a typing service and cannot give legal advice.

10. However, the “Services” page listed the following (each for \$250): divorce, legal separation, custody, modify child support, motion to modify, step-parent adoption, custodial adoption, and adult adoption.

11. The “Services” page gave the customer the impression that Park Paralegal would select and prepare the appropriate forms for each of these court proceedings.

12. On a page titled “Start Now,” Respondent presented links to questionnaires she had assembled for use in preparing pleadings appropriate for the type of domestic relations or adoptions case the customer wished to commence.

13. The customer clicked on the link and downloaded the questionnaire, filled in the blanks, then mailed the completed questionnaire to Respondent for typing of the pleadings in final form.

14. For example, a customer who wanted a divorce could download a questionnaire consisting of (a) a “Fact Sheet” (created by Respondent) with blanks for the parties’ names, contact information, date of birth and social security number; (b) portions of JDF 1000, Case Information Sheet (from the judicial website); (c) portions of JDF 1101, Petition for Dissolution of Marriage (from the judicial website); and portions of JDF 1115, Separation Agreement (from the judicial website).

15. The customer filled in the required personal and financial information, then returned the questionnaire to Respondent, who used the information to complete the Petition, Separation Agreement and related pleadings.

16. After the investigation began, Respondent took down the portion of the “Start Now” page on her website that provided links to the questionnaires.

C. Advertising.

17. Respondent advertised on Craigslist.

18. Respondent offered to help with “divorce, custody, adoption, name change, seal of records, immigration, child support, modification of original orders, contempt citations and much more.”

19. Respondent listed flat fees of \$150 for a low-cost divorce and \$50 to \$250 for “custody, etc.”

20. Respondent’s fees included “all forms, copies, notary and we even file it for you.”

D. Foster Matter.

21. Bret Foster obtained a Judgment of dissolution of marriage from Krista Foster on October 29, 2007. *Marriage of Bret Thomas Foster and Krista Nicole Foster*, Superior Court of California, County of Merced, Case No. 30977 (the “California divorce case”).

22. There were three children of the marriage.

23. Custody of the children was the subject of separate juvenile proceedings.

24. Thereafter, Krista Foster moved with the children to Colorado Springs, Colorado.

25. Bret Foster remained in Merced, California.

26. Bret Foster married Hillary Foster.

27. Bret Foster wished to resume contact with his children.

28. In early 2013, Hillary Foster found the Park Paralegal website on the Internet.

29. Hillary Foster contacted Respondent.

30. Hillary Foster explained that Bret Foster lived out-of-state.

31. Respondent agreed to help with a petition for allocation of parental responsibilities.

32. On February 13, 2013, Hillary Foster paid \$250 to Respondent and downloaded a questionnaire from the website.

33. Hilary Foster completed the questionnaire.

34. Respondent, at times acting through an assistant named "Valerie," advised Bret Foster he would need to change venue of the California divorce case from Merced County, California to El Paso County, Colorado.

35. Respondent asked Hillary Foster to obtain a certified copy of Bret Foster's divorce decree.

36. Respondent told Hillary Foster that Park Paralegal would charge a \$175 fee to change venue to El Paso County District Court.

37. On March 5, 2013, Respondent e-mailed to Hillary Foster a pleading selected and prepared by Park Paralegal, entitled Petition to Register Foreign Decree Pursuant to § 14-11-101. C.R.S. ("Petition to Register").

38. Respondent instructed Hillary Foster to have Bret Foster sign the Petition to Register before a notary, and return it to Respondent along with a certified copy of the original California divorce decree.

39. Mr. Foster signed the Petition to Register on March 11, 2013.

40. On March 12, 2013, Hillary Foster sent the signed Petition and a \$125 check for court costs to Respondent by overnight mail.

41. On March 26, 2013, Respondent filed the Petition to Register, commencing *Bret T. Foster v. Krista N. Foster*, El Paso County District Court, Case No. 13DR1403 (the "Colorado parental responsibilities case").

42. On July 26, 2013, the El Paso County District Court ordered that Bret Foster to serve Krista Foster with the Petition to Register within thirty days.

43. Respondent called Hillary Foster to locate the ex-wife for service.

44. On the questionnaire, Hillary Foster had provided Respondent with contact information for the ex-wife, Krista Foster.

45. However, Respondent now wanted to hire a private investigator to find ex-wife.

46. At this point, communications between Park Paralegal and Hillary Foster ended.

47. Krista Foster was not served.

48. The El Paso County District Court dismissed the Colorado parental responsibilities case for failure to prosecute.

49. Hillary Foster never received the pleadings for an allocation of parental responsibilities case.

E. Parker Matter.

50. Trinity Parker had a dispute with Colorado Christian University.

51. The University claimed that Ms. Parker owed them money.

52. Respondent agreed that this was an invalid debt.

53. Respondent promised to assist Ms. Parker with repairing her credit.

54. On February 25, 2014, Ms. Parker paid Respondent \$200 for this service.

55. However, Respondent failed to send the credit repair information to the credit bureau.

56. Respondent also helped Ms. Parker with her divorce.
57. Ms. Parker paid Respondent \$250 in cash for this.
58. Respondent selected and prepared the divorce forms.
59. Respondent sent the forms to Ms. Parker's ex-husband.
60. The ex-husband failed and refused to sign the divorce forms.
61. At this point, Respondent stopped work.
62. Respondent did not give Ms. Parker a copy of the divorce pleadings

that Respondent selected and prepared.

63. A year later, Ms. Parker stopped by Respondent's office.

64. Ms. Parker asked Respondent what could be done to recommence the divorce.

65. At this point, Ms. Parker's ex-husband had moved to Alaska.

66. Respondent asked for \$500 to reopen Ms. Parker's file.

67. Ms. Parker declined this offer.

F. Baker Matter.

68. Kristin Baker was moving out-of-state, and wished to bring her daughter with her.

69. Ms. Baker contacted Respondent, who agreed to help.

70. Respondent or her assistant, "Ariel," selected the appropriate pleading forms and typed in Ms. Baker's information.

71. For these services, Ms. Baker paid \$200 through PayPal on August 14, 2013.

G. Ferguson Matter.

72. Gloria Ferguson (n/k/a Gloria Zavala) decided to file for divorce.

73. Ms. Ferguson contacted Park Paralegal for help.

74. A Park Paralegal employee named “Lucy” selected and prepared the divorce forms.

75. Ms. Ferguson paid Park Paralegal \$500 for these services.

76. “Lucy” also gave Ms. Ferguson legal advice.

77. In particular, Ms. Ferguson asked “Lucy” questions about child support, *e.g.*, “Do I have to have the child support be what the state says, or what the Judge says?”

78. “Lucy” advised Ms. Ferguson that she and her husband could agree to pay less child support than required by the statute.

79. “Lucy” also gave Ms. Ferguson advice regarding how to split the marital property.

80. On June 12, 2013, Ms. Ferguson and her ex-husband filed a Petition for Dissolution of Marriage, styled *In the Marriage of Gloria E. Ferguson and Matthew E. Ferguson*, El Paso County District Court, Case No. 13DR2705 (the “divorce case”).

81. On the same day, they also filed a Separation Agreement, Parenting Plan, Domestic Relations Information Sheet, and proposed Decree.

82. These pleadings were selected and prepared by Park Paralegal employee "Lucy".

83. "Lucy" told Ms. Ferguson that the divorce would take sixty days.

84. Thereafter, Ms. Ferguson (who is in the Air Force) was assigned to a base in Tampa, Florida, and moved there.

85. On July 17, 2013, the Judge in the divorce case issued a Delay Prevention Order (Domestic).

86. The Judge noted that the parties had failed to appear for an Initial Status Conference on July 12, 2013.

87. Neither Respondent nor anyone else from Park Paralegal had informed Ms. Ferguson that she needed to attend the Initial Status Conference.

88. Due to lack of that information, Ms. Ferguson missed her court date.

89. After another month or more had passed, Ms. Ferguson called Park Paralegal.

90. Respondent answered, and told Ms. Ferguson that "Lucy" wasn't working there any longer.

91. Ms. Ferguson faxed her divorce pleadings to Respondent, so that Respondent could continue to assist on the divorce case.

92. Respondent selected a Motion for Absentee Testimony and a Notice to Set.

93. Respondent e-mailed those pleadings to Ms. Ferguson on September 4, 2013.

94. Respondent instructed Ms. Ferguson to sign and return the pleadings, so that Respondent could file them.

95. Respondent filed the Notice to Set on September 10, 2013.

96. On October 15, 2013, the Judge issued a Notice of Hearing Regarding Final Orders.

97. The hearing was set for December 2, 2013.

98. Ms. Ferguson filled in that date on the Motion for Absentee Testimony, signed the Motion and sent it to Respondent.

99. Respondent filed the Motion for Absentee Testimony on October 30, 2013.

100. The Decree was entered on January 31, 2014.

101. Because her divorce took months longer than it should have, Ms. Ferguson was unable to get benefits for her children paid by the Air Force.

102. Instead, her husband continued to get the benefits, because he outranked her.

103. Ms. Ferguson had to pay for food and other child costs out of pocket until she was divorced.

H. Halpern Matter.

104. Nathan Halpern was involved in post-decree proceedings. *In the Marriage of Danielle Halpern and Nathan Halpern*, El Paso County District Court, Case No. 12DR2507 (the “divorce case”).

105. Mr. Halpern needed to modify his child support obligation after receiving a medical discharge from the Army.

106. At the time, he was living in Garden Grove, California.

107. On October 10, 2014, he contacted Respondent, who agreed to help.

108. Mr. Halpern paid Park Paralegal \$250 on November 4, 2014.

109. Respondent selected the form for a motion for modification.

110. Mr. Halpern gave Respondent a copy of his divorce decree.

111. Respondent or an employee used the information to prepare the motion to modify.

112. Park Paralegal sent the draft motion to Mr. Halpern, who signed it before a notary.

113. On November 21, 2014, Respondent filed for Mr. Halpern a Verified Motion to Modify Child Support.

114. The judge initially granted the motion, because there was no response.

115. The certificate of mailing stated that the Motion had been mailed to Mr. Halpern's ex-wife on November 17.

116. However, after the motion was granted, Danielle Halpern filed an objection, demonstrating that in fact, the motion was not mailed to her until November 25.

117. The judge set aside the first order and denied the motion.

118. Mr. Halpern blames Respondent for the mistaken certificate of service on the motion.

I. Silvas Matter.

119. Jennifer Cahill Silvas and Adam Mitchell Silvas decided to divorce.

120. The Silvases asked Respondent for help.

121. Respondent selected and prepared the divorce pleadings.

122. Respondent also advised Ms. Silvas about the divorce process.

123. Ms. Silvas paid Respondent \$250 on March 31, 2015.

124. On April 20, 2015, the divorce case was commenced with the filing of a Petition for Dissolution, a Domestic Relations Information Sheet, a Parenting Plan, a Separation Agreement, and a proposed Decree. *In the Marriage of Jennifer Cahill Silvas and Adam Mitchell Silvas*, El Paso County District Court, Case No. 15DR1389.

J. Matthews Matter.

125. Kelly Matthews and her husband wanted to divorce.

126. Mr. and Ms. Matthews talked to Respondent at her office.

127. Respondent selected and prepared the pleadings to begin the case: a Petition for Dissolution of Marriage, a Domestic Relations Information Sheet, a Separation Agreement and an Affidavit for Decree without Appearance of Parties.

128. The Matthews paid Respondent \$225 on June 12, 2014.

129. On June 18, 2014, Ms. Matthews and her husband commenced *In re Marriage of Kelly C. Matthews and Charles C. Matthews*, El Paso County District Court, Case No. 14DR2026.

130. However, they did not proceed with the divorce.

K. Failla Matter.

131. Bernadette Failla used Respondent's services for two divorces. *In the Marriage of Bernadette Failla and Patrick Grob*, El Paso County District Court, Case No. 11DR2722 and *In the Marriage of Bernadette A. Failla and Ricky R. Tolfa*, El Paso County District Court, Case No. 14DR2986.

132. For each divorce, Respondent selected and prepared the pleadings.

133. Ms. Failla paid \$250 to Respondent for the two divorces.

134. Ms. Failla used Respondent because she was the only one available to file a divorce on-line.

L. Schaefer Matter.

135. Andrew Schaefer was divorced. *In the Marriage of Tuyen Truc Tran and Andrew Thomas Schaefer*, El Paso County District Court, Case No. 13DR545.

136. Mr. Schaefer used Respondent's services when he needed to modify his child support obligation.

137. Mr. Schaefer paid Respondent \$250 on November 10, 2014.

138. Respondent selected and prepared a motion to modify.

139. However, Mr. Schaefer was dissatisfied with Respondent's product because of the many errors it contained.

140. Mr. Schaefer decided not to use the forms.

M. Gaines Matter.

141. Demetrius Gaines went to Park Paralegal for assistance with a divorce.

142. Respondent selected and prepared the pleadings.

143. Mr. Gaines paid \$200 cash for Park Paralegal's services.

144. Then Mr. Gaines and his wife stopped the process.

145. Mr. and Ms. Gaines restarted again this year.

146. Mr. Gaines again called Park Paralegal.

147. An employee told him he had to fill out a new form and pay another \$125 for the 2015 divorce.

148. On March 31, 2015, Mr. Gaines paid Park Paralegal \$125 on line.

149. An employee of Park Paralegal again selected and prepared the pleadings, including a Petition for Dissolution of Marriage, Separation Agreement, Affidavit for Decree without Appearance, and Financial Statement. *In the Marriage of Demetrius Machon Gaines and Nichelle Chante Brown*, El Paso County District Court, Case No. 15DR1710.

N. Statement as to Harm.

150. In addition to the harm discussed above, Respondent has not refunded fees to any of her customers.

REQUEST FOR RELIEF

151. The unauthorized practice of law includes holding oneself out as able to provide services that can be done only by a licensed lawyer and thereby soliciting legal business to be performed for a fee. *Unauthorized Practice of Law Committee v. Grimes*, 654 P.2d 822, 825 (Colo. 1982) (Grimes engaged in the unauthorized practice of law, *inter alia*, by advertising his services as a drafter of legal pleadings in the newspaper and phone book under headings for “lawyers” and “legal counsel”). *See also People ex rel. Attorney General v. Castleman*, 88 Colo. 207, 294 P. 535 (1930) (unlicensed person who advertised himself on business card as a lawyer engaged in the unauthorized practice of law); *People ex rel. Colorado Bar Ass’n v. Taylor*, 56 Colo. 441, 138 P. 762 (1914) (unlicensed person

who advertised himself including on business card as a lawyer guilty of contempt of the Supreme Court); *Binkley v. People*, 716 P.2d 1111, 1114 (Colo. 1986) (“Anyone advertising as a lawyer holds himself or herself out as an attorney, attorney-at-law, or counselor-at-law and, if not properly licensed, may be held in contempt of court for practicing law without a license.”).

152. Respondent engaged in the unauthorized practice of law by advertising on Craigslist, offering assistance with a variety of domestic relations matters.

153. The advertisement gave the reader the impression that Respondent was authorized to select and prepare the forms for these matters.

154. Respondent also engaged in the unauthorized practice of law by providing a link on her website to a questionnaire, which the customer could complete.

155. Respondent or her employees would then select and prepare domestic relations forms using it.

156. The unauthorized practice of law also includes but is not limited to an unlicensed person’s actions as a representative in protecting, enforcing or defending the legal rights and duties of another and/or counseling, advising and assisting that person in connection with legal rights and duties. *See People v. Shell*, 148 P.3d 162 (Colo. 2006); *Denver Bar Assn. v. P.U.C.*, 154 Colo. 273, 391

P.2d 467 (1964). Prohibited activities involve the lay exercise of *legal discretion*, such as advice to clients regarding legal matters. *People v. Adams*, 243 P.3d 256, 266 (Colo. 2010).

157. Respondent engaged in the unauthorized practice of law, as follows.

158. Respondent advised Hillary and Bret Foster to seek a change of venue of the California divorce case to the El Paso County Court, as a means of pursuing a reunification with Bret Foster's children.

159. Respondent selected and prepared the Petition to Register for Bret Foster's signature, which Respondent then filed to commence the Colorado parental responsibilities case.

160. Respondent supplied Hillary Foster with a questionnaire, for the purpose of generating pleadings for allocation of parental responsibilities.

161. Respondent advised Trinity Parker that her debt to Colorado Christian University was not valid.

162. Respondent selected and prepared forms for Ms. Parker's divorce.

163. Respondent's employee, "Lucy", advised Gloria Ferguson regarding child support and the division of marital property.

164. Respondent and her employee selected and prepared pleadings to be filed in Ms. Ferguson's divorce case.

165. Respondent or her employees selected and prepared divorce pleadings for Kristin Baker, Nathan Halpern, Jennifer Silvas, Kelly Matthews, Bernadette Failla, Andrew Schaefer, and Demetrius Gaines.

166. Respondent does not fall within any of the case law or statutory exceptions.

WHEREFORE, the Petitioner prays that this Court issue an order directing Respondent to show cause why Respondent should not be enjoined from engaging in any unauthorized practice of law; thereafter that the Court enjoin Respondent from the practice of law, or in the alternative that this court refer this matter to a hearing master for determination of facts and recommendations to the Court on whether Respondent should be enjoined from the unauthorized practice of law. Furthermore, Petitioner requests that the Court assess the costs and expenses of these proceedings against Respondent; impose a fine for each incident of unauthorized practice of law, not less than \$250.00 and not more than \$1,000.00; order restitution; and any other relief deemed appropriate by this Court.

DATED this 8th day of October, 2015.

Respectfully submitted,



Kim E. Ikeler, #15590
Assistant Regulation Counsel
Attorney for Petitioner

EXHIBIT B TO STIPULATION IN 2015SA267

1. Hillary Foster, 1053 El Portal, Merced, CA 95340, \$250 plus interest at 8% *per annum* from February 14, 2013 through October 31, 2015, in the total amount of \$300.10 plus \$.05 *per diem* thereafter until paid.
2. Trinity Parker, 4980 Ironhorse Trail, Colorado Springs, CO 80917, \$250 plus interest at 8% *per annum* from April 1, 2014 through October 31, 2015, in the total amount of \$278.90, plus \$.05 *per diem* thereafter until paid.
3. Kristin Baker, 3570 S. Tower Ave., Chandler, AZ 85286, \$200 plus interest at 8% *per annum* from August 14, 2013 through October 31, 2015, in the total amount of \$236.64, plus \$.04 *per diem* thereafter until paid.
4. Gloria Ferguson, 6109 Gannetwood, Lithia, FL 33547, \$500.
5. Nathan Halpern, 12612 Lampson Ave., Garden Grove, CA 92840, \$250 plus interest at 8% *per annum* from November 4, 2014 through October 31, 2015, in the total amount of \$268.25, plus \$.05 *per diem* thereafter until paid.
6. Jennifer Cahill Silvas, 7524 Jaoul Pt., Peyton, CO 80831, \$250 plus interest at 8% *per annum* from March 31, 2015 through October 31, 2015, in the total amount of \$262.25, plus \$.05 *per diem* thereafter until paid.
7. Kelly Matthews, 7620 Sandy Springs Point, Fountain, CO 80817, \$225 plus interest at 8% *per annum* from June 12, 2014 through October 31, 2015, in the total amount of \$250.90, plus \$.05 *per diem* thereafter until paid.
8. Bernadette Failia, Unit 3050, BPO AA 34025, \$250.
9. Andrew Schaefer, 5714 Wolf Village Drive, Colorado Springs, CO 80924, \$250 plus interest at 8% *per annum* from November 10, 2014 through October 31, 2015, in the total amount of \$268.25, plus \$.05 *per diem* thereafter until paid.
10. Demetrius Gains, 613 Caines Rd., Hinesville, GA 31313, \$200 plus interest at 8% *per annum* from April 1, 2015 through October 31, 2015, in the total amount of \$208.56, plus \$.04 *per diem* thereafter until paid; and \$125 plus interest thereon at 8% *per annum* from March 31, 2015 through October 31, 2015, in the total amount of \$132.35, plus \$.03 *per diem* thereafter until paid.

